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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4758

03/07/2024 Authored by Reyer
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; clarifying an existing prohibition on charging fees for medical
1.3 records to certain individuals; amending Minnesota Statutes 2022, 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 2022, 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 purposes of
1.8 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 patient's
1.10 request under this section, the provider or its representative may charge the patient or the
1.11 patient's representative no more than 75 cents per page, plus \$10 for time spent retrieving
1.12 and copying the records, unless other law or a rule or contract provide for a lower maximum
1.13 charge. This limitation does not apply to x-rays. The provider may charge a patient no more
1.14 than the actual cost of reproducing x-rays, plus no more than \$10 for the time spent retrieving
1.15 and copying the x-rays.

1.16 (c) The respective maximum charges of 75 cents per page and \$10 for time provided in
1.17 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) A provider or its representative may charge the \$10 retrieval fee, but must not charge
1.23 a per page fee, a retrieval fee, or any other fee to provide copies of records requested by a

2.1 patient or the patient's authorized representative if the request for copies of records is for
2.2 purposes of appealing a denial of Social Security disability income or Social Security
2.3 disability benefits under title II or title XVI of the Social Security Act; ~~except that no fee~~
2.4 ~~shall be charged to a patient who is receiving public assistance, or to a patient who is~~
2.5 ~~represented by an attorney on behalf of a civil legal services program or a volunteer attorney~~
2.6 ~~program based on indigency.~~ when the patient is:

2.7 (1) receiving public assistance;

2.8 (2) represented by an attorney on behalf of a civil legal services program; or

2.9 (3) represented by a volunteer attorney program based on indigency.

2.10 The patient or the patient's representative must submit one of the following to show that
2.11 they are entitled to receive records without charge under this paragraph: (1) a public
2.12 assistance statement from the county or state administering assistance; (2) a request for
2.13 records on the letterhead of the civil legal services program or volunteer attorney program
2.14 based on indigency; or (3) a benefits statement from the Social Security Administration.

2.15 For the purpose of further appeals, a patient may receive no more than two medical
2.16 record updates without charge, but only for medical record information previously not
2.17 provided.

2.18 For purposes of this paragraph, a patient's authorized representative does not include
2.19 units of state government engaged in the adjudication of Social Security disability claims.