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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3860

02/26/2020 Authored by Nelson, N.; Sundin and Lueck
The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act
1.2 relating to human services; requiring destruction of certain welfare data; proposing
1.3 coding for new law in Minnesota Statutes, chapter 256B.

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

1.5 Section 1. 256B.0563] DESTRUCTION OF MEDICAL ASSISTANCE WELFARE
1.6 DATA.

1.7 Notwithstanding section 138.17, the responsible authority as defined in section 13.46,
1.8 subdivision 10, for each component part of the welfare system as defined in section 13.46,
1.9 subdivision 1, must destroy all medical assistance welfare data more than ten years old
1.10 collected or created on an individual who was a recipient of medical assistance benefits or
1.11 services during the prior ten years, unless the individual received nursing facility services
1.12 or home and community-based services at any time.

1.13 Sec. 2. DIRECTION TO RESPONSIBLE AUTHORITIES; DESTRUCTION OF
1.14 MEDICAL ASSISTANCE WELFARE DATA.

1.15 Notwithstanding Minnesota Statutes, section 138.17, the responsible authority as defined
1.16 in Minnesota Statutes, section 13.46, subdivision 10, for each component part of the welfare
1.17 system as defined in Minnesota Statutes, section 13.46, subdivision 1, must destroy all
1.18 medical assistance welfare data collected or created between January 1, 2014, and June 30,
1.19 2016, on any individual who was 52 years of age or older as of July 1, 2013; was newly
1.20 eligible for medical assistance as of January 1, 2014, due to the implementation of Laws
1.21 2013, chapter 1, as amended Laws 2013, chapter 108, article 6, section 32, and Laws 2014,
1.22 chapter 312, article 30, section 6; and was a recipient between January 1, 2014, and June

- 2.1 30, 2016, of medical assistance coverage, benefits, or services, unless the services received
- 2.2 included nursing facility services or home and community-based services.