

is likely to endanger any property or any person, including the driver or passengers of the vehicle, is guilty of a misdemeanor.

Approved June 1, 1983

CHAPTER 237 — S.F.No. 800

An act relating to health; providing for retention and destruction of certain medical records; amending Minnesota Statutes 1982, section 145.32.

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

Section 1. Minnesota Statutes 1982, section 145.32, is amended to read:

145.32 OLD RECORDS MAY BE DESTROYED.

Subdivision 1. HOSPITAL RECORDS. The superintendent or other chief administrative officer of any ~~such~~ public or private hospital, by and with the consent and approval of ~~such~~ the board of directors or other governing body ~~thereof of the hospital, is authorized to may~~ divest the files and records of such that hospital of any ~~such~~ individual case records bearing dates more than three years prior to the date of ~~such~~ the divestiture and, with ~~such that~~ that consent and approval, ~~to may~~ destroy the same records. ~~Such~~ The records shall first have been transferred and recorded as authorized in section 145.30.

Portions of individual hospital medical records that comprise an individual permanent medical record, as defined by the commissioner of health, shall be retained as authorized in section 145.30. Other portions of the individual medical record, including any miscellaneous documents, papers, and correspondence in connection with them, may be divested and destroyed after seven years without transfer to photographic film.

All portions of individual hospital medical records of minors shall be maintained for seven years following the age of majority.

Nothing in this section shall be construed to prohibit the retention of hospital medical records beyond the periods described in this section. Nor shall anything in this section be construed to prohibit patient access to hospital medical records as provided in section 144.335.

Subd. 2. RESPONSIBILITIES OF THE COMMISSIONER OF HEALTH. The commissioner of health shall define by rule the term "individual permanent medical record" by enumerating the specific types of records or other

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information which, at a minimum, must be maintained on a permanent basis by the hospital.

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CHAPTER 238 — S.F.No. 844

An act relating to crimes; changing the penalty for the theft of controlled substances; amending Minnesota Statutes 1982, section 609.52, subdivision 3.

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

Section 1. Minnesota Statutes 1982, section 609.52, subdivision 3, is amended to read:

Subd. 3. **SENTENCE.** Whoever commits theft may be sentenced as follows:

(1) To imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both, if the value of the property or services stolen exceeds \$2,500, or if the property stolen was a controlled substance listed in schedule 1 or 2 pursuant to section 152.02 with the exception of marijuana; or

(2) To imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, if the value of the property or services stolen is more than \$150 but not more than \$2,500, or if the property stolen was a controlled substance listed in schedule 3, 4, or 5 pursuant to section 152.02; or

(3) To imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, notwithstanding the value of the property or services stolen is not more than \$150, if any of the following circumstances exist:

(a) The property is taken from the person of another or from a corpse, or grave or coffin containing a corpse; or

(b) The property taken is a record of a court or officer, or a writing, instrument or record kept, filed or deposited according to law with or in the keeping of any public officer or office; or

(c) The property is taken from a burning building or upon its removal therefrom, or from an area of destruction caused by civil disaster, riot, bombing, or the proximity of battle; or

(d) The property taken consists of public funds belonging to the state or to any political subdivision or agency thereof; or

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