



Minnesota Hospital Association

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Chair Wiklund and Members of the Senate Health and Human Services Committee,

On behalf of the Minnesota Hospital Association (MHA), we write to express general concern regarding the proposed changes to the Minnesota Health Records Act (MHRA) in SF 4199 (Limmer). As the health care landscape has evolved over the last 10-15 years, many Minnesota hospitals and health systems have struggled, at times, to fully develop and implement various payment and care coordination modalities. Such struggles must be viewed in light of some of the limitations that the MHRA appears to impose, particularly in contrast with routine treatment, payment and operation practices authorized under the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Following the recent Minnesota Supreme Court ruling in *Schneider v. Children's Health Care* and in light of the updates to HIPAA currently being considered at the federal level, Minnesota's hospitals have begun the process of evaluating how to serve our patients better and more efficiently. MHA believes that the positive clinical and budgetary outcomes of many of the possibilities should be better understood before the Minnesota Legislature re-imposes certain express consent requirements that were initially conceptualized for a very different health care system.

MHA has long supported updates to the MHRA that would more clearly facilitate the kinds of care coordination and cost reduction that policy makers have routinely called for. Before jumping to a solution, we believe that the Minnesota Supreme Court's ruling in *Schneider v. Children's Health Care* should be the start of a new conversation on patient confidentiality. As such, we caution the Minnesota Legislature against a blanket reversion that may not fully consider the totality of the public health considerations underpinning our state privacy laws.

We will remain engaged with our members and other stakeholders as this bill moves through the legislative process and will provide more specific comments in future committee hearings.

Sincerely,

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