



## ISSUE

# Modernizing the Minnesota Health Records Act

## MMA Position

The MMA supports alignment of the Minnesota Health Records Act (MHRA) with federal HIPAA patient privacy protections. These changes would maintain patient privacy protections while eliminating burdensome requirements that prevent physicians from providing the safest and most coordinated care possible. Modernization of the MHRA is supported by a broad list of health care organizations, payers, business groups, and consumers including the Minnesota Hospital Association, the Minnesota Council of Health Plans, the Minnesota Chamber of Commerce, and the Minnesota Business Partnership.

## Background

Minnesota is one of only two states that prohibit the exchange of clinically appropriate health information without explicit consent. Although well-intentioned, this restriction has the effect of requiring patients to fill out duplicative paperwork at nearly every visit to their physician and, more troublingly, prevents physicians from having the full picture of their patient's health when providing care. The MHRA, which was enacted more than 10 years ago, has not kept up with the data sharing requirements of the modern health care system.

Although intended to protect patients, the MHRA often has the opposite effect and can even endanger patient safety by withholding relevant information from physicians and allied professionals providing care. Physicians, nurses, and other health care staff routinely identify the MHRA as a barrier that results in interrupted care coordination and duplicative labs and testing because care providers do not have the information they need. The result is an increase in the overall cost of care and risks to patient safety with minimal additional patient privacy protections.

Patients expect that clinically relevant information will be seamlessly shared with their providers and modernization of the MHRA would allow this to happen.

## Talking Points

- Patients deserve to have access to safe and efficiently coordinated care.
- Federal law provides robust patient privacy protections. Incongruity between federal and state law results in duplicative testing and delays in information sharing that endangers patient safety and increases the cost of care.
- Patients expect that clinically relevant health information is shared with their physicians; modernization of the MHRA will allow this sharing to occur without compromising patient privacy protections.