

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

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DEPARTMENT: Office of the Attorney General **STATE OF MINNESOTA**

OFFICE MEMORANDUM

DATE: September 6, 1990

TO: GLORIA GEBHARD
Senior Rehabilitation & Medical Specialist

FROM: CHRISTIE ELLER CBE
Assistant Attorney General

PHONE: 296-9421

SUBJECT: In the Matter of the Adopted Rule Relating to Reimbursement for Copies of Workers' Compensation Medical Records

The above-referenced rule has been approved as to its legality by the Attorney General on September 6, 1990.

Enclosed is your copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submissions or comments along with any extra copies of documents which you submitted to the Attorney General.

Your next step is to arrange for publication of the Notice of Adoption in the State Register. In a day or two, you should receive from the Revisor's Office three copies of the notice of adoption of your rule. You should submit two copies of the Notice of Adoption to the State Register for publication. A permanent rule without a hearing does not become effective until five days after a notice of adoption is published in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

CBE:sc

Enclosures

cc: Julie Leppink
William Brown, Chief Judge
MaryAnn Hruby

RULE REVIEW CHECKLIST

File No. 1780
DATE RECEIVED 8-23-90
REVIEW DATE 9-4-90
DUE DATE 9-6-90
(~~DIS~~)APPROVED 9-5-90
WITHDRAWN _____

Docket No. 05.0009.0600
ADOPTED W/O HEARING _____
EMERGENCY RULE _____
TO REVISOR ON 8-24-90
REVISOR (DIS)APPROVED _____
FILED W/SEC. OF STATE _____
RETURNED TO AGENCY _____

✓ Rule as adopted (4 copies)

✓ Notice to Solicit Outside Information/Opinion (if applicable)

July 25, 1988 Date published in State Register

✓ Comments

_____ Board's Authorizing Resolution

_____ ~~Date adopted~~

✓ Proposed Rule

✓ Revisor's Certificate

✓ Notice of Intent to Adopt Rule

176.83 Statutory Authority

NA Small Business Statement

NA Expenditure of public money statement

6-5-90 Signature

✓ Statement of Need and Reasonableness (if applicable)

~~August~~ NA Small Business Statement

NA Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule

June 15, 1990 Dated 30/25 days before adoption

✓ Notice attached indicates it is attached

June 18, 1990 Copy of rule or summary attached

✓ Publication in State Register

June 18, 1990 Date 30/25 days before adoption

NO 180-day deadline from:

See notes Effective date of law requiring rule (14.12) (both rules) see notes didn't make it.

✓ end of comment period (§ 14.26) (rules without hearing)

_____ effective date of statutory authority (§ 14.29) (emergency rules)

_____ ~~Resolution Adopting~~

_____ ~~Date adopted~~

✓ Findings of Fact, Conclusions & Order Adopting

August 14, 1990 Date

✓ Declaration of Attorney

Julie Leppink Name of SAAG representing agency

_____ Notice of Submission to Attorney General (if applicable)

_____ Affidavit of Mailing Notice to Attorney General (if applicable)

✓ Comments

STATE OF MINNESOTA

DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of the Proposed Adoption of the Rule of the State Department of Labor and Industry, Workers' Compensation Division, Governing Reimbursement for copies of Workers' Compensation Medical Records

DECLARATION OF COUNSEL

I, Julie A. Leppink, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rule, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, chapter 2010 have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 0600.

Julie A. Leppink
Special Assistant Attorney General

Dated: 8/21/90

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT: ATTORNEY GENERAL

DATE: August 23, 1990

TO: PATRICIAL NOLTE
Legal Assistant
525 Park

FROM: JULIE A. LEPPINK
Special Assistant
Attorney General

PHONE: 6-0695

SUBJECT: Department of Labor and Industry Rules

Enclosed for Attorney General's Office review and approval are the Department of Labor and Industry rules regarding the ~~case~~ cost of copies for medical records. If you have questions, please contact Kate Berger at 297-3313.

JAL:smb.AF7

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55101
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

June 14, 1990

Legislative Commission to Review Administrative Rules
Room 55, State Office Building
100 Constitution Avenue
St. Paul, Minnesota 55155

Re: Proposed Rule Relative to Reimbursement for Copies of Workers' Compensation Medical Records

To the Commission:

Pursuant to Minn. Stat. §14.131, enclosed please find the Statement of Need and Reasonableness for the above rule. The Motion of Intent to Adopt Rules Without a Public Hearing will be published in the State Register on June 18, 1990.

Sincerely,

Kathryn Berger

Kathryn Berger
Compensation Attorney

KB/cm

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

August 15, 1990

RECEIVED
AUG 15 1990
ATTORNEY GENERAL'S OFFICE
SUITE 200
520 LAFAYETTE ROAD
ST. PAUL, MN 55155

RECEIVED
AUG 15 1990
ATTORNEY GENERAL'S OFFICE
SUITE 200
520 LAFAYETTE ROAD
ST. PAUL, MN 55155

Julie Leppink
Special Assistant Attorney General
Attorney General Office
520 Lafayette Road
St. Paul, MN 55155

RE: In the Matter of the Proposed Adoption of Amendments to the Rules of the Minnesota Department of Labor and Industry, Workers' Compensation Division, Governing Reimbursement for copies of Workers' Compensation Medical Records

Dear Ms. Leppink:

Enclosed please find the following rulemaking documents in the above-captioned matter for your review and submission for final approval.

1. Notices of solicitation as published in the State Register on July 25, 1988 and January 22, 1990, and information and comments received.

2. A copy of the rule as proposed with Revisor's Certificate of Approval dated May 25, 1990.

3. The Notice of Intent to Adopt Amendments to Rules Without a Public Hearing as mailed.

4. The Statement of Need and Reasonableness, which was also sent to the LCRAR on June 14, 1990.

5. The Affidavit of Mailing the Notice of Intent to Adopt a Rule Without a Public Hearing and Certificate of Mailing List.

6. A copy of the Notice of Intent to Adopt Rules Without a Public Hearing as published in the State Register on June 18, 1990.

7. Four copies of the Rules as Adopted, with modifications, (Revisor's draft dated July 30, 1990).

Celebrate MINNESOTA 1990

An Equal Opportunity Employer

AFSCME

8. The Findings of Fact, Conclusions, and Order Adopting Rule without Public Hearing.

9. Written comments received by the Department in response to the Notice of Intent to Adopt Rules.

10. A proposed Declaration of Counsel.

If you need anything else, please do not hesitate to contact me at 297-3313.

Sincerely,

Kathryn Berger

Kathryn Berger
Compensation Attorney

KB/cj (1)

Enclosures

cc: Gloria Gebhard
David Sherwood-Gabrielson

176.135 subds 1 and 7

Subd 1 The employer shall furnish any medical, chiropractic . . . .

Subd 7 Health care providers shall submit to the insurer an itemized statement of charges.

176.83 . . . In addition to any other section under this Chapter giving the Commissioner the authority to adopt rules, the commissioner may adopt, amend, or repeal rules to implement the provisions of this chapter.

Did an extensive survey

New material - didn't make 180 deadline January 5, 1989 emergency rules expired relating to workers compensation cost of medical records

call Even though Proposed Rules state all new material since they had emergency rules (MN Rules 5219.0010 - 5219.0030) these are just replacing them maybe they don't new rules I know this has happened before

Department of Labor and Industry

Adopted Permanent Rules Relating to Reimbursement for Copies of Workers' Compensation Medical Records

RECEIVED
AUG 2 1990
LABOR & INDUSTRY
REHAB. SERVICES

Rules as Adopted

5219.0100 PURPOSE.

This chapter provides a schedule for reasonable reimbursement to a health care provider for copies of medical records. The privacy of medical records or reports under other law is not affected by this chapter.

5219.0200 SCOPE.

This chapter governs reimbursement for copies of existing medical records related to a current claim for compensation under Minnesota Statutes, chapter 176, when requested by any person or business entity from a health care provider as defined in Minnesota Statutes, section 176.011, subdivision 24.

5219.0300 REASONABLE REIMBURSEMENT ALLOWANCE.

Subpart 1. **First copy of appropriate record.** For the first copy of the appropriate record as defined in part 5221.0100, subpart 1a, ~~(proposed at 14 S.R. 2412, April 9, 1990)~~ when provided by the health care provider to the payer as defined in part 5221.0100, subpart 11, to substantiate the service being billed, a charge not to exceed 75 cents per page is reasonable. This amount applies whether the record is provided with the billing, under separate cover, or in response to a request by the payer for an appropriate record which has not been submitted with the bill.

Subp. 2. **Other copies.** For all other copies of existing medical records or data that are not specifically addressed in subpart 1 or in Minnesota Statutes, section 176.155, or any other Minnesota statute or rule, a charge is reasonable if the total charge for each submission following a request does not exceed the sum of $10 as a retrieval fee and 75 cents per page.

Approved
by Revisor _____

Subp. 3. **Postage and other charges.** In addition to the charges in subparts 1 and 2, the health care provider may charge actual postage, any applicable Minnesota sales tax, and notary fees, if notarization is requested.

Subp. 4. **Time for payment.** The requester must reimburse the health care provider within 30 days of receipt of the copies requested.

Approved
by Revisor _____

APPROVED AS TO FORM AND LEGALITY

Sept 5 19 90

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY Christie L Eller
ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

SEP 05 1990

Joan Anderson Growe

Secretary of State

3:46 pm

Office of the Revisor of Statutes
Administrative Rules

Harry M. Walsh
Deputy Revisor
296-4752

700 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1297

July 30, 1990

RECEIVED
AUG 2 1990
LABOR & INDUSTRY
REHAB SERVICES

Gloria Gebhard
Department of Labor & Industry
443 Lafayette Road
St. Paul, MN 55155

RE: File No. 1700

Dear Ms. Gebhard:

Enclosed are four copies of your rule with the modifications you requested.

Please submit the rules to the Attorney General or the Office of Administrative Hearings, as appropriate.

If you have any questions or need further modifications, please call me.

Very truly yours,

Harry M. Walsh

• Infectious Waste Generators	*Minnesota Statutes*, section 116.81	Darrell Anderson 612/623-5333
• Health Risk Limits for Groundwater	*Laws 1989*, Chap. 326 Art. 1, sec. 8	David Gray 612/623-5352
• Asbestos (Revision)	*Minnesota Statutes*, sections 326.70-326.82	Wm. Fetzner 612/623-5380
• Public Water Supplies	*Minnesota Statutes*, section 144.383	Richard Clark 612/623-5227
• Wells and Borings at grade wells, casings bore holes, construction	*Minnesota Statutes*, chapter 103I	Ronald Thompson 612/623-5264

Raymond W. Thron, Ph.D., P.E., Director
Division of Environmental Health

Department of Labor and Industry

Workers' Compensation Division

Notice of Solicitation of Outside Information or Opinions in the Matter of the Proposed Amendment of Rules of the Minnesota Department of Labor and Industry Governing Charges for Copies of Medical Records

NOTICE IS HEREBY GIVEN that the Minnesota Department of Labor and Industry, Workers' Compensation Division is seeking information or opinions from sources outside the agency in preparing to propose the amendment of rules governing charges for copies of medical records in workers' compensation cases. The adoption of the rules is authorized by *Minnesota Statutes* § 176.135, subd. 7 (Supp. 1989) and § 176.83 (1988).

The Minnesota Department of Labor and Industry, Workers' Compensation Division, requests information and opinions concerning the subject matter of these rules. Interested or affected persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

Gloria Gebhard
Rehabilitation and Medical Affairs
Department of Labor and Industry
1st Floor, 443 Lafayette Road
St. Paul, Minnesota 55155-4304

Any written material received by the Minnesota Department of Labor and Industry, Workers' Compensation Division, shall become part of the rulemaking record to be submitted to the Attorney General or Administrative Law Judge in the event that the rule is adopted.

Dated: 12 January 1990

Ken Peterson, Commissioner
Department of Labor and Industry

Metropolitan Council

Public Hearing on the Revision of Plan Amendment Guidelines

The Metropolitan and Community Development Committee of the Metropolitan Council will hold a public hearing on the proposed revision of the guidelines it uses for review of plans and plan amendments of local units of government submitted to it pursuant to the Metropolitan Land Planning Act. The hearing will be held on Thursday, February 15, 1990 at 2:00 p.m. in the Council Chambers, Mears Park Centre, 230 E. Fifth St., St. Paul.

All interested persons are encouraged to attend the hearing and offer comments. People may register in advance to speak by calling the Community Outreach Division at 291-6500. Copies of the revised guidelines are available for public inspection at designated libraries throughout the region. For information on the location of these libraries or a free copy of the document, call 291-8140.

NOTICE OF SOLICITATION OF OUTSIDE INFORMATION OR OPINIONS

Department of Labor and Industry
Workers' Compensation Division

In the Matter of the Proposed Amendment of Rules of the Minnesota Department of Labor and Industry Governing Charges for Copies of Medical Records.

Notice is hereby given that the Minnesota Department of Labor and Industry, Workers' Compensation Division is seeking information or opinions from sources outside the agency in preparing to propose the amendment of rules governing charges for copies of medical records in workers' compensation cases. The adoption of the rules is authorized by Minn. Stat. § 176.135, subd. 7 (Supp. 1989) and § 176.83 (1988).

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Gloria Gebhard
Rehabilitation and Medical Affairs
Department of Labor and Industry
1st Floor, 443 Lafayette Road
St. Paul, Minnesota 55155-4304

Any written material received by the Minnesota Department of Labor and Industry, Workers' Compensation Division, shall become part of the rulemaking record to be submitted to the Attorney General or Administrative Law Judge in the event that the rule is adopted.

1-12-89
Date

Ken Peterson, Commissioner
Department of Labor and Industry

Kate
Gift Form

RECEIVED
MAR 1 1990
LABOR & INDUSTRY
REHAB SERVICES

LARRY J. PETERSON & ASSOCIATES
ATTORNEYS AT LAW
250 WRIGHT BUILDING
2233 UNIVERSITY AVENUE
ST. PAUL, MINNESOTA 55114

(612) 647-0506

LARRY J. PETERSON*
T. MICHAEL KILBURY
THOMAS J. PETERSON
WAYNE J. STUDER
BRIAN E. LARSON
*Also Licensed in Wisconsin

LEGAL ASSISTANT
SANDRA L. ROESNER

FACSIMILE (612) 647-0532

February 28, 1990

Gloria Gebhard
Rehabilitation and Medical Affairs
Department of Labor & Industry
1st Floor, 443 Lafayette Road
St. Paul, MN 55155-4304

RE: Solicitation of Opinions Regarding
Charge for Copies of Medical Records

Dear Ms. Gebhard:

In response to the the above referenced soliciation for opinions which was printed in the State Register, January 22, 1990, this office would like to submit the following suggestions.

For First Report forms, Maximum Medical Improvement forms and any other form mandated by the Workers' Compensation Act there should be no charge to the employer or insurer. In addition, we believe there should be no charge for records requested for the purpose of substantiating medical charges under Minn. Stat. 176.135, Subd. 7.

Regarding the charges for copies of existing medical records, a retrieval fee of $5 per file and charge of $.25 per page is a fair charge.

For records requested under Minn. Stat. 176.138, there should be no charge allowed if the records are not provided within the 7 day statutory time period. The $200.00 penalty would still be an option for the Commissioner to impose.

I am attaching several examples of charges which we feel are excessive that our office has received in the last several months. These are by no means unusual, nor are they meant to single out individual providers. To some it is a standard practice to charge at least $1 per page. In the case of Orthopaedic Consultants, there is a standard charge of $50, which must be prepaid, regardless of how few pages are in the file. Often the retrieval fee is $10 or more, even if the patient is actively treating. Just the number of "medical copying services" emerging shows there is money to be made by these high charges.

We trust this information is useful in arriving at fair rules and guidelines for copying charges so that the necessary medical information can be obtained by the interested party at a cost that is reasonable.

Sincerely,

Larry J. Peterson & Associates

Wayne J. Studer

RECEIVED
MAR 1 1990
LABOR & INDUSTRY
REHAB SERVICES

NORTHERN MINNESOTA MEDICAL RECORD SERVICES

4505 Westwood Road, Grand Rapids, MN 55744 218-326-8270

INVOICE NO. 002344

To: LARRY J. PETERSON + ASSOC
250 WRIGHT BLDG
2233 UNIVERSITY AVE
ST. PAUL, MN 55114

RECEIVED
FEB 26 1990
LARRY J. PETERSON
ATTORNEY
BY 2092 SLR

Terms: Due upon receipt
Fed. I.D.# 41-1635709

Invoice Date	Hospital/Clinic	Patient
2-22-90	ADAMS CLINIC	ED JOHNSON

Medical Records Requested By: SANDRA ROESNER

2		Retrieval Fee $ 8.00
25	2 pages	Paper Copies 2.00
		Microfiche Copies
		Sales Tax .60
		Postage .25
		TOTAL DUE $ 10.85

All inquiries regarding content of the medical records enclosed should be directed to the Hospital/Clinic.

RECEIVED
MAR 1 1990
LABOR & INDUSTRY
REHAB SERVICES

Minnesota Medical Record Service

9925 Lyndale Avenue South, Suite 149
Bloomington, MN 55420 (612) 881-8655

INVOICE

ID # 411598121

RECEIVED
JAN 29 1990
LARRY J. PETERSON
ATTORNEY
BY 20416SLR

Invoice#: 08-9000307

Date: 01/24/90

Larry J Peterson
Attn: Sandra L Roesner
250 Wright Bldg
2233 University Ave
St Paul, MN 55114

PER YOUR REQUEST, MEDICAL RECORDS CONCERNING THE PATIENT BELOW ARE ENCLOSED.

Patient: Farrand, Russell

Hospital: Fairview Southdale Hospital

	Charges
Photocopy Fee	$ 33.00
Hospital Retrieval Fee	10.00
Postage & Handling	1.50
Sales Tax	0.00
Total	$ 44.50
Less Prepayment	$
Balance Due	$ 44.50

FILE; 1002-2046
474-16-4971

Due and payable upon presentation. Delinquent 15 days thereafter. A finance charge of 1½% per month (annual rate of 18%) will be charged on past due balance after 30 days.

Invoice#: 08-9000307
Date: 01/24/90
Amount: $ 44.50

Requestor: Larry J Peterson
Patient: Farrand, Russell

PLEASE DETACH THIS STUB
AND SEND WITH PAYMENT TO:
(ACCOUNT WILL NOT BE CREDITED WITHOUT THIS STUB)

ENCLOSED IS OUR REMITTANCE $_____

Minnesota Medical Record Service
9925 Lyndale Avenue South, Suite 149
Bloomington, MN 55420

23 pages @ $1.43/pg

RECEIVED
MAR 1 1990
LABOR & INDUSTRY
REHAB SERVICES

ST. CLOUD ORTHOPEDIC ASSOCIATES, LTD.
1555 NORTHWAY DRIVE
ST. CLOUD, MN 56301
TELEPHONE (612) 259-4100

STATEMENT

Larry Peterson & Assoc.
250 Wright Bldg.
2233 University Avenue
St. Paul, Mn 55114

RECEIVED
JAN 16 1990
LARRY J. PETERSON
ATTORNEY
BY TMK

08537
ACCOUNT NO.

AMOUNT PAID

Burton Euerle
PATIENT'S NAME

DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

DATE	DOCTOR	DESCRIPTION	PAY THIS AMOUNT
12/28/89	Iverson	Medical reports to atty	$32.50

ST. CLOUD ORTHOPEDIC ASSOCIATES, LTD.
1555 NORTHWAY DRIVE
ST. CLOUD, MN 56301

3 pays

RECEIVED
MAR 1 1990
LABOR & INDUSTRY
REHAB SERVICES

2 pages, 1 blank

STATEMENT

FOR YOUR CONVENIENCE, USE OTHER SIDE FOR RETURN ADDRESS

EAST RANGE CLINICS LTD.

Clinics at VIRGINIA, MN 55792 AND AURORA, MN 55705

CREDIT OFFICE:
6TH AVE. & 9TH ST. NO
VIRGINIA, MN. 55792
741-0150
TOLL FREE 1-800-662-57
IRS NUMBER
41-0909915

LARRY J. PETERSON
ATTY AT LAW
2233 UNIVERSITY AVE
250 WRIGHT BLDG
ST. PAUL MN 55114

ACCOUNT NUMBER: 675570 61
FOR OFFICE USE ONLY

INSURANCE INFORMATION

IMPORTANT

DATE
MO. 11 DAY 27 YEAR 89

CHARGES OR PAYMENTS AFTER THIS DATE WILL APPEAR ON YOUR NEXT STATEMENT

PLEASE RETURN UPPER PORTION OF STATEMENT WITH YOUR REMITTANCE.

AMOUNT ENCLOSED $ _____

LOC.	DATE MO. DAY YR	PATIENT'S NAME	PROVIDER	SERVICE	CHARGES	CREDITS
V	11 22 89	ROSC KENNETH	WEIR	MED INFO	$ 18.50	

RECEIVED
NOV 28 1989
LARRY J. PETERSON
ATTORNEY
BY SLR 1842

AMOUNT	DAYS	PAST DUE		BALANCE
			FINANCE CHARGE 1.33% CARRYING CHARGE (16% ANNUAL) ADDED TO OVER 90 DAY BALANCES. ACCOUNTS UNDER $50, .50 ADDED	18.50

RECEIVED
MAR 1 1990
LABOR & INDUSTRY

RECEIVED
OCT 31 1989
LARRY J. PETERSON
ATTORNEY
BY 2015 W

October 27, 1989

Lester W. Carlander, M.D.
E. Harvey O'Phelan, M.D.
John A. Hartwig, M.D.
John A. Wilson, M.D.
John E. McMahon, M.D.
Richard J. Aadalen, M.D.
Gordon M. Aamoth, M.D.
James D. Priest, M.D.
Robert E. Heeter, M.D.
Gary E. Wyard, M.D.
David A. Fischer, M.D.
J. Patrick Smith, M.D.
William H. Call, M.D.
Alan W. Markman, M.D.
John A. Steubs, M.D.
Mark E. Friedland, M.D.
Robert M. Barnett, Jr., M.D.

