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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE NO. **2290**

March 21, 2007

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The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

1.1 A bill for an act  
1.2 relating to workers' compensation; providing penalties for gaining improper  
1.3 access to medical records; amending Minnesota Statutes 2006, section 176.178,  
1.4 by adding subdivisions.

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

1.6 Section 1. Minnesota Statutes 2006, section 176.178, is amended by adding a  
1.7 subdivision to read:

1.8 Subd. 3. **Medical records.** Any person or contractor who (1) represents an  
1.9 employer of employees who are exempt from coverage under section 176.041, and  
1.10 (2) with intent to defraud, requests or receives under section 176.138 an employee's  
1.11 medical data which the person, contractor, or employer is not entitled by knowingly  
1.12 misrepresenting, misstating, or failing to disclose any material fact is guilty of theft and  
1.13 shall be prosecuted and sentenced pursuant to section 609.52.

1.14 Sec. 2. Minnesota Statutes 2006, section 176.178, is amended by adding a subdivision  
1.15 to read:

1.16 Subd. 4. **Posting.** The text of subdivision 3 shall be posted in all workplaces of  
1.17 health care providers where release of medical data under section 176.138 may occur.