

**13.461 HUMAN SERVICES DATA CODED ELSEWHERE.**

Subdivision 1. **Scope.** The sections referred to in this section are codified outside this chapter. Those sections classify human services data as other than public, place restrictions on access to government data, or involve data sharing.

Subd. 2. **Adult mental health.** (a) **Client consent.** Consent for release of information needed to bill the county for services provided to clients is governed by section 245.467, subdivision 5.

(b) **Identity disclosure.** Disclosure of the names and addresses of persons receiving mental health services is governed by section 245.467, subdivision 6.

(c) **Release of commitment information for firearms and explosives background check.** The release by the commissioner of human services of commitment information to law enforcement agencies for facilitating a firearms or explosives background check is governed by section 245.041.

Subd. 3. **Child mental health.** (a) **Client consent.** Informed written consent necessary for a child to receive mental health services is governed by section 245.4876, subdivision 5.

(b) **Identity disclosure.** Disclosure of identities of children receiving mental health services under sections 245.487 to 245.4889, and the identities of their families, is governed by section 245.4876, subdivision 7.

(c) **Children's mental health collaborative.** Data shared on individuals served by the collaborative are governed by section 245.493.

(d) **Screening results.** The classification of child mental health screening results is governed by section 245.4874, subdivision 1, paragraph (d).

Subd. 4. MS 2022 [Repealed, 2023 c 25 s 190]

Subd. 5. **Data collection system.** Research involving effective mental health treatment methods and access to data and other information is governed by section 245.696, subdivision 2.

Subd. 6. **Ombudsman for mental health and developmental disabilities.** Access by the ombudsman for mental health and developmental disabilities to private data on individuals is provided under section 245.94, subdivision 1.

Subd. 6a. **Ombudsperson for family child care providers.** Access by the ombudsperson for family child care providers to private data on individuals is provided under section 245.975, subdivision 4.

Subd. 7. **Application procedures.** Tribal licensing agency access to criminal history data is governed by section 245C.12.

Subd. 7a. **Background studies.** (a) Access to and sharing of data for human services background studies under chapter 245C are governed by that chapter.

(b) Disqualifying records that are the subject of an order for expungement are governed by section 245C.22, subdivision 7, paragraph (f).

Subd. 7b. **Child care provider and recipient fraud investigations.** Data related to child care fraud and recipient fraud investigations are governed by section 245E.09.

Subd. 7c. **Human services license holders.** Section 245D.095, subdivision 3, requires certain license holders to protect service recipient records in accordance with specified provisions of this chapter.

Subd. 8. **State hospital patients.** Contents of, and access to, records of state hospital patients required to be kept by the commissioner of human services are governed by section 246.13.

Subd. 8a. **State institutions.** Disclosure of certain data on an individual who was buried on the grounds of a state institution is governed by section 246.33, subdivision 4.

Subd. 9. **Substance use disorder service agreements.** Certain data received by the commissioner of human services from substance use disorder programs are classified under section 246.64, subdivision 4.

Subd. 10. **Blood test results.** Blood test results obtained under sections 246.71 to 246.722 are classified under section 246.719.

Subd. 11. **Blood-borne pathogen test results.** Data relating to blood-borne pathogen test results are governed by sections 246.719 and 246.72.

Subd. 12. **Prepetition screening.** Prepetition screening investigations for judicial commitments are classified as private under section 253B.07, subdivision 1, paragraph (b).

Subd. 13. **Medical records.** Access to health records of a patient being treated for a mental illness for purposes of medication administration is governed by section 253B.0921.

Subd. 14. **Civil commitment.** County attorney access to data relating to commitment of certain persons under chapter 253D is governed by that section.

Subd. 15. **Subject of research; recipients of alcohol or drug abuse treatment.** Access to records of individuals who are the subject of research or who receive information, assessment, or treatment concerning alcohol or drug abuse is governed by section 254A.09.

Subd. 16. **Child mortality review panel.** (a) Data practices of the commissioner of human services as part of the child mortality review panel are governed by section 256.01, subdivision 12.

(b) For American Indian tribes with established child mortality review panels, access to data in section 256.01, subdivision 12, is governed by section 256.01, subdivision 14b, paragraph (g).