George E. Nelson, M.D. *1971*
Arnold L. Hamel, M.D. *1982*

Robert C. Finke, R.P.T., A.T.C.
Coordinator of Sports Medicine Services

Richard F. Board, FACMGA
Robert D. Bergstrom
Administration

Riverside Office
Medical Office Building
606 24th Avenue South
Suite 701
Minneapolis, Minnesota 55454
612 339-8976

Southdale Medical Building
6545 France Avenue South
Suite 270
Edina, Minnesota 55435
612 920-7676

501 South Maple
Waconia, Minnesota 55387
612 442-2163/Metro 445-8580

Ridgepoint Medical Building
Suite 210
14050 Nicollet Avenue South
Burnsville, Minnesota 55337
612 435-4180

Braemar Sports Medicine Center
7201 Washington Avenue South
Edina, Minnesota 55435
612 944-2519

409 Oakdale Medical Building
3366 Oakdale Avenue
Robbinsdale, Minnesota 55422
612 522-6146

311 Medical Arts Building
Minneapolis, Minnesota 55402
612 332-6757

Re: Mark S. LePage

Acct. No. 925778

Dear Mr. Studer:

You have recently requested copies from Orthopaedic Consultants, P.A. Following is a list of options you may take to receive these copies:

Option A - Bring your machine into our office, make your own copies for which a room charge will be made which is $15.00 per patient for one-half hour.

Option B - You may have a company who provides this service do this for you. Two companies are: Newkirk and Associates, 90 South Ninth Street, Minneapolis - 333 - 2964; and Healthcare Providers Copy Service, Franklin National Bank Building, 100 W. Franklin Ave., Minneapolis - 871-9112.

Option C - Orthopaedic Consultants, P.A. will copy at a charge of $50.00.

~~Option D - You may request a narrative report at our normal charge.~~ 3 pages

~~You must provide us with an authorization from the patient. The authorization must be dated no more than six months prior to your request.~~

Please contact our office to make an appointment to make your own copies, or contact an organization who provides this service, or call our office and order the copies. If you elect option C or D, we will request payment.

Sincerely yours,

Marilyn Uecker

ORTHOPAEDIC CONSULTANTS, P.A.
Marilyn Uecker, Secretary to
Robert E. Heeter, M.D.

RECEIVED
MAR 1 1990
LABOR & INDUSTRY
REHAB SERVICES

1. Graduate degree in anthropology with a specialization in archaeology plus at least 5 years of experience in archaeological research, administration and cultural resource management

2. A specialization in prehistoric and historic archaeology of the upper midwest

3. Demonstrated ability to successfully manage complex research programs

4. Demonstrated ability in oral and written communications

5. Demonstrated ability to work with a diverse public and government agencies

6. Not an employee of the Minnesota Historical Society

Duties of the State Archaeologist are stipulated in *Minnesota Statutes* 138.31 to 138.42 and 307.08.

Nominations should be addressed to Selection Committee—State Archaeologist, c/o Robert Clouse, Head, Archaeology Department, Fort Snelling History Center, St. Paul, MN 55111. Application deadline is August 5, 1988.

Department of Labor and Industry

Workers' Compensation Division

Notice of Solicitation of Outside Information or Opinions in the Matter of the Proposed Amendment of Rules of the Minnesota Department of Labor and Industry Governing Fees for Medical Services, Charges for Medical Reports, and Charges for Copies of Medical Records.

Notice is hereby given that the Minnesota Department of Labor and Industry, Workers' Compensation Division, is seeking information or opinions from sources outside the agency in preparing to propose the amendment of rules governing fees for medical services, charges for medical reports and charges for copies of medical records in workers' compensation cases. The adoption of the rules is authorized by *Minnesota Statutes* § 176.136 (Supp. 1987); section 176.135, subd. 7 (Supp. 1987) and section 176.83 (Supp. 1987).

The Minnesota Department of Labor and Industry, Workers' Compensation Division, requests information and opinions concerning the subject matter of the rules. Interested or affected persons or groups may submit data or views on the subject matter of concern in writing to:

Mary Jo O'Brien
Director of Rehabilitation and Medical Affairs
Department of Labor and Industry
Workers' Compensation Division
443 Lafayette Road
St. Paul, Minnesota 55101

Any written material received by the Minnesota Department of Labor and Industry, Workers' Compensation Division, shall become part of the rulemaking record to be submitted to the Attorney General or Administrative Law Judge in the event that the rule is adopted.

Information and opinions will be accepted until August 22, 1988.

Dated: 18 July 1988

Ray Bohn, Commissioner
of the Department of Labor and Industry

Department of Labor and Industry

Labor Standards Division

Notice of Intent to Solicit Outside Opinion in the Matter of the Proposed Adoption by the Minnesota Department of Labor and Industry, Labor Standards Division, of Amendments to Rules Governing Employment Agencies

NOTICE IS HEREBY GIVEN that the State Department of Labor and Industry, Labor Standards Division, is seeking information

NOTICE OF SOLICITATION OF OUTSIDE INFORMATION OR OPINIONS

Department of Labor and Industry
Workers' Compensation Division

In the Matter of the Proposed Amendment of Rules of the Minnesota Department of Labor and Industry Governing Fees for Medical Services, Charges for Medical Reports, and Charges for Copies of Medical Records.

Notice is hereby given that the Minnesota Department of Labor and Industry, Workers' Compensation Division, is seeking information or opinions from sources outside the agency in preparing to propose the amendment of rules governing fees for medical services, charges for medical reports and charges for copies of medical records in workers' compensation cases. The adoption of the rules is authorized by Minn. Stat. § 176.136 (Supp. 1987); section 176.135, subd. 7 (Supp. 1987) and section 176.83 (Supp. 1987).

The Minnesota Department of Labor and industry, Workers' Compensation Division, requests information and opinions concerning the subject matter of the rules. Interested or affected persons or groups may submit data or views on the subject matter of concern in writing to:

Mary Jo O'Brien
Director of Rehabilitation and Medical Affairs
Department of Labor and Industry
Workers' Compensation Division
443 Lafayette Road
St. Paul, Minnesota 55101

Any written material received by the Minnesota Department of Labor and Industry, Workers' Compensation Division, shall become part of the rulemaking record to be submitted to the Attorney General or Administrative Law Judge in the event that the rule is adopted.

Information and opinions will be accepted until August 22, 1988.

7-18-88
Date

Ray Bohn, Commissioner
of the Department of Labor and Industry

MEDICAL SERVICES REVIEW BOARD TASK FORCE ON PERMANENT RULES RELATING TO COSTS FOR MEDICAL RECORDS

September 7, 1988

1. State Register notice of 7/25/88 : Intent to Obtain outside information on records costs
2. State Register notice of 2/01/88: Adopted emergency rules on records costs
3. L and I COMPACT article of 8/85: Copies of office notes or charts
4. Meeting minutes of 10/20/87 on records costs
5. Comments from MN Medical Assn. (12/11/87).
6. Comments from State Fund Mutual Insurance Co. (10/23/87).
7. Comments from ACCUMED (10/06/87).
8. Comments from MN Hospital Assn. (8/22/88).
9. Comments from MN Medical Records Assn. (8/22/88).
10. 2/1/88 Memo on emergency rules interpretation

Department of Labor and Industry

Workers' Compensation Division

Notice of Solicitation of Outside Information or Opinions in the Matter of the Proposed Amendment of Rules of the Minnesota Department of Labor and Industry Governing Fees for Medical Services, Charges for Medical Reports, and Charges for Copies of Medical Records.

Notice is hereby given that the Minnesota Department of Labor and Industry, Workers' Compensation Division, is seeking information or opinions from sources outside the agency in preparing to propose the amendment of rules governing fees for medical services, charges for medical reports and charges for copies of medical records in workers' compensation cases. The adoption of the rules is authorized by *Minnesota Statutes* § 176.136 (Supp. 1987); section 176.135, subd. 7 (Supp. 1987) and section 176.83 (Supp. 1987).

The Minnesota Department of Labor and Industry, Workers' Compensation Division, requests information and opinions concerning the subject matter of the rules. Interested or affected persons or groups may submit data or views on the subject matter of concern in writing to:

Mary Jo O'Brien
Director of Rehabilitation and Medical Affairs
Department of Labor and Industry
Workers' Compensation Division
443 Lafayette Road
St. Paul, Minnesota 55101

Any written material received by the Minnesota Department of Labor and Industry, Workers' Compensation Division, shall become part of the rulemaking record to be submitted to the Attorney General or Administrative Law Judge in the event that the rule is adopted.

Information and opinions will be accepted until August 22, 1988.

Dated: 18 July 1988

Ray Bohn, Commissioner
of the Department of Labor and Industry

Emergency Rules

#2

Proposed Emergency Rules

According to Minn. Stat. of 1984, §§ 14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

1) that a free copy of the proposed emergency rule is available upon request from the agency;
2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
4) that the emergency rule may be modified if the data and views submitted support such modification.

Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§ 14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

Department of Labor and Industry

Adopted Emergency Rules Relating to Workers' Compensation Cost of Medical Record Copies

The rules proposed and published at *State Register*, Volume 12, Number 20, pages 1066-1067, November 16, 1987 (12 S.R. 1066) are adopted with the following modifications:

Rules as Adopted

5219.0030 [Emergency] COST OF MEDICAL RECORDS.

Subpart 1. **Doctor's office notes submitted with bill.** ~~No~~ A charge of 50 cents is allowed for ~~a copy~~ copies of ~~a doctor's~~ doctors' office notes covering the services billed which are submitted without a request from the employer or insurer. This charge shall apply regardless of the number of pages submitted.

Subp. 2. ~~Schedule of charges~~ **Requests for additional records.** Reasonable charges for ~~other~~ providing copies of existing medical records or reports ~~obtained from health care providers under Minnesota Statutes, section 176.135, subdivision 7,~~ pursuant to a request are as follows ~~for each patient~~:

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

-over-

5219.0010 [Emergency] PURPOSE.

This chapter is intended to provide a schedule of reasonable charges for copies of health care provider records or reports substantiating the nature of a medical bill and its relationship to the work injury. The privacy of medical reports or records under other provisions of law is not to be affected by this chapter.

MS s 176.135 subd 7

12 SR 1619

RECEIVED
FEB 4 1988
DEPT. OF LABOR & INDUSTRY
ASSISTANT COMMISSIONER

5219.0020 [Emergency] SCOPE.

This chapter is applicable to charges for copies from health care providers as defined in Minnesota Statutes, section 176.011, subdivision 24.

MS s 176.135 subd 7

12 SR 1619

5219.0030 [Emergency] COST OF MEDICAL RECORDS.

Subpart 1. **Doctor's office notes submitted with bill.** A charge of 50 cents is allowed for copies of doctors' office notes covering the services billed which are submitted without a request from the employer or insurer. This charge shall apply regardless of the number of pages submitted.

Subp. 2. **Requests for additional records.** Reasonable charges for providing copies of existing medical records or reports pursuant to a request are as follows:

A. $5 per file as a retrieval fee;

B. 75 cents a page for up to 20 pages;

C. 50 cents a page for the next 32 pages; and

D. 25 cents a page for all remaining pages.

Subp. 3. **First report form, maximum medical improvement.** Part 5220.2590, subpart 4, governs the physician's first report form and the maximum medical improvement form. No charge is allowed as provided in that part.

MS s 176.135 subd 7

12 SR 1619

MAR 2 0 1986

#3

ISSUE 7 August 1985

LABOR AND INDUSTRY

COMPACT

NEWSLETTER FOR WORKERS' COMPENSATION PROFESSIONALS

CHARGES FOR MEDICAL REPORTS

Based on the Department's experience and the recommendations of our advisory boards, the following charges for medical reports would be considered reasonable in a typical case:

Copies of Office Notes or Portions of Charts from Clinics or Doctors

A reasonable charge is $10 for up to 15 pages, plus 50 cents for each additional page. This applies to old and new records requested by any party except the primary designee (insurer or self-insurer). When someone other than the primary designee, such as the QRC or the employer, requests copies of medical reports, the requesting person should be billed directly by the medical provider. This charge is justified on the grounds that the primary designee should be responsible for distributing copies of current reports to the QRC and the employer.

Reports Requested by the Primary Designee

Maximum charges are reasonable when the primary designee requests additional information which requires a physician to dictate a narrative report. These charges are not applicable when the amount for the service in the fee schedule includes a report.

1. Brief report: $25
   A brief report answers one or two brief questions and may require a review of the medical history or other pertinent medical data.

2. Limited report: $35
   A limited report responds to three to five specific questions or is a narrative of up to one page in length.

3. Intermediate report: $50
   An intermediate report requires a level of reporting complexity comparable to that involved in completing the R-33 report.

4. Extended report: $90
   An extended report involves a complex case requiring significant physician judgment.

5. Comprehensive report: $150
   A comprehensive report involves an unusual or unusually complex case requiring significant physician judgment and/or the use of additional sources of medical data. A visit to the employee's work place would be included here.

Copies of Office Notes with Bill

Copies of office notes are not always necessary for the payer to evaluate a bill. Interim billings often require no additonal information, especially when the claim filed already contains recent medical data. For example, if the file indicates that physical therapy treatments were ordered by the physician, the physical therapist's notes probably will not be needed to evaluate the bill.

The provider may choose to attach a report or copies of office notes because that is office practice or in order to speed up payment. Routinely attaching copies of office notes is not feasible in offices that use a billing service. The payer must specifically request additional information if it is necessary to evaluate the bill. No charge is appropriate in these cases.

Payer Changes in Codes or Billings

When the amount billed exceeds the amount paid, payers may not send the provider an unitemized payment. The payment must be itemized on at least a patient-by-patient basis. In addition, providers are entitled to request that a payment be itemized on a line-by-line basis.

Interest

Providers may be entitled to payment of interest when the payer has received enough information to evaluate the bill but does not pay it within 21 days of its receipt.

#4

DEPARTMENT : Labor and Industry

STATE OF MINNESOTA

Office Memorandum

DATE : 10-22-87

TO : Ann Clayton, Assistant Commissioner

FROM : Janice Kremer
Rehab and Medical Affairs

PHONE : 6-8213

SUBJECT : Emergency Rules re: Cost of Medical Records Copies

As you requested, attached is a copy of my notes from the meeting held on October 20, 1987.

jk

cc: Gary Mesna
Gloria Gebhard

Proposed Emergency Rules relating to Cost of Medical Records Copies

Meeting regarding rules held October 20, 1987 at 3:00 p.m. at the Department of Labor and Industry, 444 Lafayette Road, St. Paul, Minnesota

Present: Jim Kroll, Western National Insurance
Jean Haut, Accumed
Ron Holback, EBA
Jim Anderson, D.C., Medical Services Review Board
Lynn Ault, M.D., Medical Services Review Board

Staff: Gary Mesna, Department Counsel
Mary Jo Glumack, Rehab and Medical Affairs
Gloria Gebhard, Rehab and Medical Affairs

The following is a synopsis of comments made by individuals present:

Ron Holback-EBA

His major concern was with 5219.0030, subp. a, which references the cost of $20 for up to 20 pages. He felt this could be interpreted by some to mean charging $20 for one page. He agreed that there is a cost involved in pulling file, locating appropriate document and making copy, however would recommend file pull charge at $5.00 and price per page of $0.75. He also expressed concern regarding the development of private companies set up only to provide this service (supplying copies of medical records) independent of the health care providers and the additional costs this brings. Also referred to polarization of insurers and health care providers.

Jim Kroll-Western National

He expressed concern as to what medical records this rule applied to - appeared to have misinterpreted to apply to all medical record copies and not just those used to substantiate the nature of the medical bill. He did feel that the charge of $20 was excessive and concurred with Mr. Holback suggestion of $5.00 initial and charge per page.

Jean Haut- Accumed

Jean questioned the definition of health care provider, which was clarified by Gary Mesna. She also questioned how the amount of $20 was arrived at. She felt that this amount may be feasible in some instances, but not all. Also concerned whether this $20 includes service charges, i.e., pulling file, file review. She also questioned whether insurer would be liable for payment of charges if wrong copies where sent. Further, if a dispute arose regarding the payment of charges who would determine the resolution. In a discussion regarding standardization of forms, she agreed that this was a start in the right direction.

Lynn Ault, M.D.- MSRB

Dr. Ault does not agree that insurers need copies of medical records, at least not all the info that they request since they do not have qualified staff to interpret the records and only use this info to find a reason to deny the WC claim. He stated that providing this info to the insurer causes the HCP to develop a seperate system for charting WC patients and for providing copies of these records to the insurer. Cost involved include cost of pulling chart, provider's review of chart to indicate appropriate documents, making of copies, etc. This is time consuming both for provider's staff and the provider. He felt the allowable cost for records should be high enough to discourage requests for unnecessary records. He also suggested using the HIC/1500 form (generic insurance form used thru-out the state by providers)

Jim Anderson, D.C.-MSRB

Dr. Anderson agreed that the providing copies of records is a costly and time consuming process and providers should be compensated for this. He did express concern as to how involved parties, i.e., insurers and providers, would be notified of the adoption of these rules. He indicated that providers may not be aware of a change and often rely on what is told to them by the insurer. Dr. Anderson also felt that the rule should indicate the forms/documents which cannot be charged for, i.e. , MMI and Physicians Report for filing with the Department.

The final concensus appeared to be that the insurer reps felt that the cost of $20 was to excessive and the health care providers felt it should be at least $20 if not higher.

The following major points appeared to be as follows:

- clarification in language explaining that this rule applies to copies necessary to substantiate the medical bill related to the WC injury

-clarification in language indicating which forms this rule includes or does not include (MMI and Physicians Report)

-look at standardization of forms (HIC/1500 form)

-importance of education and communication to HCP and IR once rule is adopted.

Janice Kramer
Rehab and Medical Affairs
10/21/87

#5

MMA
MINNESOTA MEDICAL ASSOCIATION
612/378-1875

L. Ashley Whitesell, M.D.
PRESIDENT
Lawrence M. Poston, M.D.
PRESIDENT-ELECT
Robert D. Christensen, M.D.
CHAIRMAN OF THE BOARD
Steven D. Carter
CHIEF EXECUTIVE OFFICER

DEC 11 1987
Dept. Of Labor & Industry

December 10, 1987

Ray Bohn, Commissioner
Department of Labor and Industry
444 Lafayette Road
St. Paul, Minnesota 55101

DELIVERED BY MESSENGER

RE: **Proposed Emergency Rules Relating to Workers' Compensation Cost of Medical Record Copies**

Dear Commissioner Bohn:

This letter constitutes the Minnesota Medical Association's official comments in response to the proposed rule Parts 5219.0010 to 5219.0030 [Emergency], relating to cost of medical records, published by the Department of Labor and Industry in the State Register November 16, 1987, 12 S.R. 1067.

The Medical Association takes strenuous exception to these proposed emergency rules on three grounds. First, the rules as proposed conflict with the applicable state law, Minnesota Statutes, § 176.135, subd. 7, (1987). Second, the schedule of charges allowed for existing records and existing reports is not reasonable. Finally, the rule goes beyond the scope of the Department's statutory authority to promulgate rules. The following comments will substantiate the grounds upon which the Medical Association makes its objections.

1. THE PROPOSED EMERGENCY RULE CONFLICTS WITH THE STATUTE

The provision of state statutes upon which the Department bases its authority to promulgate these rules specifically provides that "[h]ealth care providers may charge for copies of any records or reports that are in existence and directly relate to the items for which payment is sought under this chapter." See, Minn. Stat., § 176.135, Subd. 7.

This proposed rule, however, at subpart 1, provides that "[n]o charge is allowed for a copy of a doctor's office notes covering the services billed." This subpart is in direct contradiction to the above-stated statutory provision.

Although the rule does not make it clear that the doctor's office notes are a part of the medical record, in the context of the worker's compensation medical examination, the doctor's office notes are the report of the examination. The information contained in these notes is gathered for the diagnosis, care, evaluation, and treatment of the injured worker. The type of information gathered and recorded is, although significantly more detailed and extensive, similar to that gathered and recorded for any medical examination of a patient. It is commonly understood in the health care community that doctor's office notes of an examination are a part of the medical record. Moreover, physicians have a legal obligation to properly record the medical examination findings . Failure to do so may be grounds for discipline under the Medical Practice Act, Minnesota Statutes § 147.091, Subd. 1 (o)

(1986). Additionally, you may recall that your Executive Office has openly acknowledged that doctor's office notes are considered a part of the medical record.

Also, since subpart 1 addresses those doctor's office notes which relate to the services billed, this rule could be interpreted as not allowing physicians to charge for copies of records which directly relate to the items for which payment is sought. This is clearly in contradiction to the statute. If it is the case that the Department intended to require submission upon request of an itemized statement of charges and disallow a separate fee for this, such a requirement should have been clearly enunciated.

The language of subpart 1 is sure to cause confusion and conflict not only among the various parties directly involved in the evaluation and settlement of workers compensation claims, but in the general health care community as well. Although the rulemaking authority is, by its terms, limited to the workers compensation system, the levels of reasonable charges will, by virtue of their status as administrative rules, become a standard of reasonable charges for copies of medical records in other contexts such as requests for records under the Access to Health Records Law (Minnesota Statutes § 144.335).

The Department's responsibility under the statutory grant of emergency rulemaking authority was not to determine whether physicians and hospitals can charge for medical records, but rather to determine how much they can charge for these records.

2. THE PROPOSED EMERGENCY RULE IS UNREASONABLE

There is ample evidence to support the proposition that the proposed rule is not reasonable. These comments will briefly note three important factors which highlight the unreasonable nature of this rule.

A. A Standard Of Reasonable Charges Currently Exists

There currently exists a standard which all participants in the Minnesota Worker's Compensation system consider reasonable and have been using since August, 1985. This standard was enunciated in the Department of Labor and Industry publication entitled COMPACT. In the August 1985 issue of this publication, the Department of Labor and Industry stated that it is reasonable to charge $10 for up to 15 pages for copies of office notes or portions of charts from clinics or doctors, plus 50 cents for each additional page of records.

