

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 1517

(SENATE AUTHORS: ABELER, Eaton, Benson, Marty and Newton)		
DATE	D-PG	OFFICIAL STATUS
02/27/2017	797	Introduction and first reading
		Referred to Health and Human Services Finance and Policy
03/09/2017	1276	Comm report: To pass and re-referred to Judiciary and Public Safety Finance and Policy
02/20/2018	6138	Author added Newton
03/21/2018	6840a	Comm report: To pass as amended
	6859	Second reading

1.1

A bill for an act

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relating to health; modifying record and data provisions for quality of care

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complaints; amending Minnesota Statutes 2016, section 62D.115, subdivision 4.

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

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Section 1. Minnesota Statutes 2016, section 62D.115, subdivision 4, is amended to read:

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Subd. 4. **Records.** (a) Each health maintenance organization shall maintain records of

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all quality of care complaints and their resolution and retain those records for five years.

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Notwithstanding section 145.64, upon written request of the enrollee or individual who

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made the complaint, the commissioner shall require the health maintenance organization

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to provide a record of the resolution of the complaint to the commissioner. The record must

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be provided within 45 days of receipt of the request from the enrollee or individual making

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the complaint. For purposes of this subdivision, the record provided to the commissioner

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is limited to information on the resolution of the complaint, the conclusion of the

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investigation, and any corrective action plan.

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(b) Information provided to the commissioner according to this subdivision is classified

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as confidential data on individuals or protected nonpublic data as defined in section 13.02,

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subdivision 3 or 13, provided that information that does not identify individuals, including

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individuals participating in or the subject of peer review, is accessible to the enrollee or

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individual who made the complaint. To the extent records provided to the commissioner or

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an enrollee or complainant under this subdivision are subject to peer protection confidentiality

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under state or federal law, those records are not subject to discovery or subpoena and may

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not be included or referenced in a court file, introduced into evidence, or used to obtain an

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affidavit of expert review under section 145.682. This subdivision does not prohibit the use

- 2.1
- in a civil action of information, documents, or records subject to discovery or otherwise
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- available from original sources.