

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1560

03/09/2015 Authored by Gruenhagen and Drazkowski
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

03/29/2016 Adoption of Report: Re-referred to the Committee on Civil Law and Data Practices

04/01/2016 Adoption of Report: Placed on the General Register as Amended
Read Second Time

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
1.4 2014, section 144.293, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2014, 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
1.8 receives health records from a provider, may not release a patient's health records to a
1.9 person without:

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

1.12 (2) specific authorization in law; or

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

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