This same issue of COMPACT provides that the above-stated charges were developed, based upon the Department's experience and the recommendations of the Department's advisory boards.

Since the actual costs to physicians and hospitals for retrieval and copying of records can be assumed to be higher today than it was in 1985, it is not understood how this drastic reduction represented in the proposed emergency rules, from the levels deemed reasonable in 1985, can seriously be argued to meet the statutory requirement of reasonableness.

B. The Proposed Emergency Rule Bears No Relationship To Actual Costs.

It is apparent that this proposed rule was not based upon a time study or any other type of study designed to determine the actual costs of retrieving and copying records. This proposed rule has no basis in fact and is not substantiated by any existing data. The Medical Association fails to understand how a current standard of reasonable charges (the August 1985 COMPACT) can be completely ignored by the very state agency which initially endorsed it.

The Minnesota Medical Association believes that current conditions would indicate that the 1985 COMPACT reasonable charge schedule should be increased to reflect the actual rise in wages for office workers, as well as the actual costs for copying records. The Medical Association would be more than willing to undertake a formal study of the time and costs involved in responding to requests for records and reports within the workers compensation system if the results of such a study would be of assistance in setting reasonable charges in an administrative rule.

c. The Department Ignored The New Standard Developed by the Industry

The Department should not so cavalierly ignore the new standard of reasonableness contained in the proposed rule which the Department published September 28, 1987 (12 S.R. 576) but subsequently, and without explanation, withdrew. This rule was the product of an agreement between Minnesota physicians, Minnesota hospitals, and Minnesota Worker's Compensation insurance companies. It embodies what these parties believe to be a reasonable payment schedule for medical records and reports. By ignoring this standard the Department is sending a message to the Workers' Compensation Industry that it is not truly seeking the input of interested and directly affected parties, but that it intends to unilaterally develop standards which will be imposed upon the industry. What is even more frightening than this message, is the fact that the standards proposed bear no rational relationship to existing conditions.

3. THE PROPOSED EMERGENCY RULE IS BEYOND THE SCOPE OF THE DEPARTMENT'S AUTHORITY

The Department's statutory authority to promulgate rules in this area is short and quite clear. The Department's sole responsibility was to develop a schedule of reasonable charges for medical records. Nowhere does the statute allow the Department to determine that certain medical records are to be provided free of charge. For this reason, the Department completely lacks any authority to establish by rule that doctor's office notes covering the services billed be provided free of charge.

MINNESOTA MEDICAL ASSOCIATION PROPOSAL

The Medical Association supports the payment levels and concepts contained in the proposed rule published September 28, 1987.

Additionally, we believe that it is appropriate to clarify that the First Report of Injury and the report relating to Maximum Medical Improvement be provided without additional

charge as required in other Workers' Compensation rules (Minnesota Rules Part 5220.2590, Subp. 4). We suggest then that Subpart 1 of this proposed emergency rule be deleted, and subpart 3 be inserted in its place.

Finally, we suggest that the proposed subpart 2 be replaced with the schedule of reasonable charges published in the September 28, 1987 proposed emergency rule. We believe that the charge amounts detailed in the September 28, 1987 proposed emergency rule would be deemed by the Legislature to be reasonable. Because all interested or affected parties have been on notice, since at least September of this year, that the Department of Labor and Industry would be promulgating rules relating to charges for medical record copies, and the fact that the level of charges suggested by the Medical Association had been properly published for public comment, this substitution should not be viewed as a substantial change.

The Medical Association requests to be informed of submission of this rule to the Attorney General.

Respectfully submitted,

Gary Goetzke, J.D., Director
Medical Staff Services

Robert Eelkema, J.D.
Legal Counsel

Enclosures
August 1985 COMPACT, pp 1, 2
12 S.R. 576, 577
12 S.R. 1066, 1067
Minnesota Statute § 176.135, Subd. 7, (1987)

#6

STATE FUND MUTUAL INSURANCE COMPANY

RECEIVED

OCT 23 1987

Commissioner's Office
Dept. Of Labor & Industry

October 21, 1987

PATRICIA R. JOHNSON
GENERAL COUNSEL

Ray Bohn, Commissioner
Department of Labor and Industry
444 Lafayette Road
St. Paul, MN 55101

RE: PROPOSED EMERGENCY RULES RELATING TO COST OF MEDICAL RECORDS COPIES, PURSUANT TO MINN. STAT., SECTION 176.135, SUBD. 7

Dear Commissioner Bohn:

State Fund Mutual Insurance Company has substantial concerns about the proposed schedule of reasonable charges for copies of healthcare provider records or reports substantiating the nature of a medical bill and its relationship to the work injury.

It is pretty generally recognized that substantially higher medical costs are one of the important reasons why workers' compensation rates are higher in Minnesota than in surrounding jurisdictions. At State Fund we are making every effort to effectively manage medical costs to facilitate quality medical treatment for injured workers at a reasonable cost to employers. Effective medical management also means we must fufill our obligation to the employer to pay only for medical services related to the work injury. The 1987 Legislature once again recognized that we need to be able to see medical records sufficient to allow us to fulfill our medical management obligations to the employee, the employer, and the overall workers' compensation system. The legislature also recognized that there is a cost to healthcare providers for furnishing copies of records to insurers. The 1987 legislation provided that charges by healthcare providers for furnishing copies of medical records "shall be reasonable." Minn. Stat., 1987, Section 176.135, Subd.7.

As we read it, the concept of the new statutory provision is not to provide an additional source of revenue to healthcare providers by allowing copying charges, but rather to recognize and compensate the additional cost to the healthcare provider of furnishing records simply because the case is a workers' compensation case. (Obviously, healthcare providers have some component already built into their overhead costs for the routine provision of medical records outside the workers' compensation setting.)

The proposed fee structure for what constitutes a reasonable charge must be simple and understandable. We agree with the format of proposed Emergency Rule 5219.0030. Our only concern---and it is a serious concern---is subpart A which would be applicable in most

S-2B-75

cases of provision of medical records. This subpart provides for a flat fee of $20 for up to 20 pages. This means that for the typical one-page, one-paragraph copy of office notes routinely sent along with a medical bill, the healthcare provider would add $20 for each such separately billed visit. We do not think this is representative of the true additional cost of providing photocopies of medical records. The reasonable copying charges for this typical scenario should not be greater than $6.

We recognize that copying charges are not merely for photocopying costs. They also involve a component for locating the records to be copied. We suggest that this cost be identified and addressed directly. We suggest that there be a flat "retrieval" fee of not exceeding $5.00, with an additional per page photocopying charge. We recommend $1 per page up to 20 pages; $.50 a page for the next 32 pages (as in the Proposed Emergency Rules); and $.25 a page for all remaining pages (as in the Proposed Emergency Rules).

This will be a major cost item for insurers---and, eventually, employers. To put this problem in some perspective, the most prevalant paid charge of a healthcare provider on workers' compensation claims is probably the CPT code 90050, limited office visit. Under the maximum fee schedule $25 is considered the maximum reasonable charge for the professional services in such a typical office visit. With a $20 minimum copying charge, as suggested in the Proposed Emergency Rules, the physician would be able to charge $25 for the office visit plus an additional $20 for providing, along with the billing, a photocopy of the one- or two-paragraph office notes for the visit. A $20 copying charge compared to a $25 charge for professional services is clearly unreasonable. The $25 professional fee, plus the $20 medical copying fee, would nearly double the cost of this most typical medical treatment.

We currently make approximately 1500 healthcare provider payments each month. Even assuming that there is only one page of medical records to be submitted along with each such billing, pursuant to the requirements of the workers' compensation statute, those providers would be paid an additional $30,000 per month or $360,000 per year for copying charges alone with a $20 flat charge. We currently pay about $4.3 million dollars per year in workers' compensation medical costs. These additional copying charges at the $20 flat rate would mean an 8.3% increase in workers' compensation medical costs. An 8.3% increase in workers' compensation medical costs solely because of photocopying charges is unreasonable and not reflective of actual additional cost.

Even if there was a $6 effective minimum charge, as we suggest be adopted, annual photocopying charges for medical records we would pay as a company would exceed $100,000. This would represent a 2.5% increase in workers' compensation medical costs. This is also a significant increase in cost that must be passed along to the employer, but given a legislative directive that "reasonable" charges are appropriate, we believe that the alternative fee structure we propose is more appropriate.

We would be happy to provide any additional information that might be useful in your consideration of this issue.

Very truly yours,

STATE FUND MUTUAL INSURANCE COMPANY

By: Patricia R. Johnson
General Counsel

PRJ/smh

#7

Intracorp

Innovators in Cost Containment

INTERNATIONAL REHABILITATION ASSOCIATES, INC.
MEDICAL REVIEW SERVICES
MENTAL HEALTH COST CONTAINMENT
HOME HEALTH SERVICES
DURABLE MEDICAL EQUIPMENT
MEDICAL CASE MANAGEMENT
INTERNATIONAL REHABILITATION INSTITUTE

October 6, 1987

Mr. Ray Bohn
State of Minnesota
444 Lafayette Road
St. Paul, Mn. 55101

Dear Mr. Bohn:

Thank you for sending a copy of the purposed emergency rules relating to cost of medical records for our study.

Intracorp's Hospital Bill Review and accuMed units receive medical records from a variety of hospital and medical Clinics daily so we want to be sure Statutes, Section 176,135, sub division 7 is clearly defined.

A. What does the $20 for up to 20 page include? Could $20 be charged for 1/page if that is all that is requested? Does this mean $1/page for the first 20 pages? Does this include the materials, mailing fee and file retrieval, or may these items be charged in addition to the $20? If the hospital or clinic sends incorrect or incomplete records must this fee be paid? Will the state be involved in the event any question areas, or will all negotiation for these fees be between the medical providers and payer?

I have enclosed 3 samples of bills for medical records which Intracorp has received recently. Each facility has their our policy for handling medical records and will this emergency rule by the agency negate any facility policy?

I feel having the above questions discussed and published will be very helpful for all parties who work with medical records on a daily basis.

Thank you for your consideration of these questions.

Sincerely,

Jean Haut

Jean Haut
Intracorp St. Paul District Manager

JH/bd

Enclosure

2467 15th Street N.W., New Brighton, Minnesota 55112
612/636-3010

Department of Labor and Industry

Proposed Emergency Rules Relating to Cost of Medical Records Copies

Emergency Rules as Proposed (all new material)

5219.0010 [Emergency] PURPOSE.

This chapter is intended to provide a schedule of reasonable charges for copies of health care provider records or reports substantiating the nature of a medical bill and its relationship to the work injury. The privacy of medical reports or records under other provisions of law is not to be affected by this chapter.

5219.0020 [Emergency] SCOPE.

This chapter is applicable to charges for copies from health care providers as defined in Minnesota Statutes, section 176.011, subdivision 24.

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Reasonable charges for copies of existing medical records or reports obtained from health care providers under Minnesota Statutes, section 176.135, subdivision 7, are as follows for each patient:

A. $20 for up to 20 pages;

B. 50 cents a page for the next 32 pages; and

C. 25 cents a page for all remaining pages.

page

Approved by Revisor JCF

Healthcare Providers Copy Svc.

No 211222

GENERAL OFFICES
FRANKLIN NATIONAL BANK BUILDING
100 WEST FRANKLIN AVENUE
MINNEAPOLIS, MINNESOTA 55404
612-871-9112
OUTSIDE MN — 1-800-328-7171

Intracorp
2467 15th St. NW
New Brighton, MN 55112

ATTN: ELAINE

TERMS: Payment Due Upon Receipt

DATE 9.3.87

PLEASE RETURN WITH YOUR REMITTANCE $ 23.39

Healthcare Providers Copy Svc.

CHARGES AND CREDITS	BALANCE
Date Work Performed 9/2/87	
D.O.B. 7/26/37	
Requesting Party	
Records of	
Location Divine Redeemer	
Custodian's Retrieval Fee	15.00
Basic Fee	7.00
Reg. Pages Copied 7 @ 1¢ per/pg =	1.00
Micro Fiche Pages Copied _____ @ _____ per/pg =	
Other Pages Copied _____ @ _____ per/pg =	
Postage	.39
Handling	
Prepayment (& Check Number)	
Total Balance Due	23.39

Finance Charge of 1½% per month on all accounts

INVOICE

Copy Tech BH

Tax ID #'s
Federal — 41-1468764
State — 4740677

RE: [redacted]

DRUG PROFILE FROM [redacted]

JUL 1 6 1987

ntainment

N ASSOCIATES, INC.

:MENT

N INSTITUTE



Form 8500-46

Sioux Falls, S. D., Sept 15 1987

In Account With

McKENNAN HOSPITAL

Under the Care of the Presentation Sisters

800 E. 21st Street, Phone 339-8000

M Lutheran

Re: [redacted]

Copy Charge	7.	50
(for 1-10 copies)	6	60
60 copies x 10¢		
BALANCE DUE:	14	10

Please send the item(s) which are checked. Upon prompt receipt of the necessary information the bill will be processed, which will aid in timely payment. I have enclosed a self-addressed, stamped envelope for your convenience. An [illegible] is not needed as this is a worker's

(Please honor your [illegible] release forms)

ABBOTT
NORTHWESTERN HOSPITAL
a LifeSpan family member

Dear Requestor,

In order to compensate for increased labor, materials and mailing fees, we find it necessary to implement an increase for photocopy services. Requestors soliciting copies of medical records for reasons other than continuing medical care will be assessed the following charges:

* $10.00 minimum fee incorporating research fee and the first 5 copies.

* $1.00 per page thereafter.

The policy change will become effective September 1, 1987 and will involve those requests received on that date. Should you have any questions concerning this change, please feel free to call Medical Records between the hours of 8am and 4pm.

We would like to thank you for your past co-operation and support and are looking forward to serving you in the future.

Release of Information
Medical Records Department
612-863-4321

#8

minnesota hospital association



REPRESENTING NONPROFIT HOSPITALS

August 18, 1988

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LABOR & INDUSTRY
REHAB SERVICES

Ms. Gloria Gebhard
Rehabilitation and Medical Affairs
Department of Labor and Industry
Workers' Compensation Division
443 Lafayette Road
St. Paul, Minnesota 55101

Dear Ms. Gebhard

The Minnesota Hospital Association (MHA) represents 164 acute care community-based hospitals throughout Minnesota. In response to the July 25, 1988 notice in the State Register, soliciting information on fees for medical services and charges for copies of medical records, MHA would like to submit the following comments.

On May 3, 1988, the Hospital Services Task Force of the Medical Services Review Board, Department of Labor and Industry, made recommendations (see attached) for changing the way in which hospitals are reimbursed under workers' compensation. Such changes would be incorporated into the rule regarding fees for medical services.

Pursuant to the Hospital Services Task Force recommendations, MHA believes a hospital-based fee schedule should be developed for hospital outpatient physical therapy, occupational therapy, radiology, lab, and pharmacy. Hospitals should not be incorporated into the current physician fee schedule. MHA feels a hospital-based fee schedule would serve as a cost containment mechanism similar to the physician fee schedule, but would be more appropriate and fair to hospitals. The statute clearly allows payment based upon billings for "each class of health care provider" (Mn. Statutes 176.136).

Hospital charges are significantly different than physicians' charges. Therefore, hospitals should be treated as a separate category of provider. MHA informally surveyed a small sample of hospitals to determine the difference between hospital charges for various outpatient health procedures and the amount paid by workers' compensation for the same procedures under the current physician fee schedule. The difference in charges is substantial. See enclosed charts for radiology, lab, and physical therapy/occupational therapy.

Higher hospital charges are due to several reasons:

- In general, for radiology and lab, referrals are made to hospitals for testing not usually done in chiropractic or doctors' offices. Such

2221 UNIVERSITY AVENUE SE, SUITE 425 • MINNEAPOLIS, MINNESOTA 55414 • PHONE (612) 331-5571

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tests require a doctor and/or nurse to be present while the tests are being done. Examples of such tests are an MRI (magnetic resonance imaging) or a barium enema. Hence, the more highly trained staff, newer and more costly equipment which provides a wider range of services during regular and non-regular business hours, and more rigorous government and accreditation requirements which must be met by hospitals account for increased charges.

- Physical therapy/occupational therapy charges in hospitals are higher than charges in clinics because hospitals treat a wider range of patients. Hospitals see a larger number of patients with acute injuries who require more intensive therapy. Hospitals operate more expensive multidisciplinary programs which include the services of speech pathologists, social workers, occupational therapists, and psychologists. Such programs are designed to get patients back into the work force quickly by offering highly trained staff and advanced technological equipment. Extensive requirements to meet accreditation standards of the Joint Commission on Accreditation of Health Care Organizations and the Commission on Accreditation of Rehabilitation Facilities, more burdensome requirements placed upon hospitals by third party payors, and provision of services during non-regular business hours such as Sundays and holidays, also result in higher hospital charges.

Any inclusion of pharmacy charges into the physician fee schedule should be accomplished using either the Medical Assistance or Blue Cross/Blue Shield drug charge system. Hospital pharmacy computers and administrative systems are programmed to use these methods and they would, therefore, be the least burdensome and costly to establish. (Workers' compensation business is a low volume item for hospital pharmacies.) Intravenous drugs for outpatients should not be included under the current drug charge systems. The process of preparing and dispensing intravenous drugs is more expensive and complex than regular prescription drugs and should be reimbursed separately.

The proposed Hospital Services Task Force recommendations regarding physician visits in hospital emergency rooms involve two separate issues:

1) Emergency room visits.

Instances occur when a doctor meets a patient in the hospital emergency room because the patient is experiencing pain and the doctor's office is closed. Such visits are an emergency and are usually limited to "off" or non-regular business hours. Hospitals cannot assume a patient walking through the emergency room door is not an emergency. Hospitals cannot differentiate between outpatient visits in the emergency room and actual emergency visits until a

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patient assessment is completed. Therefore, an emergency room access fee must be charged.

There are also instances in which patients seen in the emergency room by emergency room physicians need immediate followup visits within 24-48 hours due to the nature of the injury (e.g., eye injuries or burns). Because outside doctors may not be able to work the patient in quickly or records may not be able to be transferred from hospital to outside physician that expeditiously, hospitals should have the flexibility to see and bill for these patients. Otherwise, risk to the patient is increased.

2) Clinic visits conducted by doctors in the hospital.

Doctor visits conducted in the hospital setting are frequently done for a patient's convenience. The majority of these visits occur in rural communities or in closed staff models, in which all doctors using the hospital are hospital employees. Eliminating reimbursement to the hospital for this type of visit would preclude many rural communities from being able to provide the services of specialists within that community. No other setting for specialists in the community would be available. Many of the specialists serving the locale come from outside the area to see patients a few times a month. They cannot afford to set up a separate office for the limited number of visits involved. It is cheaper to rent space in the hospital. In this type of arrangement, the doctor operating out of the hospital usually charges the patient a lower fee than he would charge in his home office, because he takes into account the facility fee that will be charged by the hospital. The physician considers visits in the hospital setting as "consults," and the combined hospital/doctor charge is often no more than the amount that would have been charged by the doctor, had the patient been seen in the physician's home office.

The recommendation urging incorporation of Sr. Kenny Institute into the current medical fee schedule data base should be deleted. Sr. Kenny is, in fact, currently included in the data base under Abbott-Northwestern Hospital, Inc.

Regarding charges for copies of medical records, MHA believes the current fee schedule does not accurately reflect hospitals' costs. The emergency rule adopted was not based on any data examining the actual hospital costs of retrieval and copying of medical records. In fact, a schedule developed by the Minnesota Hospital Association, Minnesota Medical Association, and the Insurance Federation of Minnesota was published in the State Register and subsequently withdrawn. MHA supports the development of a permanent rule

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based on data of actual hospital retrieval and copying cost. Consideration should be given to whether there are separate fee schedules for hospitals and physician offices. Hospital costs may be higher because hospital medical record departments must meet higher standards to employ more highly trained staff than physician offices. In addition, the hospital medical record is a more complex document.

Thank you for your consideration of these comments. MHA looks forward to working with the Department in the future.

Sincerely,

Mary Beth Curry

Mary Beth Curry
Research Analyst

DEPARTMENT : Labor and Industry

STATE OF MINNESOTA

Office Memorandum

DATE : May 3, 1988

TO : Medical Services Review Board

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LABOR & INDUSTRY
REHAB SERVICES

FROM : Hospital Services Task Force
Gloria Gebhard
Rehabilitation and Medical Affairs

PHONE : 296-2402

SUBJECT : RECOMMENDATIONS OF TASK FORCE

Recommendations:

1. Satellite clinics sponsored by a hospital and outpatient services that are billed through the main hospital are subject to the medical fee schedule.

2. The cost of a physician service as noted by a specific CPT code will be the same and subject to the medical fee schedule whether provided in an independent clinic, office or hospital setting.

3. The cost of a physical or occupational therpay, pharmacy, radiology and laboratory service as noted by a specific CPT code will be the same and subject to the medical fee schedule whether provided in an independent clinic, office or outpatient hospital setting.

4. Non-emergency room facilities (as defined by the Metropolitan Health Board) cannot use hospital emergency department codes when billing for services.

5. A non-emergency schedule visit or a follow-up visit, recommended by the emergency room physician, to the hospital emergency room is to be reimbursed at a clinic visit rate which includes the facility use charge.

6. When an employee is seen in the emergency room at the convenience of a non-emergency room staff physician, the total reimbursement cannot exceed the value of a office visit at the same appropriate level of service.

7. Sister Kenny Hospital should be included in data base for determining room rate and subject to Maximum Medical Fee Schedule.

MEMBERS OF THE COMMITTEE INCLUDE: Joseph Wegner, Steve Fisher represented by Sheila Benson, Bob Llewelynn, Minnesota Hospital Association represented by Vern Silvernail, physical therapists represented by Bruce Miller, MMA represented by Gary Goetzke, State Mutual Fund represented by Terry Simon and Diane Friede, St. Paul Companies represented by Karen Kelly, Larry Schut, Bill Lohman and Gloria Gebhard.

