

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 1888

(SENATE AUTHORS: LIMMER, Kiffmeyer and Benson)

DATE
03/07/2017

D-PG

Introduction and first reading
Referred to Health and Human Services Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to health; requiring a patient's affirmative consent or nonconsent for each
1.3 item when requested to release health records; amending Minnesota Statutes 2016,
1.4 section 144.293, subdivision 2.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 144.293, subdivision 2, is amended to read:

1.7 Subd. 2. **Patient consent to release of records.** (a) A provider, or a person who receives
1.8 health records from a provider, may not release a patient's health records to a person without:

1.9 (1) a signed and dated consent from the patient or the patient's legally authorized
1.10 representative authorizing the release;

1.11 (2) specific authorization in law; or

1.12 (3) a representation from a provider that holds a signed and dated consent from the
1.13 patient authorizing the release.

1.14 (b) Any consent form signed by a patient must include an option to indicate "yes" or
1.15 "no" to individual items for which the provider is requesting consent. The provider may not
1.16 condition the patient's receipt of treatment on the patient's willingness to release records.