
CHAPTER 73—S.F.No.524

An act relating to health; amending the definition of review organization; confidentiality of records; amending Minnesota Statutes 1974, Sections 145.61, Subdivision 5; and 145.64.

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

Section 1. Minnesota Statutes 1974, Section 145.61, Subdivision 5, is amended to read:

Subd. 5. **HEALTH; REVIEW ORGANIZATIONS.** "Review organization" means a committee whose membership is limited to professionals and administrative staff, except where otherwise provided for by state or federal law, and which is established by a hospital, by a clinic, by one or more state or local associations of professionals, by an organization of professionals from a particular area or medical institution, by a health maintenance organization as defined in Minnesota Statutes, Chapter 62D, by a nonprofit health service plan corporation as defined in Minnesota Statutes, Chapter 62C or by a professional standards review organization established pursuant to 42 U.S.C., Section 1320c-1 et seq. to gather and review information relating to the care and treatment of patients for the purposes of:

(a) Evaluating and improving the quality of health care rendered in the area or medical institution;

(b) Reducing morbidity or mortality;

(c) Obtaining and disseminating statistics and information relative to the treatment and prevention of diseases, illness and injuries;

(d) Developing and publishing guidelines showing the norms of health care in the area or medical institution;

(e) Developing and publishing guidelines designed to keep within reasonable bounds the cost of health care;

(f) Reviewing the quality or cost of health care services provided to enrollees of health maintenance organizations;

(g) Acting as a professional standards review organization pursuant to 42 U.S.C., Section 1320c-1 et seq.; ~~or~~

(h) Determining whether a professional shall be granted staff privileges in a medical institution or whether a professional's staff privileges should be limited, suspended or revoked; or

Changes or additions indicated by underline deletions by ~~strikeout~~

(i) Reviewing, ruling on, or advising on controversies, disputes or questions between:

(1) health insurance carriers or health maintenance organizations and their insureds or enrollees;

(2) professional licensing boards acting under their powers including disciplinary, license revocation or suspension procedures and health providers licensed by them when the matter is referred to a review committee by the professional licensing board;

(3) professionals and their patients concerning diagnosis, treatment or care, or the charges or fees therefor;

(4) professionals and health insurance carriers or health maintenance organizations concerning a charge or fee for health care services provided to an insured or enrollee; or

(5) professionals or their patients and the federal, state, or local government, or agencies thereof.

~~No party shall be bound by a ruling of a review organization pursuant to this clause on a controversy, dispute or question unless he agrees in advance, either specifically or generally, to be bound by the ruling.~~

Sec. 2. Minnesota Statutes 1974, Section 145.64, is amended to read:

145.64 CONFIDENTIALITY OF RECORDS OF REVIEW ORGANIZATION. All data and information acquired by a review organization, in the exercise of its duties and functions, shall be held in confidence, shall not be disclosed to anyone except to the extent necessary to carry out one or more of the purposes of the review organization, and shall not be subject to subpoena or discovery. No person described in section 145.63 shall disclose what transpired at a meeting of a review organization except to the extent necessary to carry out one or more of the purposes of a review organization. The proceedings and records of a review organization shall not be subject to discovery or introduction into evidence in any civil action against a professional arising out of the matter or matters which are the subject of consideration by the review organization. Information, documents or records otherwise available from original sources shall not be immune from discovery or use in any civil action merely because they were presented during proceedings of a review organization, nor shall any person who testified before a review organization or who is a member of it be prevented from testifying as to matters within his knowledge, but a witness cannot be asked about his testimony before a review organization or opinions formed by him as a result of its hearings. The provisions of this section shall not apply to a review organization of the type described in section 145.61, subdivision 5, clause (h).

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Approved April 30, 1975.

CHAPTER 74—S.F.No.587

[Not Coded]

An act relating to the Rice creek watershed district; authorizing an ad valorem tax for certain purposes.

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

Section 1. RICE CREEK WATERSHED DISTRICT; TAX LEVY; ANNUAL ADMINISTRATIVE FUND LEVY. Notwithstanding any other law to the contrary, the Rice creek watershed district is authorized, in addition to all powers it now possesses, to establish an administrative fund. This fund shall be maintained by an annual ad valorem tax levy on each dollar of assessed valuation of all taxable property within the Rice creek watershed district sufficient to raise an amount each year of up to, but not to exceed, an amount of \$125,000. This levy is in lieu of, not in addition to, the administrative levy contained in Minnesota Statutes 1974, Section 112.61, Subdivision 3 for the Rice creek watershed district. The funds shall be used for general administrative expenses and for the construction and maintenance of projects of common benefit to the district. The managers may make an annual levy for this fund as provided in Minnesota Statutes, Section 112.611.

Sec. 2. EFFECTIVE DATE. This act is effective upon approval by a majority of the board of managers of the Rice creek watershed district, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved April 30, 1975.

CHAPTER 75—S.F.No.588

[Not Coded]

An act relating to the Rice creek watershed district; providing for the establishment of a district water maintenance and repair fund; authorizing a tax levy for water maintenance and repair purposes.

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

Section 1. RICE CREEK WATERSHED DISTRICT; WATER MAINTENANCE AND REPAIR FUND; CREATION OF FUND; TAX LEVY. Notwithstanding any other law to the contrary, the Rice creek watershed district is hereby authorized and empowered, in addition to

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