GG:esw/3

HOSPITAL RADIOLOGY FEES
MINNESOTA HOSPITAL ASSOCIATION
Jul 13, 1988

RAD. CODES	OCT 5, 1987 FEE SCHEDULE	HOSPITAL AVERAGE	%DIFF
70260-TC	57.50	79.75	38.70%
71010-TC	30.00	40.95	36.50%
71020-TC	38.25	61.88	61.76%
71100-TC	40.00	67.20	68.00%
72050-TC	55.50	82.44	48.54%
72070-TC	47.00	87.08	85.28%
72110-TC	62.00	91.50	47.58%
72271	305.00	300.18	-1.58%
73130-TC	41.50	45.87	10.52%
73510-TC	41.00	59.43	44.96%
73560-TC	33.00	52.08	57.83%
73562-TC	39.00	57.76	48.10%
73590-TC	36.50	56.35	54.38%
73610-TC	40.00	50.58	26.44%
73620-TC	28.70	47.28	64.75%
74241-TC	58.00	60.17	3.74%

HOSPITALS

ABBOTT NW, ST. PAUL RAMSEY, MANKATO, RIV. MED.,ST. MARY'S DULUTH METHODIST MPLS

Higher hospital radiology charges may result from:

- Newer and more costly equipment which can provide a wider range of services. Physicians offices will not usually have the latest or most expensive equipment. Hospitals must complete daily and annual checks of equipment. Physicians offices are not even required to register their machines with the State.

- More highly trained radiology staff. Hospitals must meet more rigid training requirements. Physicians offices are not required to do so. The quality of interpretation of test results by more highly trained staff can be very important.

- Hospital support systems which are more extensive and are designed to expedite test results to nursing stations, to doctors' offices, and elsewhere in order that treatment decisions can be made quickly.

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REHAB SERVICES

HOSPITAL PT-OT FEES
Jul 13, 1988

PT-OT CODES	OCT 5, 1987 FEE SCHEDULE	HOSPITAL AVERAGE	% DIFF
97012	15.50	23.20	49.68%
97014	15.00	22.90	52.67%
97018	15.00	22.47	49.82%
97022	17.00	28.57	68.06%
97024	15.00	24.64	64.26%
97026	11.50	21.90	90.42%
97110	20.00	38.17	90.84%
97116	24.86	30.34	22.05%
97122	15.50	22.95	48.08%
97124	15.50	23.11	49.08%
97128	16.00	24.82	55.14%
97145	12.50	19.63	57.07%
97530	25.00	32.30	29.20%
97531	12.00	21.92	82.63%
97720	45.00	47.13	4.73%

HOSPITALS

ABBOTT NW, ST.PAUL RAMSEY,ST MARY'S DULUTH
METRO MED CENT-MT SINAI, RIV. MED
ST. LUKE'S DULUTH, ST CLOUD, MANKATO, UNITED AND CHILDRENS

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Higher physical therapy/occupational therapy charges in hospitals may result from:

- Multidisciplinary programs which include the services of speech pathologists, social workers, occupational therapists, and psychologists. Such programs are designed to get patients back into the work force quickly by offering highly trained staff and advanced technological equipment.
- Extensive requirements to meet accreditation standards of the Joint Commission on Accreditation of Health Care Organizations and the Commission on Accreditation of Rehabilitation Facilities.
- More burdensome requirements on hospitals by third party payors (i.e., more paperwork, more reviews, and so forth than private clinics experience).
- A more extensive and centralized internal data bank for billing, communications, and other departmental functions.
- A larger number of patients with acute injuries who require more intensive therapy.

#9

MINNESOTA MEDICAL RECORD ASSOCIATION

MMRA

- MINNESOTA'S HEALTH INFORMATION LEADERS -

Minnesota Medical Record Association

AUG 22 1988

LABOR & INDUSTRY
REHAB SERVICES

19 August, 1988

Mary Jo O'Brien
Director, Rehabilitation and Medical Affairs
Department of Labor and Industry
Worker's Compensation Division
443 Lafayette Road
St. Paul, Minnesota 55101

Dear Ms. O'Brien:

It is my understanding you are currently soliciting comments relating to the emergency rules as they apply to the cost of medical record copies for Workers' Compensation (5219.0030).

I am commenting on behalf of the Minnesota Medical Record Association. Our association supports authorized access to health records and acts as a resource to patients, physicians and various agencies to facilitate access.

Extensive studies have been conducted to evaluate what the actual cost of a copy should be. If a fee structure is established, it must be reasonable, yet cover the entire cost of providing the service. The fee structure should be easily calculated and apply to both hospitals and physicians' offices. The schedule of charges should be evaluated on an on-going basis and revised as costs increase.

The fee should adequately compensate for salaries and associated benefits of all personnel involved in the copying process. The following activities should be considered when evaluating personnel costs:

1. Pre-copying (logging in request, evaluating the appropriateness of the request, retrieving the medical record, reviewing the chart to determine what documents within the chart should be copied)

2. Photocopying (disassembling of the medical record, photocopying the record, reassembling)

3. Post-copying (refiling record, logging response to request, counting copies, creating invoice, transporting copies to mail-room)

In addition to personnel costs, the actual cost of the copy (supplies, equipment rental/maintenance) and mailing costs must

be considered. To cover the costs of providing the service, we recommend a handling fee of $10.00, and $1.00/page copying fee.

A broader concern is the potential that multiple fee structures will be established for various types of requests. The adoption of permanent rules for workers' compensation copies may set a precedent for future legislation regarding copying charges. It is therefore imperative that an adequate fee structure be established.

The permanent rules must also clarify who the fee schedule applies to. It was our understanding the rules specifically applied to copies provided to insurers.

When establishing a fee schedule, all parties impacted must be involved - particularly those individuals providing the service. The Minnesota Medical Record Association would very much like to be represented in this process.

We would appreciate your careful consideration of the issues we have identified and are looking forward to working with the Department in the future.

Sincerely,

Susan F. Gentilli

Susan Gentilli, R.R.A.
Co-chair, Legislative Affairs Committee
Minnesota Medical Record Association

cc Therese McCarthy, R.R.A.
President, MMRA

Dominic Sposeto
MMRA Lobbyist

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REHAB SERVICES

DEPARTMENT : Labor and Industry

STATE OF MINNESOTA

Office Memorandum

#10

DATE : February 1, 1988

TO : Insurance Advisory Task Force

FROM : Gloria Gebhard
Rehabiltation and Medical Affairs

PHONE : 296-2402

SUBJECT : Costs of Copies of Medical Records

As of January 11, 1988, the emergency rules relating to the cost of copies of medical records for Workers Compensation are in effect.*

These rules apply only to costs of copies of existing medical records when required for the purpose of substantiating the nature of charges of medical treatment (i.e. when paying the bill). They do not apply to generation of special reports nor do they apply to the two required forms from health care providers - the physicians first reports (Minn. Rules 5220.2590, subp. 2) and the Maximum Medical Improvement (MMI) report (Minn. Rules 5220.2590, subp. 3).

If a health care provider submits unsolicited copies of the office notes along with the bill, they may charge 50¢ for this service regardless of the number of pages.

If at any time a party makes a request for copies of records or information to substantiate the nature of the charges for medical treatment, the requestor must pay for these records according to the following schedule:

A. $5.00 per file as a retrieval fee.
B. 75¢ a page for up to 20 pages.
C. 50¢ a page for next 32 pages.
D. 25¢ a page for all remaining pages.

This applies whether or not the health care provider had submitted any office notes previously.

This also covers costs of Hospital records when these records are requested for the purpose of substantiating the nature of the medical service.

When copies of records are requested for purposes other than to facilitate payment of a bill, the cost of copies reverts to a "reasonable" charge.

cc: Mary Jo Glumack

*State Register = Volume 12, #31 Feb. 1, 1985, pg. 1619

bcc: Joyce

Joyce Johns

MINNESOTA MEDICAL RECORD ASSOCIATION

MMRA

- MINNESOTA'S HEALTH INFORMATION LEADERS -

Minnesota Medical Record Association

15 November, 1988

Gloria Gebhard
Acting Director, Rehabilitation and Medical Affairs
Department of Labor and Industry
Worker's Compensation Division
443 Lafayette Road
St. Paul, Minnesota 55101

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REHAB & MEDICAL AFFAIRS

Dear Ms. Gebhard:

I have been representing the Minnesota Medical Record Association on the Cost of Medical Record Copies Task Force of the Medical Services Review Board. I appreciated being given the opportunity to participate in the Board's discussion at their meeting last week. It is my understanding they will be receiving a report prepared by your staff and will be re-addressing the issue at their next meeting.

We would like to emphasize that the fee structure which is established must be reasonable, yet cover the entire cost of providing the service. There should be a provision to evaluate the schedule of charges on an on-going basis and revise as costs increase.

The permanent rules must also clarify who the fee schedule applies to. It appeared as if there was consensus among the Board that the rules specifically applied to copies provided to insurers.

I was uncomfortable with the discussion of providing unsolicited copies with the bill at no charge. The definition of "appropriate copies to substantiate billing" will be interpreted differently by the insurer and the provider. It is also unclear as to how the rules can suggest sending copies with the bill when the access to medical data statute (176.138) stipulates that "requests for pertinent data shall be made in writing...the employee shall be sent written notification of the request by the party requesting the data at the same time the request is made..." Can the provider submit copies without having received a written request for the data?

It is also impractical in a hospital setting to send copies of the medical record with the bill. The hospital already incurs additional expense to process workers' compensation claims as we send copies of the record at no charge when we receive the MMIF or Physician's Report form. It would be extremely cumbersome and time-consuming to automatically send copies of medical records

with all claims. And, as mentioned previously, I question whether the existing law allows us to send unsolicited copies.

We are also concerned that multiple fee structures will be established for various types of requests. The adoption of permanent rules for workers' compensation may set a precedent for future legislation. It is therefore imperative that an adequate fee structure be established.

We would appreciate your careful consideration of the issues we have identified and look forward to working with the Department in the future.

Sincerely,

Susan T. Gentilli

Susan Gentilli, R.R.A.
Co-Chair, Legislative Affairs Committee
Minnesota Medical Record Association

cc Lynda Dent, R.R.A.
President, MMRA

CHAPTER 4642
DEPARTMENT OF HEALTH
MEDICAL RECORDS

4642.1000 INDIVIDUAL PERMANENT MEDICAL RECORD.

4642.1000 INDIVIDUAL PERMANENT MEDICAL RECORD.

Subpart 1. **Scope.** This part defines the term "individual permanent medical record." It does not outline content requirements for hospital records. Minnesota Statutes, section 145.32 establishes the record retention requirements for hospital records of patients and specifies the conditions under which hospital patient records may be destroyed. Minnesota Statutes, section 145.32 requires permanent retention of those portions of patient's hospital records which have been defined by the commissioner of health as the individual permanent medical record.

Subp. 2. **Elements.** A patient's individual permanent medical record must consist of all of the following elements of the hospital record which are applicable to that patient:

A. Identification data which includes the patient's name, address, date of birth, sex, and if available, the patient's social security number.

B. Medical history which includes details of the present illness, the chief complaint, relevant social and family history, and provisional diagnosis. For obstetrical patients, the medical history shall include prenatal information when available. For newborns, a birth history consisting of a physical examination report and delivery record as it pertains to the newborn must be included.

C. A physical examination report.

D. A report of operations which includes the preoperative diagnosis, the names of all surgeons and assistants, the anesthetic agent, a description of the specimens removed with pathological findings, a description of the surgical findings, the technical procedures used, and the postoperative diagnosis.

E. A discharge summary which includes the reason for hospitalization, summary of clinical observations, procedures performed, treatment rendered, significant findings (for example, pertinent laboratory, x-ray, and test results), and condition at discharge. For newborns or others for whom no discharge summary is available, a final progress note must be included.

F. Autopsy findings.

Statutory Authority: *MS s 145.32*

History: *9 SR 2659*

(4) another place with a record of a negative psuedorabies test within 30 days before sale; or

(5) a monitored pseudorabies-negative herd complying with part 1705.2474, effective January 1, 1989, in the northern zone as defined in part 1705.2472, subpart 2, and effective January 1, 1990, in the southern zone as defined in part 1705.2472, subpart 2.

Subp. 4. Report. The veterinary services contractor shall supply a report to the board each week listing the names and addresses of sellers and buyers of feeder and breeding swine. The board may ask for further reports.

1715.1480 SHEEP, GOATS, HORSES, MULES, AND OTHER SPECIES.

Sheep, goats, horses, mules, and other species may only be removed ~~when~~ after a ~~health~~ certificate of veterinary inspection certifying compliance with the state of destination requirements ~~have~~ has been ~~met~~ prepared by the veterinary services contractor.

EFFECTIVE DATE. Parts 1700.2590; 1700.2650; 1700.2850; 1700.3010; and the amendments to parts 1700.2700; 1700.2800; and 1700.2900 are effective July 1, 1988.

REPEALER. *Minnesota Rules*, parts 1700.3000; 1715.0600; 1715.0700; 1715.0760, subparts 3 and 4; 1715.0770, subpart 5; 1715.1460; and 1750.1470 are repealed.

Emergency Rules

Proposed Emergency Rules

According to Minn. Stat. of 1984, §§ 14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

1) that a free copy of the proposed emergency rule is available upon request from the agency;
2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
4) that the emergency rule may be modified if the data and views submitted support such modification.

Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§ 14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

Department of Labor and Industry

Proposed Emergency Rules Relating to Cost of Medical Records Copies

Notice of Intent to Adopt an Emergency Rule

Notice is hereby given that the State Department of Labor and Industry intends to adopt the above-entitled emergency rule. The statutory authority to adopt the emergency rule is contained in *Minnesota Statutes*, section 176.135, subdivision 7. The agency, in adopting the rule, is following the procedures set forth in the Administrative Procedure Act for adopting emergency rules in *Minnesota Statutes*, sections 14.29 to 14.36.

All persons have 25 days after publication to submit data and views on the proposed emergency rule or any part or subpart of the rule in writing. Any comments must be submitted to:

Ray Bohn, Commissioner
Department of Labor and Industry
444 Lafayette Road
St. Paul, Minnesota 55101

(A copy of the proposed rule is attached to this notice.)

A free copy of the proposed emergency rule is available by contacting Julie Kress at 296-2342.

The proposed emergency rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed emergency rule as noticed.

Upon adoption of the emergency rule by the agency, the emergency rule as adopted and its supporting documents will be delivered to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Julie Kress.

The emergency rule will take effect five working days after approval by the Attorney General and be effective for 180 days. The emergency rule will be continued in effect for an additional 180 days if the agency gives notice of continuation in accordance with *Minnesota Statutes*, section 14.35.

Dated: 21 September 1987

Ray Bohn
Commissioner

Emergency Rules as Proposed (all new material)

5219.0010 [Emergency] PURPOSE.

This chapter is intended to provide a schedule of reasonable charges for copies of health care provider records or reports substantiating the nature of a medical bill and its relationship to the work injury. The privacy of medical reports or records under other provisions of law is not to be affected by this chapter.

5219.0020 [Emergency] SCOPE.

This chapter is applicable to charges for copies from health care providers as defined in Minnesota Statutes, section 176.011, subdivision 24.

5219.0030 [Emergency] COST OF MEDICAL RECORDS.

Reasonable charges for copies of existing medical records or reports obtained from health care providers under Minnesota Statutes, section 176.135, subdivision 7, are as follows for each patient:

A. $20 for up to 20 pages;

B. 50 cents a page for the next 32 pages; and

C. 25 cents a page for all remaining pages.

Department of Human Services

Proposed Emergency Amendments to Permanent Rules and Emergency Rules Relating to Foster Care Difficulty of Care Payments

Notice of Intent to Adopt an Emergency Rule

Notice is hereby given that the State Department of Human Services intends to adopt the above-entitled emergency rule. The statutory authority to adopt the emergency rule is contained in *Minnesota Statutes*, section 256.82, subdivisions 3 and 3a. The agency, in adopting the rule, is following the procedures set forth in the Administrative Procedure Act for adopting emergency rules in *Minnesota Statutes*, sections 14.29 to 14.36.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Emergency Rules

Proposed Emergency Rules

According to Minn. Stat. of 1984, §§ 14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required, 2) authorized by statute, or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

1) that a free copy of the proposed emergency rule is available upon request from the agency;
2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
4) that the emergency rule may be modified if the data and views submitted support such modification.

Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§ 14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

Department of Labor and Industry

Workers' Compensation Division

Withdrawal of Proposed Emergency Rules Relating to Cost of Medical Records Copies

Notice is hereby given that the above-captioned rule as proposed and published in the *State Register* on September 28, 1987, (12 S.R. 576-577) is hereby withdrawn pursuant to Minn. Stat. § 14.05, subd. 3 (1986).

Amended emergency rules on the above captioned matter are published below.

Dated: 6 November 1987

Ray Bohn, Commissioner
Department of Labor and Industry

Department of Labor and Industry

Proposed Emergency Rules Relating to Workers' Compensation Cost of Medical Record Copies

Notice of Intent to Adopt an Emergency Rule

Notice is hereby given that the State Department of Labor and Industry intends to adopt the above-entitled emergency rule. The statutory authority to adopt the emergency rule is contained in Minnesota Statutes, section 176.135, subdivision 7. The agency, in adopting the rule, is following the procedures set forth in the Administrative Procedure Act for adopting emergency rules on Minnesota Statutes, Section 14.29 to 14.36.

All persons have 25 days after publication to submit data and views on the proposed emergency rule or any part or subpart of the rule in writing. Any comments must be submitted to:

Ray Bohn, Commissioner
Department of Labor and Industry
444 Lafayette Road
St. Paul, Minnesota 55101

A copy of the proposed emergency rule is attached to this notice.

A free copy of the proposed emergency rule is available by contacting Julie Kress at 296-2342.

The proposed emergency rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed emergency rule as noticed.

Upon the adoption of the emergency rule by the agency, the emergency rule as adopted and its supporting documents will be delivered to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request

notification of the date of submission to Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Julie Kress at the above address.

The emergency rule will take effect five working days after approval by the Attorney General and be effective for 180 days. The emergency rule will be continued in effect for an additional 180 days if the agency gives notice of continuation in accordance with *Minnesota Statutes*, Section 14.35.

Dated: 10 November 1987

Ray Bohn, Commissioner
Department of Labor and Industry

Rules as Proposed (all new material)

5219.0010 [Emergency] PURPOSE.

This chapter is intended to provide a schedule of reasonable charges for copies of health care provider records or reports substantiating the nature of a medical bill and its relationship to the work injury. The privacy of medical reports or records under other provisions of law is not to be affected by this chapter.

5219.0020 [Emergency] SCOPE.

This chapter is applicable to charges for copies from health care providers as defined in Minnesota Statutes, section 176.011, subdivision 24.

5219.0030 [Emergency] COST OF MEDICAL RECORDS.

Subpart 1. **Doctor's office notes.** No charge is allowed for a copy of a doctor's office notes covering the services billed.

Subp. 2. **Schedule of charges.** Reasonable charges for other copies of existing medical records or reports obtained from health care providers under Minnesota Statutes, section 176.135, subdivision 7, are as follows for each patient:

A. $5 per file as a retrieval fee;

B. 75 cents a page for up to 20 pages;

C. 50 cents a page for the next 32 pages; and

D. 25 cents a page for all remaining pages.

Subp. 3. **First report form, maximum medical improvement.** Part 5220.2590, subpart 4, governs the physician's first report form and the maximum medical improvement form. No charge is allowed as provided in that part.

Official Notices

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Board of Animal Health

Notice of Quarterly Board Meeting

A quarterly meeting of the Board of Animal Health has been scheduled for Friday, December 11, 1987 at the Board of Animal Health offices, 90 W. Plato Boulevard, St. Paul, Minnesota at 9:30 a.m.

Information about this meeting may be obtained by calling the Board office at 612-296-5000.

Thomas J. Hagerty, DVM
Executive Secretary

Board of Barber Examiners

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Barbers' Licensing and Operation

Notice is hereby given that the State Board of Barber Examiners is seeking information or opinions from sources outside the

the injured persons. On this basis the commissioner or compensation judge may determine the reasonable value of all such services and supplies and the liability of the employer is limited to the amount so determined.

[For text of subds 4 and 5, see M.S.1986]

Subd. 6. **Commencement of payment.** As soon as reasonably possible, and no later than 30 calendar days after receiving the bill, the employer or insurer shall pay the charge or any portion of the charge which is not denied, deny all or a part of the charge on the basis of excessiveness or noncompensability, or specify the additional data needed, with written notification to the employee and the provider.

Subd. 7. **Medical bills and records.** Health care providers shall submit to the insurer an itemized statement of charges. Health care providers other than hospitals shall also submit copies of medical records or reports that substantiate the nature of the charge and its relationship to the work injury, provided, however, that hospitals must submit any copies of records or reports requested under subdivision 6. Health care providers may charge for copies of any records or reports that are in existence and directly relate to the items for which payment is sought under this chapter. Charges for copies provided under this subdivision shall be reasonable. The commissioner shall adopt a schedule of reasonable charges by emergency rules.

A health care provider shall not collect, attempt to collect, refer a bill for collection, or commence an action for collection against the employee, employer, or any other party until the information required by this section has been furnished.

History: *1987 c 332 s 33-38*

176.136 MEDICAL FEE REVIEW.

[For text of subd 1, see M.S.1986]

Subd. 2. **Excessive fees.** If the employer or insurer determines that the charge for a health service or medical service is excessive, no payment in excess of the reasonable charge for that service shall be made under this chapter nor may the provider collect or attempt to collect from the injured employee or any other insurer or government amounts in excess of the amount payable under this chapter unless the commissioner, compensation judge, or court of appeals determines otherwise. In such a case, the health care provider may initiate an action under this chapter for recovery of the amounts deemed excessive by the employer or insurer, but the employer or insurer shall have the burden of proving excessiveness.

