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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 427

02/07/2013 Authored by Laine; Ward, J.E.; Loeffler; Brynaert; Bernardy and others

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 health records; decreasing the cost a provider may charge a patient  
1.3 for copying records; amending Minnesota Statutes 2012, section 144.292,  
1.4 subdivision 6.

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

1.6 Section 1. Minnesota Statutes 2012, section 144.292, subdivision 6, is amended to read:

1.7 Subd. 6. **Cost.** (a) When a patient requests a copy of the patient's record for  
1.8 purposes of reviewing current medical care, the provider must not charge a fee.

1.9 (b) When a provider or its representative makes copies of patient records upon a  
1.10 patient's request under this section, the provider or its representative may charge the  
1.11 patient or the patient's representative no more than ~~75~~ ten cents per page, plus \$10 for time  
1.12 spent retrieving and copying the records, unless other law or a rule or contract provide for  
1.13 a lower maximum charge. This limitation does not apply to x-rays. The provider may  
1.14 charge a patient no more than the actual cost of reproducing x-rays, plus no more than  
1.15 \$10 for the time spent retrieving and copying the x-rays.

1.16 ~~(e) The respective maximum charges of 75 cents per page and \$10 for time provided~~  
1.17 ~~in this subdivision are in effect for calendar year 1992 and may be adjusted annually each~~  
1.18 ~~calendar year as provided in this subdivision. The permissible maximum charges shall~~  
1.19 ~~change each year by an amount that reflects the change, as compared to the previous year,~~  
1.20 ~~in the Consumer Price Index for all Urban Consumers, Minneapolis-St. Paul (CPI-U),~~  
1.21 ~~published by the Department of Labor.~~

1.22 ~~(d)~~ (c) A provider or its representative may charge the \$10 retrieval fee, but must not  
1.23 charge a per page fee to provide copies of records requested by a patient or the patient's  
1.24 authorized representative if the request for copies of records is for purposes of appealing

2.1 a denial of Social Security disability income or Social Security disability benefits under  
2.2 title II or title XVI of the Social Security Act; except that no fee shall be charged to a  
2.3 person who is receiving public assistance, who is represented by an attorney on behalf of  
2.4 a civil legal services program or a volunteer attorney program based on indigency. For  
2.5 the purpose of further appeals, a patient may receive no more than two medical record  
2.6 updates without charge, but only for medical record information previously not provided.  
2.7 For purposes of this paragraph, a patient's authorized representative does not include units  
2.8 of state government engaged in the adjudication of Social Security disability claims.