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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 939

01/26/2023 Authored by Nelson, N., The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law

1.1 A bill for an act
1.2 relating to human services; requiring destruction of certain welfare data; requiring
1.3 a report.

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

1.5 Section 1. DIRECTION TO RESPONSIBLE AUTHORITIES; DESTRUCTION OF
1.6 MEDICAL ASSISTANCE WELFARE DATA.

1.7 (a) Notwithstanding Minnesota Statutes, section 138.17, ten years following the date
1.8 the data was collected or created, the responsible authority as defined in Minnesota Statutes,
1.9 section 13.46, subdivision 10, for each component part of the welfare system as defined in
1.10 Minnesota Statutes, section 13.46, subdivision 1, must destroy all medical assistance
1.11 non-long-term services and supports claims data that is not needed to comply with active
1.12 litigation, fraud prevention or investigation, or third-party liability requirements, collected
1.13 or created between January 1, 2014, and June 30, 2016, on any individual who was:

1.14 (1) 52 years of age or older as of July 1, 2013;

1.15 (2) newly eligible for medical assistance as of January 1, 2014, due to the implementation
1.16 of Laws 2013, chapter 1, as amended by Laws 2013, chapter 108, article 6, section 32, and
1.17 Laws 2014, chapter 312, article 30, section 6; and

1.18 (3) a recipient between January 1, 2014, and June 30, 2016, of medical assistance
1.19 coverage, benefits, or services, unless the services received included nursing facility services
1.20 or home and community-based services.

1.21 (b) The commissioner of human services, in collaboration with any other responsible
1.22 authority identified in paragraph (a), shall submit a report to the chairs and ranking minority

2.1 members of the legislative committees with jurisdiction over data practices and human
2.2 services by January 15, 2027, confirming compliance with this section.

2.3 (c) The responsible authority must comply with paragraph (a) within a reasonable period
2.4 not to exceed 60 days following the expiration of the ten-year retention period identified in
2.5 paragraph (a).