[For text of subd 3, see M.S.1986]

Subd. 4. [Repealed, 1987 c 332 s 117]

[For text of subd 5, see M.S.1986]

History: *1987 c 332 s 39*

176.1361 TESTIMONY OF PROVIDERS.

When the commissioner, a compensation judge, or the court of appeals has reason to believe that a medical or other provider of treatment services has submitted false testimony or a false report in any proceeding under this chapter, the commissioner, compensation judge, or the court of appeals shall refer the matter to an appropriate licensing body or other professional certifying organization for review and recommendations. Based upon their recommendation, the medical services review board, after hearing, may bar the provider from making an appearance, and disallow the admission into evidence of written reports of the provider, in any proceeding under this chapter for a period not to exceed one year in the first instance and three years in the second instance, and may permanently bar the provider from appearance and the provider's reports from admission in evidence thereafter.

History: *1987 c 332 s 40*

May 10, 1988

RECEIVED
MAY 12 1988
LABOR & INDUSTRY
REHAB SERVICES

MN Dept of Labor and Industry
ATTN: Gloria Gebhard/Rehab & Med Affairs
444 Lafayette Road
St. Paul, Minnesota 55101

RE: Cost of Medical Record Correspondence

Dear Ms. Gebhard:

Thank you for taking the time from your busy schedule to respond to my telephone inquiry on the subject of legislation dealing with the cost of obtaining/providing copies of medical record information. In addition, the information you sent me has been helpful in answering questions that I and others have had about just what this legislation is intended to cover.

Although the wording of the legislation may seem clear to some, to many it remains quite confusing. Our company, MEDWEST/Medical Office Services, provides medical record correspondence services to area hospitals; consequently, as a provider of medical record information pertaining to workers compensation claims, we are directly affected by this recent ruling. We have the following questions and concerns concerning this ruling.

SCOPE:

It is my understanding that this ruling applies exclusively to the following situation:

> Insurers seeking medical record information from a health care provider supporting specific charges for services for which the health care provider has billed the insurer.

It is my further understanding that the ruling does not apply to the following situations:

> An attorney representing the employer in a workers compensation claim who is seeking medical record information to investigate the extent of the employers liability in the claim or to prepare for a courtroom hearing on the claim.
>
> An attorney representing the claimant in a workers compensation claim who is seeking medical record information to investigate the extent of the employers liability in the claim or to prepare for a hearing on the claim.
>
> An attorney representing a defendent (doctor or other health care provider) in a workers compensation related claim or suit.

1821 University Avenue
Suite South 179
St. Paul, Minnesota 55104
Telephone (612) 330-3626

MEDWEST

The claimant (individual seeking workers compensation benefits) request for copy of his/her own medical record.

As a provider of medical record information, we are having to address the above mentioned situations on a daily basis. We are accumulating a sizable stack of copies of the Department of Labor and Industry's memo announcing the new emergency ruling. The new ruling has been universally accepted by attorneys representing workers compensation claims as a directive regulating the amount that a health care provider can charge an attorney for medical record copies. If this ruling does not apply to an attorney's request for information, than it is imperative that a clarification of the ruling be made either in an addendum to the ruling or in another Department of Labor and Industry memo.

POSTAGE

Since the ruling does not mention postage, insurers and attorneys alike do not now pay for this item. The cost of postage to send the medical record copies on a workers compensation claim would seem quite insignificant to the insurer or attorney, averaging about $1.25 per request. To the health care provider who must bear the cost of providing postage for the whole community of attorneys and insurers, the burden becomes quite substantial. One site alone can average $200.00 to $300.00 month. Start multiplying that by the number of facility sites and postage becomes a significant concern. If the requestor feels that the cost of postage to mail the information he/she requested is not justified by the convenience and speed with which the use of mail service provides for the requestor, than the requesting party need only notify us that they wish to pick up the medical record copies at the site of the health care provider.

SALES TAX

My understanding is that area hospitals have never charged sales tax for providing medical record information. I have made numerous calls to the state sales tax office and received conflicting answers to the question of whether providing copies of this information is taxable. Clearly, depending on who you talk to on the hill, you too will get different answers. If this service is not taxable, it should be so written so that we can all be in agreement. If it is to be taxed, the tax burden should be borne by the recipient of the copies and should be so written in to the ruling's schedule of charges.

REIRIEVAL FEE

The conclusion from a recent study, conducted by a committee of medical record directors from major metropolitan hospitals, is that the fee for medical record retrieval should be adjusted to $10.00 per retrieval. This fee has been in place city-wide for approximately one year now and has been generally accepted by insurers, attorneys, and health care providers throughout the state of Minnesota as a reasonable fee for this service. We recommend adjusting the retrieval fee for medical records in workers compensation claims to be consistant with the generally accepted rate of $10.00.

Thank you for taking the time to listen to our concerns. We feel that these issues need to be addressed soon so that requestors and providers of medical record information alike can work in unison to best serve the community under conditions that are equitable for all concerned.

If you have any questions or concerns, or suggestions on how to clarify these issues, please feel free to call me.

Sincerely,

David A. Valo

David A. Valo
Director Medical Office Services

Intracorp

Innovators in Cost Containment

INTERNATIONAL REHABILITATION ASSOCIATES, INC.
MEDICAL REVIEW SERVICES
MENTAL HEALTH COST CONTAINMENT
HOME HEALTH SERVICES
DURABLE MEDICAL EQUIPMENT
MEDICAL CASE MANAGEMENT
INTERNATIONAL REHABILITATION INSTITUTE

October 6, 1987

Mr. Ray Bohn
State of Minnesota
444 Lafayette Road
St. Paul, Mn. 55101

Dear Mr. Bohn:

Thank you for sending a copy of the purposed emergency rules relating to cost of medical records for our study.

Intracorp's Hospital Bill Review and accuMed units receive medical records from a variety of hospital and medical Clinics daily so we want to be sure Statutes, Section 176,135, sub division 7 is clearly defined.

A. What does the $20 for up to 20 page include? Could $20 be charged for 1/page if that is all that is requested? Does this mean $1/page for the first 20 pages? Does this include the materials, mailing fee and file retrieval, or may these items be charged in addition to the $20? If the hospital or clinic sends incorrect or incomplete records must this fee be paid? Will the state be involved in the event any question areas, or will all negotiation for these fees be between the medical providers and payer?

I have enclosed 3 samples of bills for medical records which Intracorp has received recently. Each facility has their our policy for handling medical records and will this emergency rule by the agency negate any facility policy?

I feel having the above questions discussed and published will be very helpful for all parties who work with medical records on a daily basis.

Thank you for your consideration of these questions.

Sincerely,

Jean Haut

Jean Haut
Intracorp St. Paul District Manager

JH/bd

Enclosure

2467 15th Street N.W., New Brighton, Minnesota 55112
612/636-3010

Department of Labor and Industry

Proposed Emergency Rules Relating to Cost of Medical Records Copies

Emergency Rules as Proposed (all new material)

5219.0010 [Emergency] PURPOSE.

This chapter is intended to provide a schedule of reasonable charges for copies of health care provider records or reports substantiating the nature of a medical bill and its relationship to the work injury. The privacy of medical reports or records under other provisions of law is not to be affected by this chapter.

5219.0020 [Emergency] SCOPE.

This chapter is applicable to charges for copies from health care providers as defined in Minnesota Statutes, section 176.011, subdivision 24.

5219.0030 [Emergency] COST OF MEDICAL RECORDS.

Reasonable charges for copies of existing medical records or reports obtained from health care providers under Minnesota Statutes, section 176.135, subdivision 7, are as follows for each patient:

A. $20 for up to 20 pages;

B. 50 cents a page for the next 32 pages; and

C. 25 cents a page for all remaining pages.

page

Approved by Revisor

Healthcare Providers Copy Svc.

No. 211222

GENERAL OFFICES
FRANKLIN NATIONAL BANK BUILDING
100 WEST FRANKLIN AVENUE
MINNEAPOLIS, MINNESOTA 55404
612-871-9112
OUTSIDE MN — 1-800-328-7171

Intracorp
2467 15th St. NW
New Brighton, MN 55112

ATTN: ELAINE

TERMS: Payment Due Upon Receipt

DATE 9.3.87

PLEASE RETURN WITH YOUR REMITTANCE $ 23.39

Healthcare Providers Copy Svc.

CHARGES AND CREDITS	BALANCE
Date Work Performed 9/2/87	
D.O.B. 7/26/37	
Requesting Party	
Records of	
Location Divine Redeemer	
Custodian's Retrieval Fee	15.00
Basic Fee	7.00
Reg. Pages Copied 7 @ 1.00 per/pg =	1.00
Micro Fiche Pages Copied .. @ per/pg =	
Other Pages Copied @ per/pg =	
Postage	.39
Handling	
Prepayment (& Check Number)	
Total Balance Due	23.39

Finance Charge of 1½% per month on all accounts

INVOICE

Copy Tech BH

Tax ID #'s
Federal — 41-1468764
State — 4740677

RE: [redacted] Request

DRUG PROFILE [illegible]

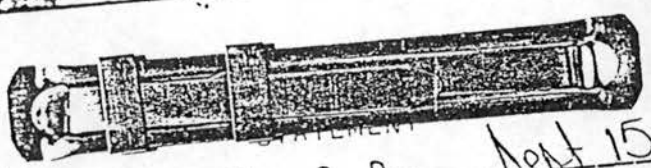
JUL 1 6 1987

ntainment

NASSOCIATES, INC.

MENT

N INSTITUTE



Form 8500-46 STATEMENT Sioux Falls, S. D., Sept 15 1987

In Account With

McKENNAN HOSPITAL

Under the Care of the Presentation Sisters

800 E. 21st Street, Phone 339-8000

M Lutheran Social Service

Re: [redacted]

Copy Charge	7.	50
(for 1-10 copies)	6	60
6/6 copies x 10¢		
BALANCE DUE:	14	10

Please send the item(s) which are checked. Upon prompt receipt of the necessary information the bill will be processed, which will aid in timely payment. I have enclosed a self-addressed, stamped envelope for your convenience. An authorization is not needed as this is a worker's

(Please honor your [illegible] release forms)

ABBOTT
NORTHWESTERN HOSPITAL
a LifeSpan family member

Dear Requestor,

In order to compensate for increased labor, materials and mailing fees, we find it necessary to implement an increase for photocopy services. Requestors soliciting copies of medical records for reasons other than continuing medical care will be assessed the following charges:

* $10.00 minimum fee incorporating research fee and the first 5 copies.

* $1.00 per page thereafter.

The policy change will become effective September 1, 1987 and will involve those requests received on that date. Should you have any questions concerning this change, please feel free to call Medical Records between the hours of 8am and 4pm.

We would like to thank you for your past co-operation and support and are looking forward to serving you in the future.

Release of Information
Medical Records Department
612-863-4321

MMA
MINNESOTA MEDICAL ASSOCIATION
612/378-1875

L. Ashley Whitesell, M.D.
PRESIDENT
Lawrence M. Poston, M.D.
PRESIDENT-ELECT
Robert D. Christensen, M.D.
CHAIRMAN OF THE BOARD
Steven D. Carter
CHIEF EXECUTIVE OFFICER

RECEIVED
DEC 11 1987
Commissioner's Office
Dept. Of Labor & Industry

December 10, 1987

Ray Bohn, Commissioner
Department of Labor and Industry
444 Lafayette Road
St. Paul, Minnesota 55101

DELIVERED BY MESSENGER

RE: **Proposed Emergency Rules Relating to Workers' Compensation Cost of Medical Record Copies**

Dear Commissioner Bohn:

This letter constitutes the Minnesota Medical Association's official comments in response to the proposed rule Parts 5219.0010 to 5219.0030 [Emergency], relating to cost of medical records, published by the Department of Labor and Industry in the State Register November 16, 1987, 12 S.R. 1067.

The Medical Association takes strenuous exception to these proposed emergency rules on three grounds. First, the rules as proposed conflict with the applicable state law, Minnesota Statutes, § 176.135, subd. 7, (1987). Second, the schedule of charges allowed for existing records and existing reports is not reasonable. Finally, the rule goes beyond the scope of the Department's statutory authority to promulgate rules. The following comments will substantiate the grounds upon which the Medical Association makes its objections.

1. THE PROPOSED EMERGENCY RULE CONFLICTS WITH THE STATUTE

The provision of state statutes upon which the Department bases its authority to promulgate these rules specifically provides that "[h]ealth care providers may charge for copies of any records or reports that are in existence and directly relate to the items for which payment is sought under this chapter." See, Minn. Stat., § 176.135, Subd. 7.

This proposed rule, however, at subpart 1, provides that "[n]o charge is allowed for a copy of a doctor's office notes covering the services billed." This subpart is in direct contradiction to the above-stated statutory provision.

Although the rule does not make it clear that the doctor's office notes are a part of the medical record, in the context of the worker's compensation medical examination, the doctor's office notes are the report of the examination. The information contained in these notes is gathered for the diagnosis, care, evaluation, and treatment of the injured worker. The type of information gathered and recorded is, although significantly more detailed and extensive, similar to that gathered and recorded for any medical examination of a patient. It is commonly understood in the health care community that doctor's office notes of an examination are a part of the medical record. Moreover, physicians have a legal obligation to properly record the medical examination findings . Failure to do so may be grounds for discipline under the Medical Practice Act, Minnesota Statutes § 147.091, Subd. 1 (o)

(1986). Additionally, you may recall that your Executive Office has openly acknowledged that doctor's office notes are considered a part of the medical record.

Also, since subpart 1 addresses those doctor's office notes which relate to the services billed, this rule could be interpreted as not allowing physicians to charge for copies of records which directly relate to the items for which payment is sought. This is clearly in contradiction to the statute. If it is the case that the Department intended to require submission upon request of an itemized statement of charges and disallow a separate fee for this, such a requirement should have been clearly enunciated.

The language of subpart 1 is sure to cause confusion and conflict not only among the various parties directly involved in the evaluation and settlement of workers compensation claims, but in the general health care community as well. Although the rulemaking authority is, by its terms, limited to the workers compensation system, the levels of reasonable charges will, by virtue of their status as administrative rules, become a standard of reasonable charges for copies of medical records in other contexts such as requests for records under the Access to Health Records Law (Minnesota Statutes § 144.335).

The Department's responsibility under the statutory grant of emergency rulemaking authority was not to determine whether physicians and hospitals can charge for medical records, but rather to determine how much they can charge for these records.

2. THE PROPOSED EMERGENCY RULE IS UNREASONABLE

There is ample evidence to support the proposition that the proposed rule is not reasonable. These comments will briefly note three important factors which highlight the unreasonable nature of this rule.

A. A Standard Of Reasonable Charges Currently Exists

There currently exists a standard which all participants in the Minnesota Worker's Compensation system consider reasonable and have been using since August, 1985. This standard was enunciated in the Department of Labor and Industry publication entitled COMPACT. In the August 1985 issue of this publication, the Department of Labor and Industry stated that it is reasonable to charge $10 for up to 15 pages for copies of office notes or portions of charts from clinics or doctors, plus 50 cents for each additional page of records.

This same issue of COMPACT provides that the above-stated charges were developed, based upon the Department's experience and the recommendations of the Department's advisory boards.

Since the actual costs to physicians and hospitals for retrieval and copying of records can be assumed to be higher today than it was in 1985, it is not understood how this drastic reduction represented in the proposed emergency rules, from the levels deemed reasonable in 1985, can seriously be argued to meet the statutory requirement of reasonableness.

B. The Proposed Emergency Rule Bears No Relationship To Actual Costs.

It is apparent that this proposed rule was not based upon a time study or any other type of study designed to determine the actual costs of retrieving and copying records. This proposed rule has no basis in fact and is not substantiated by any existing data. The Medical Association fails to understand how a current standard of reasonable charges (the August 1985 COMPACT) can be completely ignored by the very state agency which initially endorsed it.

The Minnesota Medical Association believes that current conditions would indicate that the 1985 COMPACT reasonable charge schedule should be increased to reflect the actual rise in wages for office workers, as well as the actual costs for copying records. The Medical Association would be more than willing to undertake a formal study of the time and costs involved in responding to requests for records and reports within the workers compensation system if the results of such a study would be of assistance in setting reasonable charges in an administrative rule.

c. The Department Ignored The New Standard Developed by the Industry

The Department should not so cavalierly ignore the new standard of reasonableness contained in the proposed rule which the Department published September 28, 1987 (12 S.R. 576) but subsequently, and without explanation, withdrew. This rule was the product of an agreement between Minnesota physicians, Minnesota hospitals, and Minnesota Worker's Compensation insurance companies. It embodies what these parties believe to be a reasonable payment schedule for medical records and reports. By ignoring this standard the Department is sending a message to the Workers' Compensation Industry that it is not truly seeking the input of interested and directly affected parties, but that it intends to unilaterally develop standards which will be imposed upon the industry. What is even more frightening than this message, is the fact that the standards proposed bear no rational relationship to existing conditions.

3. THE PROPOSED EMERGENCY RULE IS BEYOND THE SCOPE OF THE DEPARTMENT'S AUTHORITY

The Department's statutory authority to promulgate rules in this area is short and quite clear. The Department's sole responsibility was to develop a schedule of reasonable charges for medical records. Nowhere does the statute allow the Department to determine that certain medical records are to be provided free of charge. For this reason, the Department completely lacks any authority to establish by rule that doctor's office notes covering the services billed be provided free of charge.

MINNESOTA MEDICAL ASSOCIATION PROPOSAL

The Medical Association supports the payment levels and concepts contained in the proposed rule published September 28, 1987.

Additionally, we believe that it is appropriate to clarify that the First Report of Injury and the report relating to Maximum Medical Improvement be provided without additional

charge as required in other Workers' Compensation rules (Minnesota Rules Part 5220.2590, Subp. 4). We suggest then that Subpart 1 of this proposed emergency rule be deleted, and subpart 3 be inserted in its place.

Finally, we suggest that the proposed subpart 2 be replaced with the schedule of reasonable charges published in the September 28, 1987 proposed emergency rule. We believe that the charge amounts detailed in the September 28, 1987 proposed emergency rule would be deemed by the Legislature to be reasonable. Because all interested or affected parties have been on notice, since at least September of this year, that the Department of Labor and Industry would be promulgating rules relating to charges for medical record copies, and the fact that the level of charges suggested by the Medical Association had been properly published for public comment, this substitution should not be viewed as a substantial change.

The Medical Association requests to be informed of submission of this rule to the Attorney General.

Respectfully submitted,

Gary Goetzke, J.D., Director
Medical Staff Services

Robert Eelkema, J.D.
Legal Counsel

Enclosures

August 1985 COMPACT, pp 1, 2
12 S.R. 576, 577
12 S.R. 1066, 1067
Minnesota Statute § 176.135, Subd. 7, (1987)

AIRPORT MEDICAL CLINIC

PREVENTIVE AND OCCUPATIONAL MEDICINE

7775-26TH AVENUE SOUTH, SUITE 100
MINNEAPOLIS, MINNESOTA 55450
(612) 726-1771

Alex G. Webb, M.D., Emeritus.
David C. Zanick, M.D., M.P.H.
Charles J. Hipp, M.D., M.P.H.
Dean W. Erickson, M.D., M.P.H.
Michael Goertz, M.D.
Kevin T. O'Connell, M.D.

John L. Kipp, M.D.
Daniel H. Lussenhop, M.D.
William Isaksen, M.D.
John C. Conrad, PhD.
Craig Mattice, Adm.
Holly Winick, M.P.H.

M E M O R A N D U M

TO: Dr. Zanick

FROM: Craig Mattice

SUBJECT: Cost of Copying and Releasing Medical Information

DATE: October 26, 1988

You requested that I give you information regarding the cost of copies for a survey for the Minnesota Department of Labor. Below is the information we have gathered.

Request for medical information includes the following times:

A. Approval of request - 5 to 10 minutes.
B. Retrieval of a file - 5 minutes.
C. Review of file to identify material to be copied - average 5 to 10 minutes.
D. Approval of request by professional staff - approval can take anywhere from 3 minutes to 30 minutes.
E. Separating material to be copied - 10 minutes to 1 hour.
F. Recollating the file after copying - 5 minutes.
G. Returning files - 5 minutes.
H. Approval of certain materials by client, employer, or staff - at least one phone call usually 5 minutes.

TOTAL TIME:	Minimum	Maximum
	43 minutes	2 hours 10 minutes

This is assuming a salary of $15,000 per year with an additional 35% for benefits or $9.74 per hour. Based on the minimum and maximum range, the amounts will be $7.30 minimum and $22.10 maximum.

Enclosed is the cost of copies survey.

CM/mkk

Enclosure

Craig

Cost of Copies Survey

Institution	Outside Copy Service Used (yes or no)	Retrieval Fee	Retrieval Service*	Per Page Copy Fee	Type of Copying**
HEALTH CARE PROVIDERS COPY SERVICE MEDICAL RECORDS INC.		$15.00		$1.00	HAND COPY

*indicate by reference to this list of services those that are typically required in your operation: A - H

a) review and approval of request
b) retrieval of file
c) review of file to identify material to be copied
d) approval of material by professional staff
e) separating materials to be copied from the rest of the file
f) recollating the file after copying
g) returning the file
h) approval of certain materials by client employer staff

e.g.-if all of services are typically performed, indicate "a through e"

**indicate which type of copying:

1) hand copying
2) automatic page feeder

Joyce - 741 - for.

MEDICAL SERVICES REVIEW BOARD
COSTS OF MEDICAL RECORDS
(9/7/88 and 11/1/88)

MSRB: Robert Llewellyn, Ellen Velasco-Thompson, David Zanick

Outside: Victoria Lemberger (MN Hospital Assn), Mary Jo O'Brien (MN Medical Assn), Rita Peskar (Medical Records Assn).
Susan Gentilli, R.R.A.

Staff: Joyce Weber Johns, Bill Lohman

The Task Force members surveyed a number of insurers, hospitals and one clinic on their charges and description of photocopying services; survey results attached.

MSRB Members agreed on the following:

1. The first or initial copy of a record to substantiate a bill should not require a "retrieval" service or retrieval cost.

2. Costs for subsequent copies (after one copy has been provided) should include a flat retrieval fee and a flat cost per page cost.

