

# Potential Changes in How to Admit Medical Records in Virginia Circuit Court

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As the **Virginia General Assembly** begins its work, one way to determine which bills stand a decent chance of becoming law is to look at the votes while bills are in committee. Generally speaking, the bills most likely to be uncontested are allowed to be voted upon by committees at the beginning of the legislative session. Likewise, if bills are uncontested in committee, there's a strong likelihood that some form of the bill will pass the House and Senate and make its way to the Governor's desk for signature.

[House Bill 301](#), appears to be one such bill. Instead of having to rely upon witness testimony to admit business records trials originating in Circuit Court, the legislation would allow the custodian of record to provide an affidavit or declaration as to the document's authenticity. As reported in the [Virginia's Lawyers Weekly](#), the bill appears directed at making it easier to introduce medical records and bills into evidence, which is always an issue in personal injury cases but also other types of cases as well.

In General District Court, medical records are routinely admitted into evidence without a witness having to come to court to authenticate the documents. The Code of Virginia authorizes this: <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+16.1-88.2>. It is an efficient process in General District Court, and I have not observed any abuses. House Bill 301, which was a recommendation of the Boyd-Graves Conference, appears to follow suit in Circuit Court cases in which the amount in controversy exceeds the cap for having cases heard in the General District Courts.

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National Law Review, Volume IV, Number 17

Source URL: <https://natlawreview.com/article/potential-changes-how-to-admit-medical-records-virginia-circuit-court>