

13.383 HEALTH OCCUPATIONS INVESTIGATIVE DATA CODED ELSEWHERE.

Subdivision 1. **Scope.** The sections referred to in subdivisions 2 to 16 are codified outside this chapter. Those sections classify health occupations investigative data as other than public, place restrictions on access to government data, or involve data sharing.

Subd. 2. **EMT, EMT-I, EMT-P, or first responders.** Reports of emergency medical technician, emergency medical technician-intermediate, emergency medical technician-paramedic, or first responder misconduct are classified under section 144E.305, subdivision 3.

Subd. 3. **Unlicensed practitioners.** Data relating to investigations and disciplinary actions under section 146A.06 are governed by subdivision 2 of that section.

Subd. 4. **Physicians.** (a) **Disciplinary data generally.** Data held by the Board of Medical Practice in connection with disciplinary matters are classified under section 147.01, subdivision 4. The administrative record of any disciplinary action taken by the Board of Medical Practice under sections 147.01 to 147.22 is sealed upon judicial review as provided in section 147.151.

(b) **Required examinations; physician's medical record.** Data obtained by the Board of Medical Practice when requiring a mental or physical examination of a physician or when accessing a physician's medical records are classified under section 147.091, subdivision 6.

(c) **Sexual misconduct.** Certain data relating to sexual misconduct are classified under section 147.092.

(d) **Reports of violations.** Certain reports of violations submitted to the Board of Medical Practice are classified under section 147.121.

(e) **Patient medical records.** Patient medical records provided to the Board of Medical Practice under section 147.131 are classified under that section.

Subd. 5. **Physician assistants.** (a) **Required examinations; physician assistant's medical records.** Data obtained by the Medical Practices Board when requiring a mental or physical examination of a physician assistant or when accessing a physician assistant's medical records are classified under section 147A.13, subdivision 6.

(b) **Sharing complaint information.** Sharing of complaint information regarding a physician assistant is governed by section 147A.26.

Subd. 6. **Chiropractors.** Data of the Board of Chiropractic Examiners and the peer review committee are classified under sections 148.10, subdivision 1, and 148.106, subdivision 10.

Subd. 7. **Nurses.** (a) **Required examinations; nurse's medical records.** Data obtained by the Board of Nursing when requiring a mental or physical examination of a nurse or when accessing a nurse's medical records are classified under section 148.261, subdivision 5.

(b) **Reports of violations.** Certain reports of violations submitted to the Board of Nursing are classified under section 148.264.

(c) **Patient medical records.** Medical records of a patient cared for by a nurse who is under review by the Board of Nursing are classified under sections 148.191, subdivision 2, and 148.265.

(d) **Records of nurse disciplinary action.** The administrative records of any disciplinary action taken by the Board of Nursing under sections 148.171 to 148.285 are sealed upon judicial review as provided in section 148.266.

Subd. 8. **Psychologists and psychological practitioners.** Client records of a patient cared for by a psychologist or psychological practitioner who is under review by the Board of Psychology are classified under section 148.941, subdivision 4. Data obtained by the Board of Psychology when requiring a mental, physical, or chemical dependency examination or evaluation of a regulated individual or when accessing the medical records of a regulated individual are classified under section 148.941, subdivision 8.

Subd. 9. **Marriage and family therapists.** (a) **Disciplinary data generally.** Data held by the Board of Marriage and Family Therapy in connection with disciplinary matters are classified under sections 148B.04 and 148B.175, subdivisions 2 and 5.

(b) **Reports of violations.** Certain reports of violations submitted to the Board of Marriage and Family Therapy are classified under section 148B.08.

(c) **Client records.** Client records of a patient cared for by a marriage and family therapist who is under review by the Board of Marriage and Family Therapy are classified under sections 148B.09 and 148B.11.

Subd. 10. **Social workers.** (a) **Disciplinary data generally.** Data held by the Board of Social Work in connection with disciplinary matters are classified under sections 148D.255 to 148D.270.

(b) **Reports of violations.** Certain reports of violations submitted to the Board of Social Work are classified under sections 148D.240 to 148D.250.

(c) **Client records.** Client records of a patient cared for by a social worker who is under review by the Board of Social Work are classified under section 148D.230.

Subd. 11. **Unlicensed mental health practitioner.** (a) **Disciplinary data generally.** Data held by the commissioner of health in connection with the investigation of an unlicensed mental

health practitioner are classified under section 148B.66, subdivision 2. The administrative records of disciplinary action taken by the commissioner of health pursuant to sections 148B.60 to 148B.71 are sealed upon judicial review as provided in section 148B.65.

(b) **Client records.** Client records of a patient cared for by an unlicensed mental health practitioner who is under review by the commissioner of health are classified under section 148B.66, subdivision 1.