3. One flat cost per page should be set, i.e. the cost per page should not vary with the number of pages copied.

MSRB Members did not agree on the following:

1. Whether the first or initial copy of a record (sent with no retrieval fee) should cost a flat $0, $.50 or $1.00.

2. The amount of the retrieval fee.

vote was 3 to 2 — $8.00 Retrieval + 50¢ cost per page

Public comment/survey information:

Retrieval fee recommendations ranged from $5.00-$22.50 per request.

Proposed by MHA	$10.00 retrieval and $.50 per page
Proposed by ER/IR MSRB	$7.50 retrieval and $.50 per page

Charge per page ranged from $.35 to $1.00 (some were flat rates, some at sliding scale).

Bob Llewellyn

Cost of Copies Survey

Companies Surveyed:	Insurance companies	26
	Self-insured employers	2
	Third party administrators	6 / 32

All companies required a technical, nonclerical claims person for reviewing the claim/legal file to determine which materials to copy and send. Clerical people usually did the photocopying, and auto feeder machines were usually utilized.

Results of Survey

IR's Surveyed

Twenty-five companies do not make any charge whatsoever for photocopying. This expense is considered an expense - cost of doing business.

3 - Third party administrators
2 - Self-insured employers
20 - Insurance companies

Six companies will make a charge under the following circumstances: Voluminous materials requested by plaintiff attorneys; requests on claims where there is no dispute.

3 - Third party administrators
3 - Insurance companies

1 - .05 per page	1 - .50 per page
1 - .20 per page	1 - no set fee
1 - .30 per page	1 - same as WCD Dept. of Labor & Industry

One company utilizes an outside copy service, but does not charge a retrieval fee. Copy charge is .40 per page on auto feeder machine. A-G Ret. Services used.

these companies will on very rare occasions charge for copies, e.g. an extensive request from plaintiff's atty., requests on a claim where no issue is raised etc

Cost of Copies Survey

9/88

Institution	Outside Copy Service Used (yes or no)	Retrieval Fee	Retrieval Service*	Per Page Copy Fee	Type of Copying**
Aetna Life & Cas.	No (unless big request)	No	N/A	5¢	2
GAB	No	No	N/A	20¢	2
Crum & Forster	No	No	N/A	no specific fee set	2
Crawford & Co	No	No	N/A	30¢	2
Alexis	No	No	N/A	same as the State	2
Home	No	Yes, if file a-g $7.50 is sent to H.O.		50¢	2

*indicate by reference to this list of services those that are typically required in your operation:

a) review and approval of request
b) retrieval of file
c) review of file to identify material to be copied
d) approval of material by professional staff
e) separating materials to be copied from the rest of the file
f) recollating the file after copying
g) returning the file

e.g.-if all of services are typically performed, indicate "a through e"

**indicate which type of copying:

1) hand copying
2) automatic page feeder

Cost of Copies Survey

9/88

Institution	Outside Copy Service Used (yes or no)	Retrieval Fee	Retrieval Service*	Per Page Copy Fee	Type of Copying**
Liberty Mutual	No	Does not charge for copies			
E.B.A.	No	-	"	—	
The Chubb Group	No	—	"	—	
State of MN	No	—	"	—	
Kemper	No	—	"	—	
State Farm	No	—	"	—	
State Fund Mut	No	—	"	—	
St. Paul Co	No	—	"	—	
Federated Mut	No	—	"	—	
Atlantic Mutual	No	—	"	—	

*indicate by reference to this list of services those that are typically required in your operation:

a) review and approval of request
b) retrieval of file
c) review of file to identify material to be copied
d) approval of material by professional staff
e) separating materials to be copied from the rest of the file
f) recollating the file after copying
g) returning the file

e.g.-if all of services are typically performed, indicate "a through e"

**indicate which type of copying:

1) hand copying
2) automatic page feeder

Cost of Copies Survey

9/88

Institution	Outside Copy Service Used (yes or no)	Retrieval Fee	Retrieval Service*	Per Page Copy Fee	Type of Copying**
ed S Jones + Co. of Minn	no	no	—	—	—
rement Fund Ins. Co.	no	no			
USF+G	no	no			
ravelers Ins. Co.	no	no			
Cigna Corp.	no	no			
Zurich-American Ins.	no	no			
Northern States Power C.	no	no			
American Financial Grp	no	no			
INA Group	no	no			
Continental Corp Grp.	Yes*	no	A.G.* Usually	40¢*	2*

writings outside service.

* Discretionary

*indicate by reference to this list of services those that are typically required in your operation:

a) review and approval of request
b) retrieval of file
c) review of file to identify material to be copied
d) approval of material by professional staff
e) separating materials to be copied from the rest of the file
f) recollating the file after copying
g) returning the file

e.g.-if all of services are typically performed, indicate "a through e"

**indicate which type of copying:

1) hand copying
2) automatic page feeder

Cost of Copies Survey

9/88

Institution	Outside Copy Service Used (yes or no)	Retrieval Fee	Retrieval Service*	Per Page Copy Fee	Type of Copying**
Gallagher Bassett	No	No			
Hartford Ins. Co.	No	No			
Nationwide Ins. Grp (Employers of Warsaw)	No	No			
Reliance Ins. Grp	No	No			
Royal Ins. Grp.	No	No			
Transamerica Ins. Co.	No	No			

*indicate by reference to this list of services those that are typically required in your operation:

a) review and approval of request
b) retrieval of file
c) review of file to identify material to be copied
d) approval of material by professional staff
e) separating materials to be copied from the rest of the file
f) recollating the file after copying
g) returning the file

e.g.-if all of services are typically performed, indicate "a through e"

**indicate which type of copying:

1) hand copying
2) automatic page feeder

COST OF COPIES SURVEY

INSTITUTION	OUTSIDE COPY SERVICE	RETRIEVAL FEE and OTHER FEE	RETRIEVAL SERVICE	PER PAGE COPY FEE	TYPE OF COPYING
Metro Mt. Sinai (Phillips)	No	No	a-g	6.00/5 pgs .75/6+	1&2
Unity	Yes Insurance only	5.00 15.00 notary fee	a-g	1.00/page 2.00/microfiche	1
St. John's	Yes	10.00 retrieval 8.00 handling (service)	a-g	1.00/page	1&2
River Falls	No	None 5.00 certification fee	a-g	7.50/10 copies .25/11+	1
Lakeview Memorial	Yes	14.00 3.39 postage & handling	a-g	.75/page	1
Metro Mt. Sinai (Downtown)	Yes	10.00 (inc. 5 copies)	a-g	1.00/page	1&2
St. Joseph's	Yes	10.00	a-g	1.00/page	1
Hennepin County	No	5.00 (inc. 5 copies) no fee for viewing	a-g	.50/6+	1
St. Paul Children's	Yes	10.00	a-g	.75/page 1.00/microfiche	1
United	Yes	10.00	a-g	1.00/page	1&2
Abbott-Northwestern	Yes	10.00 (inc. 5 copies)	a-g	1.00/page	1
Fairview Southdale	Yes	10.00	a-g	1.00/page	1

hard copies maintained 2yrs. - may microfiche 3yr.

- copy machines - most mar
- report size varies (shingles, hard copy)

- log request
- bill costs for copies - generating fee - adding bill
- mailing prep
- notary / certification ($10) taxable cost

notarized in comp? - no

IR's charging @ same rates

STATE FUND MUTUAL INSURANCE COMPANY

October 21, 1987

RECEIVED

OCT 23 1987

Commissioner's Office
Dept. Of Labor & Industry

PATRICIA R. JOHNSON
GENERAL COUNSEL

Ray Bohn, Commissioner
Department of Labor and Industry
444 Lafayette Road
St. Paul, MN 55101

RE: PROPOSED EMERGENCY RULES RELATING TO COST OF MEDICAL RECORDS COPIES, PURSUANT TO MINN. STAT., SECTION 176.135, SUBD. 7

Dear Commissioner Bohn:

State Fund Mutual Insurance Company has substantial concerns about the proposed schedule of reasonable charges for copies of healthcare provider records or reports substantiating the nature of a medical bill and its relationship to the work injury.

It is pretty generally recognized that substantially higher medical costs are one of the important reasons why workers' compensation rates are higher in Minnesota than in surrounding jurisdictions. At State Fund we are making every effort to effectively manage medical costs to facilitate quality medical treatment for injured workers at a reasonable cost to employers. Effective medical management also means we must fufill our obligation to the employer to pay only for medical services related to the work injury. The 1987 Legislature once again recognized that we need to be able to see medical records sufficient to allow us to fulfill our medical management obligations to the employee, the employer, and the overall workers' compensation system. The legislature also recognized that there is a cost to healthcare providers for furnishing copies of records to insurers. The 1987 legislation provided that charges by healthcare providers for furnishing copies of medical records "shall be reasonable." Minn. Stat., 1987, Section 176.135, Subd.7.

As we read it, the concept of the new statutory provision is not to provide an additional source of revenue to healthcare providers by allowing copying charges, but rather to recognize and compensate the additional cost to the healthcare provider of furnishing records simply because the case is a workers' compensation case. (Obviously, healthcare providers have some component already built into their overhead costs for the routine provision of medical records outside the workers' compensation setting.)

The proposed fee structure for what constitutes a reasonable charge must be simple and understandable. We agree with the format of proposed Emergency Rule 5219.0030. Our only concern---and it is a serious concern---is subpart A which would be applicable in most

cases of provision of medical records. This subpart provides for a flat fee of $20 for up to 20 pages. This means that for the typical one-page, one-paragraph copy of office notes routinely sent along with a medical bill, the healthcare provider would add $20 for each such separately billed visit. We do not think this is representative of the true additional cost of providing photocopies of medical records. The reasonable copying charges for this typical scenario should not be greater than $6.

We recognize that copying charges are not merely for photocopying costs. They also involve a component for locating the records to be copied. We suggest that this cost be identified and addressed directly. We suggest that there be a flat "retrieval" fee of not exceeding $5.00, with an additional per page photocopying charge. We recommend $1 per page up to 20 pages; $.50 a page for the next 32 pages (as in the Proposed Emergency Rules); and $.25 a page for all remaining pages (as in the Proposed Emergency Rules).

This will be a major cost item for insurers---and, eventually, employers. To put this problem in some perspective, the most prevalant paid charge of a healthcare provider on workers' compensation claims is probably the CPT code 90050, limited office visit. Under the maximum fee schedule $25 is considered the maximum reasonable charge for the professional services in such a typical office visit. With a $20 minimum copying charge, as suggested in the Proposed Emergency Rules, the physician would be able to charge $25 for the office visit plus an additional $20 for providing, along with the billing, a photocopy of the one- or two-paragraph office notes for the visit. A $20 copying charge compared to a $25 charge for professional services is clearly unreasonable. The $25 professional fee, plus the $20 medical copying fee, would nearly double the cost of this most typical medical treatment.

We currently make approximately 1500 healthcare provider payments each month. Even assuming that there is only one page of medical records to be submitted along with each such billing, pursuant to the requirements of the workers' compensation statute, those providers would be paid an additional $30,000 per month or $360,000 per year for copying charges alone with a $20 flat charge. We currently pay about $4.3 million dollars per year in workers' compensation medical costs. These additional copying charges at the $20 flat rate would mean an 8.3% increase in workers' compensation medical costs. An 8.3% increase in workers' compensation medical costs solely because of photocopying charges is unreasonable and not reflective of actual additional cost.

Even if there was a $6 effective minimum charge, as we suggest be adopted, annual photocopying charges for medical records we would pay as a company would exceed $100,000. This would represent a 2.5% increase in workers' compensation medical costs. This is also a significant increase in cost that must be passed along to the employer, but given a legislative directive that "reasonable" charges are appropriate, we believe that the alternative fee structure we propose is more appropriate.

We would be happy to provide any additional information that might be useful in your consideration of this issue.

Very truly yours,

STATE FUND MUTUAL INSURANCE COMPANY

By: Patricia R. Johnson
General Counsel

PRJ/smh

ORTHOPAEDIC SURGERY
PROFESSIONAL ASSOCIATION
300 KELLOGG SQUARE
SAINT PAUL, MINNESOTA, U. S. A. 55101
TELEPHONE 612-222-5500

LYNN L. AULT, M. D.

FELLOW, AMERICAN ACADEMY OF ORTHOPAEDIC SURGERY
DIPLOMATE, AMERICAN BOARD OF ORTHOPAEDIC SURGERY

RECEIVED
OCT 7 1987
DEPT. OF LABOR & INDUSTRY
ASSISTANT COMMISSIONER

September 25, 1987

Ray Bohn, Commissioner
Department of Labor and Industry
444 Lafayette Road
St. Paul, MN 55101

Dear Commissioner Bohn:

I wish to make a statement regarding the emergency rules relating to medical record copy costs.

The issue of review of physician and other provider records by the insurers and payers in Workers' Compensation matters has been of interest to me for many years. My experience as a provider and my participation in hearings and trials regarding Workers' Compensation have given me a broad background in the subject. It is my opinion that the issue of medical records in Workers' Compensation is much more complex than it appears on the surface. There are many unique factors to be considered when addressing this issue. I wish to call these to your attention.

Let me first make a few comments about the subject of physician's medical records in general. The records, of course, are the physician's own property, which he prepares for his own benefit in managing the care of his patients. In that sense, they might be likened to an attorney's notes regarding his work with a client, or any other business person's records. My second point is that these records are not constructed or organized for any other purpose. Thirdly, medical records are not organized to segregate information relating to any aspect of the patient's overall care and management, whether it involves his personal life, Workers' Compensation, health issues, nonwork-related medical issues, or totally confidential matters discussed with the physician. I realize that the Workers' Compensation law in Minnesota denies the injured worker any confidentiality of his medical record as it relates to that injury, but I do not think it can justifiably require him to give up his right to privacy regarding any and all medical information pertaining to him. Demands by the Workers' Compensation insurers for access to the injured worker's medical records require someone to segregate the pertinent data, or sacrifice the patient's privacy beyond any reasonable limits.

Let me next address the issue of how information regarding medical services is conveyed to the insurer in all cases excluding Workers' Compensation,

including services provided to the Federal Government. Development of the HCFA-1500 form, devised by the insurance industry, Medicare, AMA, etc., is recognized throughout the country as the standard form for transfer of medical information. This form lists all medical services categorized by the CPT service codes and by the diagnosis under the ICDA system. The form also indicates the appropriate data on patient's health background, employment, disability, etc. For all other payers except those in Workers' Compensation, this information and this form is universally recognized. The Worker's Compensation arena ignores this well-established format.

The Minnesota State Legislature and the Department of Labor and Industry have created a large volume of forms for data submission which have been forced upon the providers as a requirement of caring for injured workers. You are perhaps even more aware of these forms than I, as they include the First Report of Injury form, so-called Maximum Medical Improvement form, Record of Medical Treatment, etc., etc. These paperwork requirements are in addition to the statements of work disability and communications required from the provider, to be supplied to employers, patients, rehabilitation workers, and others. For the burden of performing all these items of additional paperwork, and constructing different billing procedures, the medical provider is paid nothing. In fact, as you well know, the Workers' Compensation fee schedule sets as a maximum, the 75th percentile of data (that is two years old) and whose data base includes the Welfare Department, the lowest paying user of services in the state. Instead of being compensated for all the extra work, forms, and records required, medical providers are doubly disserved by requiring of them extra work and paying them less than the charges for usual services.

After ignoring the extra obligations upon the providers by the submission of these various forms and documents, the payers in Workers' Compensation want a medical record unique to Workers' Compensation cases. This record must deal with factors of causation, the patient's employment, the job description, etc. The record should also be isolated from the patient's other medical records to avoid controversy about payment, and to protect the patient's privacy. These requirements, of double record-keeping, add further to the burden of the provider. Many physicians must adopt a different record system to avoid repeated controversies with the insurers and maintain the privacy of their patients on unrelated matters.

The insurers in Workers' Compensation are ever vigilant to the denial of payment for claims. They advertise how good the record of denial is. They solicit the physicians records to dig up any scrap of information which may allow them to deny payment. Thus, it falls to the injured worker and his treating physician to "prove themselves innocent," that is, to prove that the injured worker's problems do not have any other basis in origin. Medical records are simply not created in a manner to prove the origin of injury. In fact, the physician's ethics require that he explore all areas of causation and acknowledge all factors in treating the patient. Thus, considering the broader aspect of an injured worker's health problems when dealing with a work-related injury, and mentioning anything in the

medical records, will give the insurer an excuse to deny the claim. Therefore, the usual medical record is not suitable for review by the Workers' Compensation insurers unless it has been especially prepared as a defensive medical record, totally inappropriate for the practice of medicine.

Adding further insult to the demands is the fact that the physician's medical records, when requested and reviewed by the insurer, are not reviewed by another physician, a medical school graduate, or anyone with the understanding of the medical problems, treatments, and standards of care. They are, in fact, reviewed by clerks, whose obligation to their employer is to achieve denial of claims, save the company money, and thus justify their own employment. There is no guarantee that these reviewers are knowledgeable about the issues which they are reviewing. It is certainly true that their knowledge is minute when compared with the accumulated knowledge, skills, and training required of the providers, whoever they may be.

Let me therefore summarize my complaints against the business of medical record requests in the case of Workers' Compensation:

1) A universally recognized, standard claim form is in use, which provides all the essential information regarding services, diagnoses, etc. The use of this form is ignored in Workers' Compensation. It should be used, and it should be accepted as providing sufficient information to process the claims.

2) The physician's medical records are his own property and created for his own benefit. They are not created as a defensive instrument in the battle against insurance companies to assure proper benefits for the injured worker.

3) The physician providers are, in fact, paid less for caring for Workers' Compensation patients, whose care is usually more complex, and requires numerous additional services in the paperwork requirements, contacts with employers, concerns about the patient's employment, and informing him about the Workers' Compensation system. The provider is not compensated for this nor for the preparation of any special records.

4) Submission of the physician providers' regular medical files to the insurance company subjects the injured worker to exposure of his private and confidential records, and allows the insurers to go on "fishing expeditions" for any information on which a claim denial might be based.

5) The whole process of medical record requisition by the insurers is unnecessary. Adequate information is available in the standard billing forms universally used.

6) The insurer's only incentive is the denial of benefits.

7) Multiple layers of extra cost are added to the system, both by the insurance company and to the providers.

8) It is a mechanism for delay of payment of services already rendered, and it is a burden upon the providers and the injured workers.

The emergency rule-making legislation should not even be considered until all the issues I have addressed above have been considered first. It is my opinion that the insurers have no business requesting medical records and have no one competent to review them when requested. The Legislature, in its limited wisdom, nonetheless seems intent on this course. In no way should the physician providers be subjected to another burden, of supplying their personal medical records at a price that does not pay them fully for the cost of so doing and does not allow them to make a reasonable profit, as every other business operating in the state has the right to do. There is no justification for the physician providers being required to engage extra staff, office space, and supplies, to say nothing of the thousands of dollars in copying machine purchase cost and their own time, to review and prepare the requests, let alone preparing a special, different original record, without being entitled to fair compensation. There is no justification for the physician providers' offices to do work for the insurance companies without compensation.

Sincerely,

Lynn L. Ault, M.D.

LLA:MTS:skc

cc: Gary Mesna, Attorney at Law
Gary Goetzke, Attorney at Law, MMA
Dr. Lawrence Schut

330-36-0238

WESTERN NATIONAL

Insurance Group

5350 WEST 78TH STREET

P.O. BOX 1463 - MINNEAPOLIS, MINNESOTA - 55440

EDINA INTERCHANGE CENTER

612 835-5350

Rehab & Med. Services

COPY

July 11, 1988

Industrial Medicine Services
6155 Duluth Street
Golden Valley, MN 55422

RE: Employer: United Dressed Beef
Employee: Merle Freeze
Date of Injury: July 9, 1983
Claim No: WC 37026

Gentlemen:

On July 7, 1988 Robin Olson of our office went in there and requested medical records concerning Mr. Merle Freeze. She apparently was handed 73 copies and then was charged $113 for this service. I wish to advise that this is above the guidelines as complied by the Minnesota Department of Labor and Industry. It would appear that the appropriate charge for these copies would be $41.25. Therefore, I would appreciate it if you would refund us $71.75 at this time.

By carbon copy of this letter, I am advising the Department of Labor and Industry of your overcharging concerning the medical records. It would appear that we were forced to pay your outlandish charges for photocopying or you would not give us the records.

In reviewing this bill it looks like we were charged $25 for a reviewal fee, whatever that is; $5 for retrieval fee, which of course is allowed; and $10 for handling. This probably is some of the most ridiculous charges I have ever seen for photocopying.

We would appreciate your reimbursement in the near future.

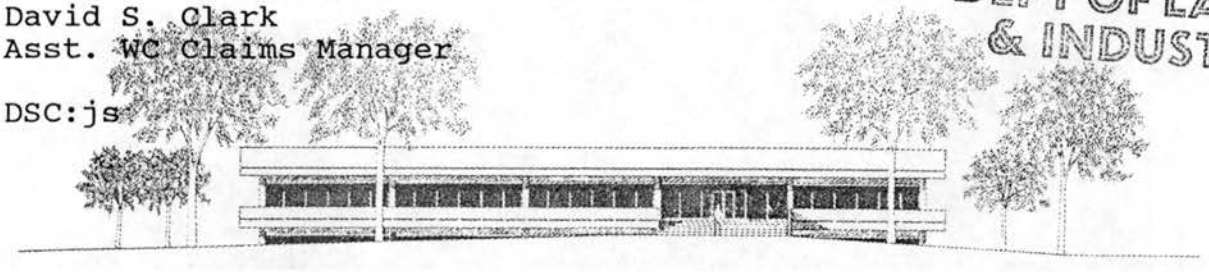
Thank you very much.

