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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1942

- 03/04/2021 Authored by Pinto
- 03/10/2021 The bill was read for the first time and referred to the Committee on Early Childhood Finance and Policy
- 03/15/2021 Adoption of Report: Re-referred to the Committee on Judiciary Finance and Civil Law
- 05/17/2021 Adoption of Report: Placed on the General Register
- Read for the Second Time
- Pursuant to Rule 4.20, returned to the Committee on Judiciary Finance and Civil Law

1.1 A bill for an act

1.2 relating to health; authorizing access to certain birth records by an entity

1.3 administering a children's savings program; amending Minnesota Statutes 2020,

1.4 section 144.225, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2020, section 144.225, subdivision 2, is amended to read:

1.7 Subd. 2. **Data about births.** (a) Except as otherwise provided in this subdivision, data

1.8 pertaining to the birth of a child to a woman who was not married to the child's father when

1.9 the child was conceived nor when the child was born, including the original record of birth

1.10 and the certified vital record, are confidential data. At the time of the birth of a child to a

1.11 woman who was not married to the child's father when the child was conceived nor when

1.12 the child was born, the mother may designate demographic data pertaining to the birth as

1.13 public. Notwithstanding the designation of the data as confidential, it may be disclosed:

- 1.14 (1) to a parent or guardian of the child;
- 1.15 (2) to the child when the child is 16 years of age or older;
- 1.16 (3) under paragraph (b), (e), ~~(f)~~, or (g); or
- 1.17 (4) pursuant to a court order. For purposes of this section, a subpoena does not constitute
- 1.18 a court order.

1.19 (b) Unless the child is adopted, data pertaining to the birth of a child that are not accessible

1.20 to the public become public data if 100 years have elapsed since the birth of the child who

1.21 is the subject of the data, or as provided under section 13.10, whichever occurs first.

2.1 (c) If a child is adopted, data pertaining to the child's birth are governed by the provisions  
2.2 relating to adoption records, including sections 13.10, subdivision 5; 144.218, subdivision  
2.3 1; 144.2252; and 259.89.

2.4 (d) The name and address of a mother under paragraph (a) and the child's date of birth  
2.5 may be disclosed to the county social services, tribal health department, or public health  
2.6 member of a family services collaborative for purposes of providing services under section  
2.7 124D.23.

2.8 (e) The commissioner of human services shall have access to birth records for:

2.9 (1) the purposes of administering medical assistance and the MinnesotaCare program;

2.10 (2) child support enforcement purposes; and

2.11 (3) other public health purposes as determined by the commissioner of health.

2.12 (f) Tribal child support programs shall have access to birth records for child support  
2.13 enforcement purposes.

2.14 (g) An entity administering a children's savings program that starts at birth shall have  
2.15 access to birth records for the purpose of opening an account in the program for the child  
2.16 as a beneficiary. For purposes of this paragraph, "children's savings program" means a  
2.17 long-term savings or investment program that helps children and their families build savings  
2.18 for the future.