

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

# A Bill

SENATE BILL 137

5 By: Senator J. Boyd  
6 By: Representative Achor  
7

## For An Act To Be Entitled

8  
9 AN ACT TO PERMIT HEALTHCARE PROVIDERS TO MAINTAIN  
10 MEDICAL RECORDS IN AN ELECTRONIC FORMAT; AND FOR  
11 OTHER PURPOSES.  
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13

## Subtitle

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15 TO PERMIT HEALTHCARE PROVIDERS TO  
16 MAINTAIN MEDICAL RECORDS IN AN  
17 ELECTRONIC FORMAT.  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code Title 20, Chapter 9, Subchapter 1, is amended  
22 to add an additional section to read as follows:

23 20-9-106. Electronic medical records – Definitions.

24 (a) As used in this section:

25 (1) "Healthcare provider" means:

26 (A) An individual who is licensed, certified, or otherwise  
27 authorized by a licensing authority of this state to administer healthcare  
28 services in the ordinary course of his or her business or practice; or

29 (B) A healthcare facility including without limitation a  
30 hospital, pharmacy, long-term care facility, office of a healthcare  
31 professional, or a hospice facility;

32 (2) "Medical record" means a patient's health record, including  
33 without limitation evaluations, diagnoses, prognoses, laboratory reports, X-  
34 rays, prescriptions, and other technical information used in assessing the  
35 patient's condition, or the pertinent portion of the record relating to a  
36 specific condition or a summary of the record; and



1           (3) "Patient" means a person who has received healthcare  
2 services from a healthcare provider.

3           (b) Notwithstanding any other provision of the law to the contrary, a  
4 healthcare provider may, in its sole discretion, create, maintain, transmit,  
5 receive, and store medical records in an electronic format and may, in its  
6 sole discretion, temporarily or permanently convert records into an  
7 electronic format.

8           (c)(1) A healthcare provider is not required to maintain separate  
9 tangible copies of electronically stored medical records.

10           (2) However, the healthcare provider shall maintain  
11 electronically stored medical records in a legible and retrievable form,  
12 including adequate data backup.

13           (d) This section is subject to all applicable federal laws governing  
14 the security and confidentiality of a patient's personal health information.

15           (e) A tangible copy of a medical record reproduced from an  
16 electronically stored record shall be considered an original for purposes of  
17 providing copies to patients or other authorized parties and for introduction  
18 of the medical record into evidence in administrative or court proceedings.

19           (f)(1) Except as provided otherwise under federal law, upon receiving  
20 a request for a copy of a medical record from a patient or an authorized  
21 person, a healthcare provider shall provide copies of the medical record in  
22 either tangible or electronically stored form.

23           (2) Except as provided otherwise under federal law, if a  
24 healthcare provider is audited by a health benefit plan, a pharmacy benefit  
25 manager, or a third-party entity involved in health benefits, the auditor  
26 shall accept an electronic version of the medical record in lieu of a  
27 physical medical record.

28           (g) This section applies to psychiatric, psychological, or other  
29 mental health medical records of a patient.

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32                                   **APPROVED: 2/25/25**