RECEIVED
JUL 13 1988
DEPT OF LABOR & INDUSTRY

Sincerely yours,

David S. Clark
Asst. WC Claims Manager

DSC:js



CC: State of Minnesota
Department of Labor and Industry
Workers' Compensation Division

CC: Rehab and Medical Services ✓
Social Security No: 330-36-0238

CC: David N. Larson
Fitch Johnson, Larson and Walsh
Attorneys at Law

JS/4b

RECEIVED
JUL 13 1988
DEPT OF LABOR
& INDUSTRY

chiropractic
health & fitness

Dr. Ronald M. Nedd

March 29, 1988

RECEIVED
MAR 3 1 1988
REHAB & MEDICAL AFFAIRS

Gloria Gebhard
Dept. of Labor and Industry
444 Lafayette Rd.
St. Paul, MN 55101

Dear Gloria,

This is to follow up on our phone conversation today concerning the emergency rules on copying of office notes.

We have found that sending copies of offices notes with each billing for a reimbursement fee of 50¢ is not cost-effective due to the costs involved with making copies as well as the cost of staff time in doing the copying as well as writing up a 50¢ charge on each person. What has been acceptable and reasonable concerning copy charges, as well as customary in the insurance industry is a reimbursement of $1 per page and I feel that when this ruling is reviewed in the fall this should be looked at. As many insurance cos. are now expecting office notes with every billing and this is creating a lot of extra paperwork, it needs to be compensated for adequately and prevented from becoming something for the insur cos. to create extra work for the Drs.

Dr. Ron Nedd.

1064 East County Road 42 ● Burnsville, Minnesota 55337 ● 612/432-4252

STATE FUND MUTUAL INSURANCE COMPANY

August 12, 1988

RECEIVED

AUG 15 1988

REHAB & MEDICAL AFFAIRS

Ms. Mary Jo O'Brien
Director of Rehabilitation
and Medical Affairs
Department of Labor & Industry
Workers' Compensation Division
443 Lafayette Road
St. Paul, MN 55101

Re: Proposed Amendments to Rules Governing Fees for Medical Services, Charges for Medical Reports, and Charges for Copies of Medical Records

Dear Ms. O'Brien:

This letter is in response to your Notice of Solicitation of Outside Information or Opinion regarding the above-referenced matters reported in the State Register for July 25, 1988 (13 S.R. 186). We would like to offer the following opinions and suggestions.

FEES FOR MEDICAL SERVICES

We certainly believe that the concept of a Maximum Fee Schedule for health care services should be retained. It is critical to the effective control of rapidly increasing medical costs. The Schedule must be clear and easy to apply, and should be expanded.

1. Applicability of Professional Services Provisions of the Maximum Fee Schedule to Hospitals.

We think it is imperative that the current language of the Maximum Medical Fee Schedule be clarified to make absolutely clear that the limitations on fees for medical services apply regardless of where they are provided or whether the charges are billed by a clinic, a practitioner's office, or a hospital. Any additional overhead costs to a hospital are covered in room charges and emergency room facility charges. Beyond that, there is absolutely no reason for distinguishing costs for the those services based on who the billing party is.

We are concerned that employers may be paying higher charges by hospitals who are shifting to the workers' compensation system

costs that they are not able to recover on other patients. Economic incentives must remain to encourage the most efficient use of medical facilities. The Schedule should discourage, rather than encourage, the provision of services at an expensive facility that could more economically be provided elsewhere. It is unwise and unfair to allow "sham" billing arrangements through affiliations by clinics and practitioners with hospitals. We think a single maximum for the same type of service, regardless of who provides it is the best solution.

Conversely, the Schedule should specifically disallow a room charge by a clinic or a hospital acting as a clinic, e.g. a physician seeing a patient in a hospital merely for his own convenience.

2. Surgical Packaging.

We recommend that the surgical "packaging" of services be further clarified. Section 5221.2250, subpart 2.A. provides that services not designated in the Schedule with an asterisk include "normal uncomplicated follow-up care." It is our understanding, from an Advisory to the Department of Labor and Industry, that this is being interpreted as inclusive of normal uncomplicated follow-up care within 14 days after the surgery. Some providers assert that no follow-up care should be included in the package price. This plainly is not the case, but it might be helpful to specify in the Schedule itself a period of follow-up care.

What we consider as normal follow-up care is often, in our experience, provided even beyond the 14-day period, but if (as we understand to be the case) Blue Cross/Blue Shield uses the 14-day period, and that is reflective in their data, perhaps the 14-day period should be specified.

We do note, however, that most surgeons do not, in fact, bill separately for any routine follow-up care even beyond the 14-day period. We conclude, then, that they have built that into their fee that is regularly submitted to Blue Cross/Blue Shield as well. Consequently, most of Blue Cross /Blue Shield's data probably does, in fact, reflect all normal, uncomplicated follow-up care, regardless of when provided.

We emphatically disagree with those who suggest that follow-up care includes only in-patient care and only on the same day of performance of the surgery. This definitely is not the standard billing practice. Blue Cross/Blue Shield confirms that the data upon which the Schedule was promulgated for surgical charges is not so limited.

3. Accurate CPT Coding Regarding Level of Service.

We believe it is essential to continue the current review by payors of appropriate coding for level of professional service. We strongly oppose suggestions that levels of service be permitted to be "juggled" with respect to physicians's visits to avoid the maximum fee for the accurate service level. Giving the provider exclusive control over the coding for services would, obviously, destroy the integrity of the Schedule.

4. Physical Therapy.

We suggest that Section 5221.2100 and Section 5221.2800 be consolidated into a single physical therapy section. The two sections appear to try to distinguish physical therapy when provided in the physical therapist's office and physical therapy conducted and supervised by a physician. The current practice, however, appears to be to distinguish the applicable sections merely by which office does the billing for the service, regardless of the location of services or supervision. We do not see any rational basis for distinguishing the two categories, nor for distinguishing physical therapy professional services provided in a hospital setting. The consolidated section should provide maximum fees applicable to physical therapy services, regardless of where they are provided or who bills for them.

5. Anesthesiologists.

We recommend that the Maximum Fee Schedule include maximum fees for the services of anesthesiologists and that their professional services be evaluated, under this Schedule, pursuant to a rated complexity (relative value) applied to time units, rather than on a per service basis. This, apparently, would conform with the current and traditional practice among anesthesiologists of charging on a unit of time basis, rather than on a per service basis. We do strongly feel that maximum rates for anesthesiologists at varying assigned levels of complexity should be included in the Maximum Fee Schedule, like the services of all other professional services. Maryland has a system like that described herein.

6. More Comprehensive Schedule.

Unfortunately, the legislation proposed by the Department of Labor and Industry amending Section 176.136, subd. 5, that would have deleted some of the qualifications for automatic annual adjustment of the Fee Schedule without the requirement of a formal rule-making procedure, were not enacted by the 1988 legislature. Section 176.136, subd. 1, nevertheless requires the commissioner to limit charges allowable for medical,

chiropractic, podiatric, surgical, hospital, and other health care provider treatment or services to the 75th percentile of the usual and customary fees or charges. We strongly urge the Department to now promulgate rules inclusive of all the CPT coded services provided to workers' compensation claimants, regardless if the data meet the requirements of subd. 5 of that section.

CHARGES FOR MEDICAL REPORTS AND CHARGES FOR COPIES OF MEDICAL RECORDS

The current rules provide for no charges for the Physician's First Report or for the report of Maximum Medical Improvement. We do not think it is appropriate to change this rule. It may be that a uniform billing format would alleviate the need for the Physician's First Report. Such a uniform bill could not, however, replace the report of Maximum Medical Improvement. This, then, would be the sole required report of the provider, beyond furnishing copies of medical records that are already prepared. The report is merely the completion of a form, rather than a narrative report. Consequently, we do not think it is an undue hardship on physicians to provide it at no charge when they are guaranteed receipt of payment on their medical billings for workers' compensation claimants.

We do not think there is any great need to change the current emergency rules regarding charges for copies of medical records and we would support making them permanent. We do offer, however, one suggestion for your consideration. Minnesota Statutes, Section 176.135, subd. 7, requires health care providers to submit along with their billings copies of medical records regarding the services charged for. It is imperative that we receive these medical records to verify that the services charged for were, in fact, performed, among other things. The sooner we get them, the sooner we can pay the provider's bill. This law has been in effect for a sufficient length of time to allow providers to develop a routine of automatic submission of office notes with the bill. There should be every encouragement and incentive for them to do so. The current emergency rules provide a charge of $.50 when the notes are submitted without a request from the employer. A higher charge is permitted under the emergency rules when we have to specifically request the records, however, because the provider has not complied with Section 176.135, subd. 7. Some providers complain that this amount is insufficient to cover the cost of their responding to a specific request for medical records. It seems to us that they need to change their systems to provide for automatic transmittal of records along with the billing statements. The $.50 charge per billing is certainly sufficient to cover that cost.

Consequently, subpart 1 of the Rules might be changed as follows:

> Subpart 1. Doctors' office notes submitted with bill. A charge of $.50 is allowed for copies of doctors' office notes covering the services billed which are required to be submitted pursuant to Minn. Stat., Sec. 176.135, subd. 7.

When health care providers are requested to make a retrieval of past, pre-injury medical records, or when hospitals are requested to provide copies of records or reports, the charges provided in the emergency rules, subpart 2, might be inadequate to cover the actual costs of doing so. In these cases, where submission of the records is not required by the statute except upon request, perhaps the maximum retrieval fee can be increased to $10, with the same per page charge limitations as in the current emergency rules.

Finally, if the format of the rules is not changed, there should be a clarification that payment in advance is not required. This unnecessarily slows the process of obtaining the medical records. (We request records. We receive a response asking for a specified sum in advance without knowing how many records we will receive. We send funds. Then we get records.) We can appreciate the provider's concern about being paid promptly, but the rules could also provide for an automatic late payment penalty for an employer/insurer who "stiffs" a provider if this is a real problem. We certainly do not have any difficulty with paying copy charges promptly. We also need to see how many pages of records we have received before paying.

We emphatically restate that it is imperative that insurers/employers have the opportunity to review actual treatment notes regarding treatment of the work injury as quickly as possible. Even a uniform billing cannot take the place of the actual office notes of the provider, even though a uniform billing format might add to the comprehensiveness of the medical information provided and alleviate the need for certain additional reports from the provider.

We appreciate the opportunity to offer these comments and suggestions. We would be happy to offer whatever clarification or additional information you might request.

Very truly yours,

Theresa A. Simon

Theresa A. Simon
Cost Management Advisor
(925-3617)

PRJ:jms

MINNESOTA MEDICAL RECORD ASSOCIATION
MMRA
- MINNESOTA'S HEALTH INFORMATION LEADERS -

Minnesota Medical Record Association

19 August, 1988

AUG 22 1988

LABOR & INDUSTRY
REHAB SERVICES

Mary Jo O'Brien
Director, Rehabilitation and Medical Affairs
Department of Labor and Industry
Worker's Compensation Division
443 Lafayette Road
St. Paul, Minnesota 55101

Dear Ms. O'Brien:

It is my understanding you are currently soliciting comments relating to the emergency rules as they apply to the cost of medical record copies for Workers' Compensation (5219.0030).

I am commenting on behalf of the Minnesota Medical Record Association. Our association supports authorized access to health records and acts as a resource to patients, physicians and various agencies to facilitate access.

Extensive studies have been conducted to evaluate what the actual cost of a copy should be. If a fee structure is established, it must be reasonable, yet cover the entire cost of providing the service. The fee structure should be easily calculated and apply to both hospitals and physicians' offices. The schedule of charges should be evaluated on an on-going basis and revised as costs increase.

The fee should adequately compensate for salaries and associated benefits of all personnel involved in the copying process. The following activities should be considered when evaluating personnel costs:

1. Pre-copying (logging in request, evaluating the appropriateness of the request, retrieving the medical record, reviewing the chart to determine what documents within the chart should be copied)

2. Photocopying (disassembling of the medical record, photocopying the record, reassembling)

3. Post-copying (refiling record, logging response to request, counting copies, creating invoice, transporting copies to mail-room)

In addition to personnel costs, the actual cost of the copy (supplies, equipment rental/maintenance) and mailing costs must

be considered. To cover the costs of providing the service, we recommend a handling fee of $10.00, and $1.00/page copying fee.

A broader concern is the potential that multiple fee structures will be established for various types of requests. The adoption of permanent rules for workers' compensation copies may set a precedent for future legislation regarding copying charges. It is therefore imperative that an adequate fee structure be established.

The permanent rules must also clarify who the fee schedule applies to. It was our understanding the rules specifically applied to copies provided to insurers.

When establishing a fee schedule, all parties impacted must be involved - particularly those individuals providing the service. The Minnesota Medical Record Association would very much like to be represented in this process.

We would appreciate your careful consideration of the issues we have identified and are looking forward to working with the Department in the future.

Sincerely,

Susan L. Gentilli

Susan Gentilli, R.R.A.
Co-chair, Legislative Affairs Committee
Minnesota Medical Record Association

cc Therese McCarthy, R.R.A.
President, MMRA

Dominic Sposeto
MMRA Lobbyist

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minnesota hospital association

representing nonprofit hospitals

August 18, 1988

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AUG 22 1988

LABOR & INDUSTRY
REHAB SERVICES

Ms. Gloria Gebhard
Rehabilitation and Medical Affairs
Department of Labor and Industry
Workers' Compensation Division
443 Lafayette Road
St. Paul, Minnesota 55101

Dear Ms. Gebhard

The Minnesota Hospital Association (MHA) represents 164 acute care community-based hospitals throughout Minnesota. In response to the July 25, 1988 notice in the State Register, soliciting information on fees for medical services and charges for copies of medical records, MHA would like to submit the following comments.

On May 3, 1988, the Hospital Services Task Force of the Medical Services Review Board, Department of Labor and Industry, made recommendations (see attached) for changing the way in which hospitals are reimbursed under workers' compensation. Such changes would be incorporated into the rule regarding fees for medical services.

Pursuant to the Hospital Services Task Force recommendations, MHA believes a hospital-based fee schedule should be developed for hospital outpatient physical therapy, occupational therapy, radiology, lab, and pharmacy. Hospitals should not be incorporated into the current physician fee schedule. MHA feels a hospital-based fee schedule would serve as a cost containment mechanism similar to the physician fee schedule, but would be more appropriate and fair to hospitals. The statute clearly allows payment based upon billings for "each class of health care provider" (Mn. Statutes 176.136).

Hospital charges are significantly different than physicians' charges. Therefore, hospitals should be treated as a separate category of provider. MHA informally surveyed a small sample of hospitals to determine the difference between hospital charges for various outpatient health procedures and the amount paid by workers' compensation for the same procedures under the current physician fee schedule. The difference in charges is substantial. See enclosed charts for radiology, lab, and physical therapy/occupational therapy.

Higher hospital charges are due to several reasons:

- In general, for radiology and lab, referrals are made to hospitals for testing not usually done in chiropractic or doctors' offices. Such

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tests require a doctor and/or nurse to be present while the tests are being done. Examples of such tests are an MRI (magnetic resonance imaging) or a barium enema. Hence, the more highly trained staff, newer and more costly equipment which provides a wider range of services during regular and non-regular business hours, and more rigorous government and accreditation requirements which must be met by hospitals account for increased charges.

- Physical therapy/occupational therapy charges in hospitals are higher than charges in clinics because hospitals treat a wider range of patients. Hospitals see a larger number of patients with acute injuries who require more intensive therapy. Hospitals operate more expensive multidisciplinary programs which include the services of speech pathologists, social workers, occupational therapists, and psychologists. Such programs are designed to get patients back into the work force quickly by offering highly trained staff and advanced technological equipment. Extensive requirements to meet accreditation standards of the Joint Commission on Accreditation of Health Care Organizations and the Commission on Accreditation of Rehabilitation Facilities, more burdensome requirements placed upon hospitals by third party payors, and provision of services during non-regular business hours such as Sundays and holidays, also result in higher hospital charges.

Any inclusion of pharmacy charges into the physician fee schedule should be accomplished using either the Medical Assistance or Blue Cross/Blue Shield drug charge system. Hospital pharmacy computers and administrative systems are programmed to use these methods and they would, therefore, be the least burdensome and costly to establish. (Workers' compensation business is a low volume item for hospital pharmacies.) Intravenous drugs for outpatients should not be included under the current drug charge systems. The process of preparing and dispensing intravenous drugs is more expensive and complex than regular prescription drugs and should be reimbursed separately.

The proposed Hospital Services Task Force recommendations regarding physician visits in hospital emergency rooms involve two separate issues:

1) Emergency room visits.

Instances occur when a doctor meets a patient in the hospital emergency room because the patient is experiencing pain and the doctor's office is closed. Such visits are an emergency and are usually limited to "off" or non-regular business hours. Hospitals cannot assume a patient walking through the emergency room door is not an emergency. Hospitals cannot differentiate between outpatient visits in the emergency room and actual emergency visits until a

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patient assessment is completed. Therefore, an emergency room access fee must be charged.

There are also instances in which patients seen in the emergency room by emergency room physicians need immediate followup visits within 24-48 hours due to the nature of the injury (e.g., eye injuries or burns). Because outside doctors may not be able to work the patient in quickly or records may not be able to be transferred from hospital to outside physician that expeditiously, hospitals should have the flexibility to see and bill for these patients. Otherwise, risk to the patient is increased.

2) Clinic visits conducted by doctors in the hospital.

Doctor visits conducted in the hospital setting are frequently done for a patient's convenience. The majority of these visits occur in rural communities or in closed staff models, in which all doctors using the hospital are hospital employees. Eliminating reimbursement to the hospital for this type of visit would preclude many rural communities from being able to provide the services of specialists within that community. No other setting for specialists in the community would be available. Many of the specialists serving the locale come from outside the area to see patients a few times a month. They cannot afford to set up a separate office for the limited number of visits involved. It is cheaper to rent space in the hospital. In this type of arrangement, the doctor operating out of the hospital usually charges the patient a lower fee than he would charge in his home office, because he takes into account the facility fee that will be charged by the hospital. The physician considers visits in the hospital setting as "consults," and the combined hospital/doctor charge is often no more than the amount that would have been charged by the doctor, had the patient been seen in the physician's home office.

The recommendation urging incorporation of Sr. Kenny Institute into the current medical fee schedule data base should be deleted. Sr. Kenny is, in fact, currently included in the data base under Abbott-Northwestern Hospital, Inc.

Regarding charges for copies of medical records, MHA believes the current fee schedule does not accurately reflect hospitals' costs. The emergency rule adopted was not based on any data examining the actual hospital costs of retrieval and copying of medical records. In fact, a schedule developed by the Minnesota Hospital Association, Minnesota Medical Association, and the Insurance Federation of Minnesota was published in the State Register and subsequently withdrawn. MHA supports the development of a permanent rule

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based on data of actual hospital retrieval and copying cost. Consideration should be given to whether there are separate fee schedules for hospitals and physician offices. Hospital costs may be higher because hospital medical record departments must meet higher standards to employ more highly trained staff than physician offices. In addition, the hospital medical record is a more complex document.

Thank you for your consideration of these comments. MHA looks forward to working with the Department in the future.

Sincerely,

Mary Beth Curry

Mary Beth Curry
Research Analyst

Labor and Industry

STATE OF MINNESOTA

Office Memorandum

DATE : May 3, 1988

TO : Medical Services Review Board

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AUG 22 1988

LABOR & INDUSTRY
REHAB SERVICES

FROM : Hospital Services Task Force
Gloria Gebhard
Rehabilitation and Medical Affairs

PHONE : 296-2402

SUBJECT : RECOMMENDATIONS OF TASK FORCE

Recommendations:

1. Satellite clinics sponsored by a hospital and outpatient services that are billed through the main hospital are subject to the medical fee schedule.

2. The cost of a physician service as noted by a specific CPT code will be the same and subject to the medical fee schedule whether provided in an independent clinic, office or hospital setting.

3. The cost of a physical or occupational therpay, pharmacy, radiology and laboratory service as noted by a specific CPT code will be the same and subject to the medical fee schedule whether provided in an independent clinic, office or outpatient hospital setting.

4. Non-emergency room facilities (as defined by the Metropolitan Health Board) cannot use hospital emergency department codes when billing for services.

5. A non-emergency schedule visit or a follow-up visit, recommended by the emergency room physician, to the hospital emergency room is to be reimbursed at a clinic visit rate which includes the facility use charge.

6. When an employee is seen in the emergency room at the convenience of a non-emergency room staff physician, the total reimbursement cannot exceed the value of a office visit at the same appropriate level of service.

7. Sister Kenny Hospital should be included in data base for determining Room rate and subject to Maximum Medical Fee Schedule.

MEMBERS OF THE COMMITTEE INCLUDE: Joseph Wegner, Steve Fisher represented by Sheila Benson, Bob Llewelynn, Minnesota Hospital Association represented by Vern Silvernail, physical therapists represented by Bruce Miller, MMA represented by Gary Goetzke, State Mutual Fund represented by Terry Simon and Diane Friede, St. Paul Companies represented by Karen Kelly, Larry Schut, Bill Lohman and Gloria Gebhard.

GG:esw/3

HOSPITAL RADIOLOGY FEES
MINNESOTA HOSPITAL ASSOCIATION
Jul 13, 1988

RAD. CODES	OCT 5, 1987 FEE SCHEDULE	HOSPITAL AVERAGE	%DIFF
70260-TC	57.50	79.75	38.70%
71010-TC	30.00	40.95	36.50%
71020-TC	38.25	61.88	61.76%
71100-TC	40.00	67.20	68.00%
72050-TC	55.50	82.44	48.54%
72070-TC	47.00	87.08	85.28%
72110-TC	62.00	91.50	47.58%
72271	305.00	300.18	-1.58%
73130-TC	41.50	45.87	10.52%
73510-TC	41.00	59.43	44.96%
73560-TC	33.00	52.08	57.83%
73562-TC	39.00	57.76	48.10%
73590-TC	36.50	56.35	54.38%
73610-TC	40.00	50.58	26.44%
73620-TC	28.70	47.28	64.75%
74241-TC	58.00	60.17	3.74%

HOSPITALS

ABBOTT NW, ST. PAUL RAMSEY, MANKATO, RIV. MED.,ST. MARY'S DULUTH METHODIST MPLS

Higher hospital radiology charges may result from:

- o Newer and more costly equipment which can provide a wider range of services. Physicians offices will not usually have the latest or most expensive equipment. Hospitals must complete daily and annual checks of equipment. Physicians offices are not even required to register their machines with the State.

