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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 3610

February 28, 2008

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The bill was read for the first time and referred to the Committee on Health and Human Services

March 4, 2008

By motion, recalled and re-referred to the Committee on Commerce and Labor

1.1 A bill for an act
1.2 relating to health; regulating medical debt information; proposing coding for new
1.3 law in Minnesota Statutes, chapter 325E.

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

1.5 Section 1. **[325E.45] MINNESOTA MEDICAL PRIVACY PROTECTION ACT.**

1.6 Subdivision 1. **Citation.** This section may be cited as the "Minnesota Medical
1.7 Privacy Protection Act."

1.8 Subd. 2. **Definitions.** For the purposes of this section, the terms defined in this
1.9 subdivision have the meanings given them.

1.10 (a) "Health care provider" has the meaning given in section 62J.03, subdivision 8.

1.11 (b) "Medical debt information" means any information relating to the payment
1.12 history or indebtedness of a patient regarding health care services, products, or devices
1.13 provided by a health care provider to a patient.

1.14 Subd. 3. **Prohibited conduct.** A health care provider shall not disclose an individual
1.15 patient's financial or medical debt information to another entity.

1.16 A health care provider shall not obtain or use information from any entity that
1.17 gathers, maintains, evaluates, or distributes individual patient financial or debt information
1.18 until after health care services, products, or devices have been provided by the health
1.19 care provider to the patient.

1.20 Subd. 4. **General exclusions.** Nothing in this section prevents a health care
1.21 provider from sharing an individual patient's financial or medical debt information with
1.22 the patient; the patient's insurer; the patient's authorized third-party debt management
1.23 services provider as defined in section 332A.02; a third-party debt collector as defined in

2.1 section 332.31, that the health care provider has contracted to collect the patient's medical
2.2 debt; or the state or federal government as required by law.

2.3 Subd. 5. **Severability clause.** Each provision of this section is severable.
2.4 Application of any provision in this section to a particular circumstance is severable. If
2.5 any provision of this section or application of a provision of this section is found to be
2.6 contrary to law and unenforceable, the remaining provisions and applications of this
2.7 section shall remain valid and enforceable under section 645.20.

2.8 Subd. 6. **Enforcement.** This section may be enforced pursuant to section 8.31.

2.9 **EFFECTIVE DATE.** This section is effective the day following final enactment.