

7829.0500 PROTECTED DATA.

Subpart 1. **Confidentiality protected.** Nothing in this chapter requires public disclosure of protected data or any disclosure of privileged data.

Subp. 2. **Procedure for excision.** A person filing documents containing protected data or other privileged information shall file one copy of the document with the protected data redacted. The first page or cover page of a document from which protected data has been excised must be clearly captioned in bold print "PUBLIC DOCUMENT - NOT PUBLIC (OR PRIVILEGED) DATA HAS BEEN EXCISED." The beginning and end of the excised protected data must be identified. One copy of the document without redactions shall be filed, designated as required in subpart 4, and identified as a not public or trade secret document during the electronic submission process.

Subp. 3. **Identification of excised material.** When a person classifies an entire document, or a substantial part of a document, as protected data, the person shall file a description of the excised material that includes at least the following information: the nature of the material, its authors, its general import, and the date on which it was prepared.

Subp. 4. **Document containing protected data.** The first page or cover page of a document containing protected data must be clearly marked in bold print "NOT PUBLIC DOCUMENT – NOT FOR PUBLIC DISCLOSURE" or with words of similar import. Every page on which protected data appears must be similarly marked and the protected data must be underlined, placed in brackets, or otherwise clearly identified as the data which is to be protected from disclosure.

Subp. 5. **Statement required.** In all cases where a person or entity files data with the commission that is identified as protected data, an accompanying statement justifying the state agencies treating the data as protected data must also be filed. This justification must include an explanation of how the data is classified under the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, or is privileged under a rule of privilege recognized by law.

Statutory Authority: *MS s 216A.05*

History: *19 SR 116; 40 SR 1329*

Published Electronically: *June 14, 2016*