

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 1881

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DATE
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Introduction and first reading
Referred to Health and Human Services
See SF3045

OFFICIAL STATUS

- 1.1 A bill for an act
- 1.2 relating to health; changing provisions for the cost of health records; amending
- 1.3 Minnesota Statutes 2024, section 144.292, subdivision 6.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. Minnesota Statutes 2024, section 144.292, subdivision 6, is amended to read:
- 1.6 Subd. 6. **Cost.** (a) When a patient requests a copy of the patient's record for the patient's
- 1.7 own purposes of reviewing current medical care, the provider must not charge a fee.
- 1.8 (b) Notwithstanding paragraph (a), when a provider or its representative ~~makes copies~~
- 1.9 ~~of~~ retrieves or reproduces patient records ~~upon a patient's request~~ under this section, the
- 1.10 provider or its representative may charge ~~the patient or the patient's representative~~ no more
- 1.11 than the following amount, unless other law or a rule or contract provide for a lower
- 1.12 maximum charge:
- 1.13 ~~(1) for paper copies, \$1 per page, plus \$10 for time spent retrieving and copying the~~
- 1.14 ~~records;~~
- 1.15 (1) for patient health records, excluding x-rays and other imaging:
- 1.16 (i) for a request for records that are no older than three years from the date of the request,
- 1.17 a flat fee of \$250; or
- 1.18 (ii) for a request that includes any records older than three years, a flat fee of \$250, plus
- 1.19 \$0.40 per page; and
- 1.20 (2) for x-rays, a total of \$30 for retrieving and reproducing x-rays; and other imaging,
- 1.21 a \$50 base fee, plus a fee of \$25 per unique study.

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

2.2 (c) For any ~~copies of paper~~ records provided under paragraph (b), ~~clause (1)~~, a provider
2.3 or the provider's representative may not charge more than a total of:

2.4 (1) ~~\$10 if \$20 for providing communication stating that there are no records available;~~

2.5 or

2.6 ~~(2) \$30 for copies of records of up to 25 pages;~~

2.7 ~~(3) \$50 for copies of records of up to 100 pages;~~

2.8 ~~(4) \$50, plus an additional 20 cents per page for pages 101 and above; or~~

2.9 ~~(5) \$500 for any request.~~

2.10 (2) \$1,500 for any request.

2.11 (d) Before retrieving or reproducing the patient's health records, a provider or its
2.12 representative may require payment of the flat fee amount under paragraph (b), clause (1),
2.13 item (i), unless the provider or the provider's representative issues a refund for the difference
2.14 between the flat fee amount paid under paragraph (b), clause (1), item (i), and the amount
2.15 charged under paragraph (c), clause (1), when there are no records available.

2.16 (e) The maximum charges provided in paragraphs (b) and (c) are effective for calendar
2.17 year 2026 and may be adjusted annually each calendar year as provided in this subdivision.
2.18 The permissible maximum charges shall change each year by an amount that reflects the
2.19 change, as compared to the previous year, in the Consumer Price Index for all Urban
2.20 Consumers, Minneapolis-St. Paul, published by the Department of Labor.

2.21 ~~(d)~~ (f) A provider or its representative may not charge a \$10 retrieval fee, but must not
2.22 charge a per page fee or x-ray fee to provide copies of more than \$10 for any records provided
2.23 under paragraph (b) for records requested by a patient or the patient's authorized
2.24 representative if the request for ~~copies of~~ records is for purposes of appealing a denial of
2.25 Social Security disability income or Social Security disability benefits under title II or title
2.26 XVI of the Social Security Act. Notwithstanding the foregoing, a provider or its
2.27 representative must not charge a fee, including a retrieval fee, to provide copies of records
2.28 requested by a patient or the patient's authorized representative if the request for copies of
2.29 records is for purposes of appealing a denial of Social Security disability income or Social
2.30 Security disability benefits under title II or title XVI of the Social Security Act when the
2.31 patient is receiving public assistance, represented by an attorney on behalf of a civil legal
2.32 services program, or represented by a volunteer attorney program based on indigency. The

3.1 patient or the patient's representative must submit one of the following to show that they
3.2 are entitled to receive records without charge under this paragraph:

3.3 (1) a public assistance statement from the county or state administering assistance;

3.4 (2) a request for records on the letterhead of the civil legal services program or volunteer
3.5 attorney program based on indigency; or

3.6 (3) a benefits statement from the Social Security Administration.

3.7 For the purpose of further appeals, a patient may receive no more than two medical record
3.8 updates without charge, but only for medical record information previously not provided.

3.9 For purposes of this paragraph, a patient's authorized representative does not include units
3.10 of state government engaged in the adjudication of Social Security disability claims.