



Minnesota Hospital Association

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Commissioner Roslyn Robertson
Minnesota Department of Labor & Industry
443 Lafayette Road
St. Paul, MN 55155
By email: Kate.Perushek@state.mn.us

Dear Commissioner Robertson and WCAC members:

The Minnesota Hospital Association (MHA) represents hospitals and health systems across the state of Minnesota. We are providing the following comments on two proposals being considered by the Workers' Compensation Advisory Council (WCAC) including penalties associated with incorrectly billing patients covered by the Workers' Compensation program and process changes for accessing medical records.

MHA and its member hospitals and health systems agree no injured worker should receive additional billing or be put into collections once their eligibility for Workers' Compensation has been established. While we have some concerns about the timing and notification methodology of Workers' Compensation eligibility during the course of treatment, we don't dispute the implementation of penalties for providers where documented evidence shows a record of not following the state law. We have been assured by DLI staff there are sufficient avenues for challenging potentially inaccurate or inappropriate penalty assessments.

With regard to the proposed process changes to Statute 176.135, subd. 7. medical bills and records, MHA members are concerned about adding a new administrative process to a system that already works as structured. A requestor of medical records is always free to make a request for a price estimate of the records they seek. Adding another layer of legislative language adds unnecessary complexity. I hesitate to comment on the specific elements of the proposed language because the whole section has created a level of confusion about the intent of the proposal.

There are real costs for providers to maintain, access and produce patient medical records files. Extreme situations of costs exceeding a thousand dollars cited by trial lawyer representatives are rare examples of the costs typically involved with litigation. In fact, given the complexity of maintaining these sensitive records, the WCAC should consider increasing the fees given the multifaceted requirements to protect personal health information.

Please reach out to me with any questions or concerns.

Sincerely,

Joseph A. Schindler
Vice President, Finance Policy & Analytics