

House Research Act Summary

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TOPIC: Maternal Death Studies

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Overview

This act repeals an existing statute authorizing the commissioner of health to conduct fetal, infant, and maternal death studies, and replaces it with language authorizing the commissioner to perform maternal death studies.

- 1 **Maternal death.** Adds subd. 19a to § 13.3806. Adds a cross-reference in chapter 13 to the data classification and data access provisions established in section 3.
- 2 **Definitions.** Amends § 144.335, subd. 1. Adds traditional midwives to the definition of provider in a statute governing access to health records. In this act, this change has the effect of giving the commissioner of health access, according to section 3, subdivision 2, to health records maintained by traditional midwives to conduct maternal death studies, when the data subject is a woman who died during pregnancy or within twelve months after a fetal death, live birth, or pregnancy termination.
- 3 **Maternal death studies.** Adds § 145.901. Authorizes the commissioner of health to conduct maternal death studies, specifies data to which the commissioner has access, and classifies data held by the commissioner. This section replaces language in current law allowing the commissioner to perform studies on fetal, infant, and maternal deaths.

Subd. 1. Purpose. Allows the commissioner to conduct maternal death studies to help the planning, implementation, and evaluation of medical, health, and welfare service systems and to reduce the numbers of preventable maternal deaths.

Subd. 2. Access to data. For deaths on or after July 1, 2000, gives the commissioner access to medical data, medical examiner data, and health records, without the consent of the subject of the data or the subject's parent, spouse, or legal guardian if the subject is a woman who has died while pregnant or within 12 months of a fetal death, live birth, or termination of pregnancy. (Current law requires consent from a patient or legal representative for the commissioner to

access this data. Language giving the commissioner access to this data without consent sunset July 1, 2000.) Requires the entity maintaining the data to provide it to the commissioner upon request, and allows the entity to charge a fee for providing the data. Requires the commissioner to make a good faith, reasonable effort to notify the parent, spouse, or legal guardian of the subject of the data before collecting the data. Prohibits the commissioner from accessing coroner or medical examiner data that are part of an active investigation.

Subd. 3. Management of records. After the commissioner has collected all data on a subject of a maternal death study, requires data from source records and other data identifying the subject to be transferred to separate records maintained by the commissioner, and requires the commissioner to then destroy all source records.

Subd. 4. Classification of data. Classifies data provided to the commissioner from source records and data derived from the records by the commissioner as confidential data on individuals or confidential data on decedents. Prohibits this information from being subject to discovery or introduced into evidence. Specifies that summary data on maternal death studies, not including individually identifiable data, are public data.

- 4 **Repealer.** Repeals sections 13.3806, subdivision 19 (cross-reference to the data classification in chapter 13 of data on fetal, infant, and maternal death studies) and 145.90 (establishing requirements for fetal, infant, and maternal death studies; this section is being replaced by the new language in section 3).