Subd. 16a. **Child fatality and near fatality review team.** Data practices of the commissioner of human services as part of the child fatality and near fatality review team are governed by section 256.01, subdivision 12a.

Subd. 17. **Maltreatment review panels.** Data of the vulnerable adult maltreatment review panel are classified under section 256.021.

Subd. 18. **State agency hearings.** Disclosure of private data relating to an investigation conducted by the agency is governed by section 256.045.

Subd. 19. **Action to recover assistance furnished.** Disclosure of private data on the location of a party to the action is governed by section 256.87.

Subd. 20. **Ombudsman for long-term care.** Access to data of a state agency that is required to fulfill the ombudsman's duties is governed by section 256.9742.

Subd. 21. **Ombudsman on aging.** Data held by the ombudsman on aging are classified under section 256.9744.

Subd. 22. **Child support.** Access to information and disclosure of information collected for purposes of child support enforcement is governed by section 256.978, subdivisions 1 and 2.

Subd. 23. **Medical assistance dental plans.** Access to welfare data by dental plans contracted to provide services under the medical assistance program is governed by section 256B.037.

Subd. 23a. **Opioid prescribing improvement program data.** Data practices provisions relating to the opioid prescribing improvement program are contained in section 256B.0638, subdivision 6.

Subd. 24. **Medical assistance cost reports.** Medical records of medical assistance recipients obtained by the commissioner of human services for purposes of section 256B.27, subdivision 5, are classified under that section.

Subd. 24a. **Managed care plans.** Data provided to the commissioner of human services by managed care plans relating to contracts and provider payment rates are classified under section 256B.69, subdivisions 9a and 9c.

Subd. 25. **Medical assistance enrollee safeguards.** Privacy, data collection, and confidentiality safeguards under the coordinated service delivery system are required under section 256B.77, subdivision 9.

Subd. 26. **MinnesotaCare.** Data sharing with other government agencies that is needed to verify income for eligibility and premium payment is governed by section 256L.05.

Subd. 27. **State soldiers assistance program.** Access to information for purposes of verifying eligibility for the state soldiers assistance program is governed by section 197.065.

Subd. 28. **Child care assistance program.** Data collected, maintained, used, or disseminated by the welfare system pertaining to persons selected as legal nonlicensed child care providers by families receiving child care assistance are classified under section 119B.02, subdivision 6, paragraph (a). Child care assistance program payment data is classified under section 119B.02, subdivision 6, paragraph (b).

Subd. 29. **Program services.** Data on individuals receiving services under certain programs administered by the Department of Human Services are classified under sections 256E.32, subdivision 4, and 256E.34, subdivision 7.

Subd. 30. **Transitional housing data.** Certain data collected, used, or maintained by the recipient of a grant to provide transitional housing are classified under section 256E.33, subdivision 9.

Subd. 31. **Family services collaborative.** Data sharing involving family services collaboratives is governed by section 124D.23, subdivision 5.

Subd. 32. **ABLE accounts and designated beneficiaries.** Data on ABLE accounts and designated beneficiaries of ABLE accounts are classified under section 256Q.05, subdivision 7.

**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; 2000 c 422 s 2; 2000 c 451 s 2; 2000 c 465 s 1; 2000 c 468 s 17; 2001 c 178 art 2 s 1; 1Sp2001 c 9 art 11 s 1; 2002 c 379 art 1 s 2,113; 2003 c 15 art 1 s 33; 2003 c 25 s 1; 2003 c 130 s 12; 2004 c 228 art 1 s 3; 2004 c 290 s 10; 2004 c 294 art 2 s 1; 2005 c 56 s 1; 2005 c 98 art 1 s 2,24; 2007 c 13 art 3 s 5; 2007 c 147 art 7 s 75; art 8 s 38; 2008 c 364 s 1; 1Sp2011 c 9 art 6 s 1; 2012 c 216 art 1 s 1; 2013 c 49 s 22; 2013 c 59 art 2 s 1; 2013 c 108 art 5 s 1; art 8 s 1; 2013 c 125 art 2 s 3; 2015 c 21 art 2 s 5,6; 2015 c 71 art 7 s 1; 2016 c 158 art 4 s 2,3; 2017 c 40 art 2 s 4; 1Sp2019 c 9 art 2 s 4; 2022 c 55 art 4 s 3; 2022 c 98 art 4 s 51*