(c) **Required examinations; practitioner's medical records.** Data obtained by the commissioner of health when requiring a mental or physical examination of an unlicensed mental health practitioner or when accessing the practitioner's medical records are classified under section 148B.68, subdivision 3.

Subd. 11a. **Alcohol and drug counselor licensing; sharing.** Sharing of data collected for licensing of alcohol and drug counselors is governed by section 148C.099, subdivision 2.

Subd. 12. **Mortuary science practitioners.** Data on investigations and disciplinary actions of mortuary science practitioners by the commissioner of health are classified under section 149A.04, subdivision 5.

Subd. 13. **Dentists, dental hygienists, and dental assistants.** (a) **Required examinations; medical records.** Data obtained by the Board of Dentistry when requiring a mental or physical examination of a dentist, dental hygienist, or dental assistant or when accessing the medical records of a dentist, dental hygienist, or dental assistant are classified under sections 150A.08, subdivisions 5 and 6, and 150A.081.

(b) **Patient records.** Patient records of a patient cared for by a dentist, dental hygienist, or dental assistant who is under review by the Board of Dentistry are classified under section 150A.081.

(c) **Investigative data.** Reports submitted to the Board of Dentistry containing information about violations are classified under section 150A.14.

Subd. 14. **Doctors of podiatric medicine.** (a) **Patient records.** Patient records of a patient cared for by a doctor of podiatric medicine who is under review by the Board of Podiatric Medicine are classified under section 153.20.

(b) **Access to doctor's medical data.** Access to the medical data of a doctor of podiatric medicine who is under review by the Board of Podiatric Medicine is governed by section 153.21, subdivision 2.

Subd. 15. **Hearing instrument dispensers.** (a) **Sharing complaint information.** Sharing of complaint information regarding a hearing instrument dispenser is governed by section 153A.15, subdivision 3.

(b) **Medical records.** Medical records obtained by the commissioner of health in the course of reviewing a hearing instrument dispenser are classified under section 153A.15, subdivision 3a.

Subd. 16. **Veterinarians.** (a) **Client records.** Veterinary records on clients of a veterinarian who is under review by the Board of Veterinary Medicine are classified under section 156.082.

(b) **Required examinations; veterinarian's medical record.** Data obtained by the Board of Veterinary Medicine when requiring a mental or physical examination of a veterinarian or when accessing the veterinarian's medical records are classified under section 156.125.

History: 1991 c 106 s 6; 1992 c 511 art 7 s 1; 1992 c 569 s 4; 1993 c 13 art 1 s 12; 1993 c 65 s 1; 1993 c 177 s 1; 1993 c 240 s 1; 1993 c 326 art 2 s 1; 1993 c 345 art 3 s 18; 1993 c 351 s 20-22; 1994 c 483 s 1; 1994 c 589 s 1; 1994 c 616 s 1; 1994 c 618 art 1 s 17; art 2 s 9-64; 1994 c 632 art 2 s 10; art 3 s 17; 1994 c 636 art 4 s 4; 1995 c 142 s 1; 1995 c 155 s 1,2; 1995 c 186 s 8; 1995 c 212 art 3 s 59; 1995 c 229 art 4 s 3; 1995 c 234 art 5 s 1; 1995 c 259 art 1 s 27; art 4 s 4; art 5 s 1-51; 1996 c 305 art 1 s 3-5; 1996 c 334 s 1; 1996 c 408 art 9 s 1; 1996 c 415 s 1; 1996 c 440 art 1 s 18; art 2 s 1-14; 1996 c 471 art 7 s 1; 1997 c 7 art 1 s 3; 1997 c 22 art 2 s 1,8; 1997 c 66 s 79; 1997 c 129 art 2 s 15; 1997 c 193 s 1; 1997 c 199 s 14; 1997 c 202 art 2 s 63; 1997 c 203 art 6 s 2; 1997 c 215 s 1; 1997 c 218 s 1; 1997 c 239 art 8 s 1; 1Sp1997 c 3 s 8-18; 1998 c 273 s 1; 1998 c 361 s 1; 1998 c 367 art 11 s 2; 1998 c 371 s 6,7; 1998 c 373 s 1; 1998 c 382 art 2 s 1; 1998 c 397 art 11 s 3; 1998 c 407 art 2 s 1; 1999 c 99 s 23; 1999 c 139 art 4 s 2; 1999 c 205 art 1 s 70; 1999 c 227 s 22; 1999 c 245 art 9 s 1,2; 2002 c 341 s 1; 2003 c 2 art 3 s 2; 2003 c 122 s 1; 2005 c 147 art 1 s 1

NOTE:Subdivision 11 is repealed effective July 1, 2009. Laws 2003, chapter 118, section 29, as amended by Laws 2004, chapter 279, article 5, section 10; Laws 2005, chapter 147, article 8, section 3; and Laws 2007, chapter 13, article 1, section 21.