

Subdivision 1. A law styled as S.F. No. 1750, if enacted at the 1984 regular session, is amended by deleting section 3.

Subd. 2. Notwithstanding the provisions of Minnesota Statutes, sections 645.26, subdivision 3, 645.33, or any other law, this section takes precedence over the provisions of S. F. No. 1750.

Sec. 3. **EFFECTIVE DATE.**

Section 2 is effective upon final enactment.

Approved April 26, 1984

CHAPTER 579 — H.F.No. 1886

An act relating to the dissemination and collection of data; welfare data; providing for the release of information in emergencies; classifying investigative data not on individuals; classifying certain licensing data; establishing procedures for the handling of medical data; amending Minnesota Statutes 1982, section 13.46, subdivisions 3, 4, 5, and 6; and Minnesota Statutes 1983 Supplement, section 13.46, subdivision 2.

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

Section 1. Minnesota Statutes 1983 Supplement, section 13.46, subdivision 2, is amended to read:

Subd. 2. **GENERAL.** Unless the data is summary data or a statute specifically provides a different classification, data on individuals collected, maintained, used, or disseminated by the welfare system is private data on individuals, and shall not be disclosed except:

- (a) pursuant to section 13.05;
- (b) pursuant to a valid court order;
- (c) pursuant to a statute specifically authorizing access to the private data;
- (d) to an agent of the welfare system, including ~~appropriate~~ a law enforcement ~~personnel~~ person, attorney, or investigator ~~who are acting for it~~ in the investigation, prosecution, criminal or civil proceeding relating to the administration of a program;
- (e) to personnel of the welfare system who require the data to determine eligibility, amount of assistance, and the need to provide services of additional programs to the individual;
- (f) to administer federal funds or programs;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

- (g) between personnel of the welfare system working in the same program;
- (h) the amounts of cash public assistance and relief paid to welfare recipients in this state, including their names and social security numbers, upon request by the department of revenue to administer the property tax refund law, supplemental housing allowance, and the income tax; ~~or~~
- (i) to the Minnesota department of economic security for the purpose of monitoring the eligibility of the data subject for unemployment compensation or for any employment or training program administered by that agency, whether alone or in conjunction with the welfare system; or

(j) to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the individual or other individuals or persons.

Sec. 2. Minnesota Statutes 1982, section 13.46, subdivision 3, is amended to read:

Subd. 3. **INVESTIGATIVE DATA.** Data on persons, including data on vendors of services, ~~which that~~ that is collected, maintained, used, or disseminated by the welfare system in an investigation, authorized by statute and relating to the enforcement of rules or law, is confidential data on individuals pursuant to section 13.02, subdivision 3, or protected nonpublic data not on individuals pursuant to section 13.02, subdivision 13, and shall not be disclosed except:

- (a) pursuant to section 13.05;
- (b) pursuant to statute or valid court order;
- (c) to a party named in a civil or criminal proceeding, administrative or judicial, for preparation of defense.

The data referred to in this subdivision shall be classified as public data upon its submission to a hearing examiner or court in an administrative or judicial proceeding.

Sec. 3. Minnesota Statutes 1982, section 13.46, subdivision 4, is amended to read:

Subd. 4. **LICENSING DATA.** All data collected, maintained, used, or disseminated by the welfare system pertaining to persons licensed or registered under the authority of the commissioner of public welfare, except for personal and personal financial data ~~submitted by~~ about applicants and licensees under the ~~home family~~ day care program and the family foster care program, ~~is~~ are public data. Personal and personal financial data on ~~home family~~ day care program and family foster care program applicants and licensees ~~is~~ are private data pursuant to section 13.02, subdivision 12.

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Sec. 4. Minnesota Statutes 1982, section 13.46, subdivision 5, is amended to read:

Subd. 5. **MEDICAL DATA; CONTRACTS.** Data relating to the medical, psychiatric, or mental health of any person individual, including diagnosis, progress charts, treatment received, case histories, and opinions of health care providers, ~~which~~ that is collected, maintained, used, or disseminated by any agency to the welfare system is private data on individuals and will be available to the data subject, unless the private health care provider has clearly requested in writing that the data be withheld pursuant to section 144.335. Data on individuals that is collected, maintained, used, or disseminated by a private health care provider under contract to any agency of the welfare system is private data on individuals, and is subject to the provisions of sections 13.02 to 13.07, and this section, except that the provisions of section 13.02 13.04, subdivision 5 3, shall not apply. Access to medical data referred to in this subdivision by the individual who is the subject of the data is subject to the provisions of section 144.335.

Sec. 5. Minnesota Statutes 1982, section 13.46, subdivision 6, is amended to read:

Subd. 6. **OTHER DATA.** Data collected, used, maintained, or disseminated by the welfare system that is not data on individuals is public pursuant to section 13.03, except ~~that~~ the following data:

(a) investigative data classified by section 13.39;

(b) welfare investigative data classified by section 13.46, subdivision 3;
and

(c) security information as defined in classified by section 13.37, subdivision 1, clause (a) shall be nonpublic 2.

Approved April 26, 1984

CHAPTER 580 — H.F.No. 1977

An act relating to public welfare; clarifying the calculation of rates paid to health maintenance organizations; requiring the use of certain presentation materials; amending Minnesota Statutes 1982, sections 256.966, subdivision 2; and 256B.05, by adding a subdivision; Minnesota Statutes 1983 Supplement, section 256.871, subdivision 7.

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

Section 1. Minnesota Statutes 1983 Supplement, section 256.871, subdivision 7, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.