

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 4834

(SENATE AUTHORS: SEEBERGER)

DATE
03/11/2024

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Introduction and first reading
Referred to Health and Human Services

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to health records; modifying maximum charges for medical record request
1.3 costs; revising per page and retrieval charges for medical record request costs;
1.4 amending Minnesota Statutes 2022, section 144.292, subdivision 6.

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

1.6 Section 1. Minnesota Statutes 2022, section 144.292, subdivision 6, is amended to read:

1.7 Subd. 6. **Cost.** (a) When a patient requests a copy of the patient's record for purposes of
1.8 reviewing current medical care, the provider must not charge a fee.

1.9 (b) When a provider or its representative makes copies of patient records upon a patient's
1.10 request under this section, the provider or its representative may charge the patient or the
1.11 patient's representative no more than ~~75 cents per page, plus \$10 for time spent retrieving~~
1.12 ~~and copying the records, unless other law or a rule or contract provide for a lower maximum~~
1.13 ~~charge. This limitation does not apply to x-rays. The provider may charge a patient no more~~
1.14 ~~than the actual cost of reproducing x-rays, plus no more than \$10 for the time spent retrieving~~
1.15 ~~and copying the x-rays~~ the following amount, unless other law or a rule or contract provide
1.16 for a lower maximum charge:

1.17 (1) for paper copies, \$1 per page, plus \$10 for time spent retrieving and copying the
1.18 records;

1.19 (2) for x-rays, a total of \$30 for retrieving and reproducing x-rays; and

1.20 (3) for electronic copies, a total of \$20 for retrieving the records.

1.21 (c) ~~The respective maximum charges of 75 cents per page and \$10 for time provided in~~
1.22 ~~this subdivision are in effect for calendar year 1992 and may be adjusted annually each~~

2.1 ~~calendar year as provided in this subdivision. The permissible maximum charges shall~~
2.2 ~~change each year by an amount that reflects the change, as compared to the previous year,~~
2.3 ~~in the Consumer Price Index for all Urban Consumers, Minneapolis-St. Paul (CPI-U),~~
2.4 ~~published by the Department of Labor. For any copies of paper records provided under~~
2.5 ~~paragraph (b), clause (1), a provider or the provider's representative may not charge more~~
2.6 ~~than a total of:~~

2.7 (1) \$10 if there are no records available;

2.8 (2) \$30 for copies of records of up to 25 pages;

2.9 (3) \$50 for copies of records of up to 100 pages;

2.10 (4) \$50, plus an additional 20 cents per page for pages 101 and above; or

2.11 (5) \$500 for any request.

2.12 (d) A provider or its representative may charge ~~the~~ a \$10 retrieval fee, but must not
2.13 charge a per page fee or x-ray fee to provide copies of records requested by a patient or the
2.14 patient's authorized representative if the request for copies of records is for purposes of
2.15 appealing a denial of Social Security disability income or Social Security disability benefits
2.16 under title II or title XVI of the Social Security Act; except that no fee shall be charged to
2.17 a patient who is receiving public assistance, or to a patient who is represented by an attorney
2.18 on behalf of a civil legal services program or a volunteer attorney program based on
2.19 indigency. For the purpose of further appeals, a patient may receive no more than two
2.20 medical record updates without charge, but only for medical record information previously
2.21 not provided. For purposes of this paragraph, a patient's authorized representative does not
2.22 include units of state government engaged in the adjudication of Social Security disability
2.23 claims.

2.24 **EFFECTIVE DATE.** This section is effective January 1, 2025.