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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3312

03/05/2018 Authored by Zerwas, Albright, Schomacker, Halverson and Kresha
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health; modifying a provision governing patient consent to release of
1.3 health records; amending Minnesota Statutes 2016, section 144.293, subdivision
1.4 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 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, which includes Code of Federal Regulations, title 45,
1.12 part 164, subpart E, for those entities and individuals subject to Code of Federal Regulations,
title 45, part 164, subpart E; or

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