- o More highly trained radiology staff. Hospitals must meet more rigid training requirements. Physicians offices are not required to do so. The quality of interpretation of test results by more highly trained staff can be very important.

- o Hospital support systems which are more extensive and are designed to expedite test results to nursing stations, to doctors' offices, and elsewhere in order that treatment decisions can be made quickly.

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ITAL PT-OT FEES
1 13, 1988

PT-OT CODES	OCT 5, 1987 FEE SCHEDULE	HOSPITAL AVERAGE	% DIFF
97012	15.50	23.20	49.68%
97014	15.00	22.90	52.67%
97018	15.00	22.47	49.82%
97022	17.00	28.57	68.06%
97024	15.00	24.64	64.26%
97026	11.50	21.90	90.42%
97110	20.00	38.17	90.84%
97116	24.86	30.34	22.05%
97122	15.50	22.95	48.08%
97124	15.50	23.11	49.08%
97128	16.00	24.82	55.14%
97145	12.50	19.63	57.07%
97530	25.00	32.30	29.20%
97531	12.00	21.92	82.63%
97720	45.00	47.13	4.73%

HOSPITALS

ABBOTT NW, ST.PAUL RAMSEY,ST MARY'S DULUTH
METRO MED CENT-MT SINAI, RIV. MED
ST. LUKE'S DULUTH, ST CLOUD, MANKATO, UNITED AND CHILDRENS

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REHAB SERVICES

Higher physical therapy/occupational therapy charges in hospitals may result from:

- Multidisciplinary programs which include the services of speech pathologists, social workers, occupational therapists, and psychologists. Such programs are designed to get patients back into the work force quickly by offering highly trained staff and advanced technological equipment.
- Extensive requirements to meet accreditation standards of the Joint Commission on Accreditation of Health Care Organizations and the Commission on Accreditation of Rehabilitation Facilities.
- More burdensome requirements on hospitals by third party payors (i.e., more paperwork, more reviews, and so forth than private clinics experience).
- A more extensive and centralized internal data bank for billing, communications, and other departmental functions.
- A larger number of patients with acute injuries who require more intensive therapy.

PITAL LAB FEES
INNESOTA HOSPITAL ASSOCIATION
Jul 13, 1988

LAB CODES	Oct 5, 1987 FEE SCHEDULE	HOSPITAL AVERAGE	%DIFF
80012	35.00	52.13	48.95%
80031	37.80	45.03	19.13%
80058	28.00	41.58	48.51%
81000	11.00	17.90	62.73%
82060	36.10	37.49	3.85%
82310	13.75	19.50	41.82%
82465	14.40	19.33	34.23%
82565	13.75	19.34	40.62%
82575	29.00	34.84	20.13%
82947	14.00	17.76	26.89%
83540	15.00	21.20	41.33%
84180	16.70	24.15	44.61%
84520	14.00	18.43	31.63%
85007	11.00	24.52	122.87%
85014	7.00	9.00	28.57%
85018	9.00	9.00	.00%
85021	19.00	26.72	40.63%
85048	9.00	9.75	8.33%
85610	12.00	15.11	25.89%
85650	10.00	12.19	21.93%
86289	15.00	26.73	78.20%
86291	25.40	23.60	-7.09%
86293	52.00	22.62	-56.50%
86296	33.30	31.38	-5.78%
86592	10.00	12.84	28.38%
87060	12.00	23.72	97.65%
87070	21.00	34.21	62.91%
87081	12.70	23.36	83.92%
87086	17.60	29.37	66.88%
87205	13.00	13.99	7.62%
87220	12.50	22.38	79.01%

HOSPITALS

ABBOTT NW, U OF M, METHODIST MPLS, ST. MARY'S DULUTH
RIV. MED., MILLER-DWAN, MANKATO

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LABOR & INDUSTRY
REHAB SERVICES

Higher hospital laboratory charges may result from:

- o A better qualified and more highly trained medical technology staff. Most hospitals hire BA certified medical technologists or trained lab technicians. In small cities, hospitals would hire persons with trade school training. The Joint Commission on Accreditation of Health Care Organizations mandates certain levels of training for lab supervisors in hospitals that want to be accredited, and requires at least one additional person on the lab staff to meet training requirements. Lab personnel in physicians' offices are not required to meet minimum standards and many have no formal training.

- o More extensive quality control measures required by the federal government, the Joint Commission on Accreditation of Health Care Organizations, and the College of American Pathologists.

- o A larger number of acutely ill patients which requires better quality control and training.

Cary Mesn

MINNESOTA MEDICAL RECORD ASSOCIATION

MMRA

- MINNESOTA'S HEALTH INFORMATION LEADERS -

Minnesota Medical Record Association

15 November, 1988

Gloria Gebhard
Acting Director, Rehabilitation and Medical Affairs
Department of Labor and Industry
Worker's Compensation Division
443 Lafayette Road
St. Paul, Minnesota 55101

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NOV 17 1988
REHAB & MEDICAL AFFAIRS

Dear Ms. Gebhard:

I have been representing the Minnesota Medical Record Association on the Cost of Medical Record Copies Task Force of the Medical Services Review Board. I appreciated being given the opportunity to participate in the Board's discussion at their meeting last week. It is my understanding they will be receiving a report prepared by your staff and will be re-addressing the issue at their next meeting.

We would like to emphasize that the fee structure which is established must be reasonable, yet cover the entire cost of providing the service. There should be a provision to evaluate the schedule of charges on an on-going basis and revise as costs increase.

The permanent rules must also clarify who the fee schedule applies to. It appeared as if there was consensus among the Board that the rules specifically applied to copies provided to insurers.

I was uncomfortable with the discussion of providing unsolicited copies with the bill at no charge. The definition of "appropriate copies to substantiate billing" will be interpreted differently by the insurer and the provider. It is also unclear as to how the rules can suggest sending copies with the bill when the access to medical data statute (176.138) stipulates that "requests for pertinent data shall be made in writing...the employee shall be sent written notification of the request by the party requesting the data at the same time the request is made..." Can the provider submit copies without having received a written request for the data?

It is also impractical in a hospital setting to send copies of the medical record with the bill. The hospital already incurs additional expense to process workers' compensation claims as we send copies of the record at no charge when we receive the MMIF or Physician's Report form. It would be extremely cumbersome and time-consuming to automatically send copies of medical records

with all claims. And, as mentioned previously, I question whether the existing law allows us to send unsolicited copies.

We are also concerned that multiple fee structures will be established for various types of requests. The adoption of permanent rules for workers' compensation may set a precedent for future legislation. It is therefore imperative that an adequate fee structure be established.

We would appreciate your careful consideration of the issues we have identified and look forward to working with the Department in the future.

Sincerely,

Susan T. Gentilli

Susan Gentilli, R.R.A.
Co-Chair, Legislative Affairs Committee
Minnesota Medical Record Association

cc Lynda Dent, R.R.A.
President, MMRA

STATE OF MINNESOTA

DEPARTMENT OF REVENUE
Mail Station 3320
St. Paul, MN 55146-3320

December 14, 1988

National Services
P. O. Box 4084
St. Paul, MN 55104

Attention: Lanny Wentler

Dear Mr. Wentler:

Reference is made to our discussion on December 7, 1988, regarding the Minnesota sales and use tax as it applies to copies of medical records.

You are correct to charge your customers the sales tax when you bill them for copies of medical records. The copies are considered to be tangible personal property, and as such, the sale is subject to the tax.

Since June 1, 1987, state agencies are required to pay sales tax on their purchases. If you sell copies to state agencies, you should charge the tax. State agencies may be limited by statute in the charges that they pay to obtain these records. This limitation applies only to the purchase price of the copies. The sales tax should not be included in this limitation, since the sales tax is not a part of the purchase price, but is added to the purchase price.

If you have any further questions, please feel free to contact our office in writing or by calling 296-4757.

Sincerely,

Anne Gravelle

Anne Gravelle, Revenue Examiner
Taxpayer Information Division
Technical Support Group

AG:aj

AN EQUAL OPPORTUNITY EMPLOYER

STATE OF MINNESOTA June 15, 1990

DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of the Proposed
Permanent Rules Relating to Reimbursement
for copies of Workers' Compensation
Medical Records

STATEMENT OF
NEED AND
REASONABLENESS

5219.0100-5219.0300

The rules for the regulation of the cost of copies for medical records are required by Minnesota Statutes §176.135, subd. 7 which states, "The commissioner shall adopt a schedule of reasonable charges by emergency rules." Effective January 11, 1988, the Department of Labor and Industry adopted emergency rules relating to workers' compensation cost of medical record copies (Minn. Rules, parts 5219.0010-5219.0030). On June 13, 1988, these rules were extended for an additional six months. On January 5, 1989 the emergency rules expired.

Minnesota Statutes §176.135, subd. 7 states that "Health care providers may charge for copies of any records or reports that are in existence and directly relate to the items for which payment is sought under this chapter. Charges for copies provided under this subdivision shall be reasonable." In these proposed rules, the Department of Labor and Industry has considered the differing interests of its constituents in complying with the statutory mandate to develop a schedule of reasonable charges for copies of medical records.

5219.0100 Purpose.

Since the emergency rule expired, providers may set their own rates for the cost of copies of medical records. These rates vary and result in excessive charges in some cases. The basic purpose of the rule is to provide a schedule for reimbursement of costs of copies of medical records in order to promptly and fairly compensate health care providers for the costs in supplying medical records and eliminate excessive charges. The rule also encourages prompt submission of these records to the insurer and others involved in the workers' compensation system by reducing the number of disputes regarding costs of copies of medical records. The rule does not affect any law pertaining to privacy or the release of medical records. The provider retains responsibility for determining whether the release of the medical record is permitted by law. Because privacy issues are governed by numerous existing statutes and rules, this clear statement of an intent not to disturb existing law in that regard discourages further disputes and litigation.

5219.0200 Scope.

The purpose of this section is to identify who is covered by the rule and in what situations the rule applies.

M.S. §176.135, subd. 7 does not restrict the scope of the authorized rules by provider, requestor or type of record. It is unlikely that the provider's cost in providing copies of existing medical records varies depending on the person requesting the record. Accordingly, to promote uniformity, fair reimbursement and ease of application, the rule applies to any person or business entity who requests copies of medical records related to a workers' compensation claim (including employers, payers, employees, attorneys and QRCs) and to all health care providers as defined in M.S. §176.011, subd. 24, including hospitals, who provide copies.

The rule applies to all existing medical records related to a current workers' compensation claim; except for records governed by another law or rule. The purpose of the rule is to specify a reasonable charge for copies in those instances in which the statute or another rule does not already specify the charge. For instance, under Minn. Rules 5220.2590, the Physician's First Report form and Maximum Medical Improvement form must be provided to the insurer without charge. M.S. §176.155, subd. 1 requires a copy of the employer's physician's report to be provided to the employee or employee's representative upon request without charge. The rule governs only copies of existing medical records; professional charges for medical reports generated in response to a request for an opinion or specific information are not governed by the rules.

5219.0300 Cost of Copies of Medical Records.

The proposed rule distinguishes by reimbursement amount between the "appropriate record" and all other types of medical records. "Appropriate record" is defined by M.R. 5221.0100, subp. 1a (proposed on April 19, 1990 at 14 State Register 2412) as "a legible medical record or report which substantiates the nature and necessity of a service being billed and its relationship to the work injury."

Subpart 1 First Copy of Appropriate Record

Subpart 1 of the rule states that for the first copy of the appropriate record, when supplied by the health care provider to the payor for the purpose of substantiating the nature and necessity of the medical bill, a fee is reasonable if it does not exceed $.75 per page to compensate the provider for direct costs. This amount applies whether or not the health care provider submits the record with the billing statement or after a request by the payor. Only a per page fee is allowed for the first copy of the appropriate record. Minnesota Statutes §176.135, subd. 7 requires providers other than hospitals to submit records in support of the medical service. The statute requires hospitals to submit information in support of the bill if requested by the payor. A retrieval fee is inappropriate because submission of the appropriate record is required to substantiate the bill and is therefore part of the provider's cost of doing business.

Subpart 2 Other Copies

Subpart 2 deals with all other requests from the payor or any other party for costs of copies of existing medical records which are not specifically addressed in Subpart 1, or in Minnesota Statutes §176.155 (the employer's physician report) or Minnesota Rules, Part 5220.2590 (Physicians First Report form and Maximum Medical Improvement form). This subpart states that a fee is reasonable if it does not exceed a $10.00 retrieval fee and a $.75 per page fee for preparing and copying the medical records requested. Since these records are provided for reasons other than to substantiate the bill, preparation of a copy of the record is not included as part of the medical service. For example, an insurer may request the health care provider's records to document a preexisting condition to establish the insurer's liability for compensation to the employee. In such a case, the medical record is not for the purpose of substantiating a bill. Accordingly, a retrieval fee is permitted as well as a per page fee.

To avoid disputes in situations where a provider's charge involves a different retrieval fee or per page fee amount, the rule requires that the total charge be equal to or less than the sum of the retrieval fee and per page fee established by the rule.

The reimbursement amounts are supported by a survey of 76 health care providers located in the Twin Cities and in greater Minnesota conducted by the Department in December 1989 and January 1990. The attached document gives the survey results for the cost of copies of medical records. This document summarizes the type of providers surveyed, their location, and the results analyzed by the type of charge. The Department evaluated 57 responses as of February 1, 1990. The largest category of responses (34) combines hospitals and independent providers who charge a retrieval fee plus a per page fee. The mean retrieval fee is $10.47 and the mean per page charge is $.75.

Subpart 3. Postage & Other Charges

Subpart 3 clarifies that the cost for postage, sales tax and notary fees are not included in the retrieval and per page fees set in the rule. These are additional costs and are not direct costs incurred in copying records. Notary fees may not be charged unless the requestor specifically asks that the records be notarized. There is no legal requirement that workers' compensation medical records be notarized, and the decision should therefore be left to the requestor.

Subpart 4. Time for Payment

Subpart 4 indicates the time limit that the payor has for reimbursement to the health care provider when copies are requested. The rule states that the payor must pay within 30 days of receipt of the records. Minnesota Statutes §176.135, subd. 6 requires the payor to pay the medical bill no later than 30 calendar days after receiving the bill. Since this is a standard for the payor when paying for a medical treatment or service, this should also be the standard for paying for cost of copies of medical records.

SMALL BUSINESS CONSIDERATIONS

The rules are intended to provide a uniform, reasonable rate of reimbursement to health care providers for the cost of providing copies of workers' compensation medical records. Presently, health care providers set their own rates, which may vary greatly and result in excessive charges in some cases. This in turn creates disputes and potential delay in providing copies to the parties and reimbursement to the provider. While the Department believes that the reimbursement rate established by the rule is reasonable and should not have a significant impact on requestors or providers as a group, there will be some impact on individual providers who are currently charging more than the amount set by the proposed rule. However, this impact is small. The medical study on Health Care Costs and Cost Containment in Minnesota Workers' Compensation, reported to the Legislature by the Department of Labor and Industry in March, 1990, indicates that workers' compensation accounts for only 2 percent of health care costs in Minnesota. The cost of copies of medical records is undoubtably only a small percentage of workers' compensation health care costs.

When there is an impact on small business, M.S. §14.115 requires the agency to consider methods to reduce the impact. These rules are exempt from the requirements of this statute because the rules apply to service businesses regulated by governmental bodies for standards and costs, such as nursing homes, long term care facilities, hospitals and providers of medical care. Nonetheless, the Department has considered the methods set forth in M.S. §14.115 to reduce the impact of the rule as follows:

a) The establishment of less stringent compliance or reporting requirements. The rules do not impose a reporting requirement. To impose less stringent compliance requirements would defeat the purposes of the rule since most providers meet the definition of a small business. The rules should not have a significant impact on requestors because, overall, the reimbursement rate should be comparable to what is currently being paid at differing rates.

b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements. The rules do not impose a deadline except that requestors of medical records are required to pay for the copies within 30 days, which is the same time frame as for other medical expenses.

c) Consolidation or simplification of compliance or reporting requirements. The rule is intended to simplify and standardize payment for cost of copies. This uniform standard should be of benefit to all providers with respect to receiving prompt reimbursement and eliminating disputes.

d) The establishment of performance standards for small business to replace design or operational standards required. The rule does not impose design or operational standards.

e) The exemption of small business from any or all requirements of the rule. Again, this would defeat the purpose of the rule to facilitate the release of records and to provide prompt, fair and uniform reimbursement.

FISCAL NOTES

Minnesota Statutes §3.982 requires preparation of a fiscal note where the state proposes that a local agency or school district take action and when reasonable compliance with the action would force the agency or school district to incur costs "mandated" by the state. "Mandate" is defined as a requirement which, if not complied with, results in civil liability, criminal penalty, substantial economic sanction such as loss of funding, or severe administrative sanctions such as closure or nonlicensure of a facility or program.

Although the rules may affect self-insured independent school districts and local governments to the extent they request copies of medical records for their injured employees, the rules do not mandate increased costs, as they are expected to result in savings that equal or exceed costs. Furthermore, a fiscal note is not needed because M.S. §3.983 provides an exception from the requirement if increased local costs do not result from a new program or an increased level of service.

Minnesota Statutes §14.11 requires a fiscal note if the rule will require the expenditure of public money by local public bodies if the estimated total cost to the public body exceeds $100,000 in either of the two years following adoption. As noted earlier, the rule is not expected to have a significant fiscal impact on self-insured cities or school districts because, overall, the amounts paid under the rule should be similar to what is currently being paid at differing rates.

GG/KB/cj (gg)
6/90

COST OF COPIES OF MEDICAL RECORDS
SURVEY RESULTS
conducted December 1989 through January 1990

Scope of Survey

Family Practice

9 surveyed

- 5 - Twin Cities
- 4 - Greater Minnesota

9 responded

Hospitals

16 surveyed

- 8 - Twin Cities
- 8 - Greater Minnesota

15 responded

Physical Therapists

6 surveyed

- 2 - Twin Cities
- 4 - Greater Minnesota

4 responded

Radiologists

9 surveyed

- 4 - Twin Cities
- 5 - Greater Minnesota

6 responded

Orthopaedists

9 surveyed

- 5 - Twin Cities
- 4 - Greater Minnesota

6 responded

Chiropractors

9 surveyed

- 5 - Twin Cities
- 4 - Greater Minnesota

9 responded

Occcupational Medicine Physicians

9 surveyed

- 5 - Twin Cities
- 4 - Greater Minnesota

7 responded

Neurologists

9 surveyed

- 4 - Twin Cities
- 5 - Greater Minnesota

7 responded

Total Surveyed - 76
Total responses - 63

SURVEY RESULTS

63 total responses as of February 1, 1990.

7 not included due to poor data (4 radiologists, 1 neurologist, 1 occupational medicine and one physical therapist)

57 responses used to determine results

I. Charges where the health care provider charged retrieval charge plus per page charge (5 hospitals and 6 independent providers charged a per page fee after the first 4-15 pages. The results include the per page fee).

A. Hospitals (12 responses)

Retrieval Fee Charges

5 charge $5
1 charge $8
4 charge $10
2 charge $15

mean retrieval charge $8.58

Per Page Charge

1 charge $.25
3 charge $.50
3 charge $.75
5 charge $1.00

mean per page charge $.75

B. Independent Providers (16 responses not including those which use Emergency Rule Rates)

Retrieval Fee Charges

2 charge $5
2 charge $8
4 charge $10
1 charge $12
3 charge $15
2 charge $20
1 charge $25
1 charge $35

mean retrieval charge $13.93

Per Page Charge

1 charge $.20
1 charge $.25
7 charge $.50
5 charge $1.00
2 charge $1.50

mean per page charge $.75

Office of the Revisor of Statutes
Administrative Rules

John C. Fuller
Assistant Deputy Revisor
296-0955

700 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1297

May 25, 1990

RECEIVED
MAY 29 1990
LABOR & INDUSTRY
REHAB SERVICES

Gloria Gebhard
Department of Labor & Industry
443 Lafayette Road
St. Paul, MN 55155

RE: File No. 1700

Dear Ms. Gebhard:

I am enclosing six copies of your rules, approved as to form.
Please submit two copies to the State Register for publication.

If you have any questions, please call me.

Very truly yours,

John C. Fuller

Department of Labor and Industry

Proposed Permanent Rules Relating to Reimbursement for Copies of Workers' Compensation Medical Records

Rules as Proposed (all new material)

5219.0100 PURPOSE.

This chapter provides a schedule for reasonable reimbursement to a health care provider for copies of medical records. The privacy of medical records or reports under other law is not affected by this chapter.

5219.0200 SCOPE.

This chapter governs reimbursement for copies of existing medical records related to a current claim for compensation under Minnesota Statutes, chapter 176, when requested by any person or business entity from a health care provider as defined in Minnesota Statutes, section 176.011, subdivision 24.

5219.0300 REASONABLE REIMBURSEMENT ALLOWANCE.

Subpart 1. **First copy of appropriate record.** For the first copy of the appropriate record as defined in part 5221.0100, subpart 1a, (proposed at 14 S.R. 2412, April 9, 1990) when provided by the health care provider to the payer to substantiate the service being billed, a charge not to exceed 75 cents per page is reasonable. This amount applies whether the record is provided with the billing, under separate cover, or in response to a request by the payer for an appropriate record which has not been submitted with the bill.

Subp. 2. **Other copies.** For all other copies of existing medical records or data that are not specifically addressed in subpart 1 or in Minnesota Statutes, section 176.155, or any other Minnesota statute or rule, a charge is reasonable if the total charge for each submission following a request does not exceed the sum of $10 as a retrieval fee and 75 cents per page.

Subp. 3. **Postage and other charges.** In addition to the

Approved by Revisor JCF

charges in subparts 1 and 2, the health care provider may charge actual postage, any applicable Minnesota sales tax, and notary fees, if notarization is requested.

Subp. 4. **Time for payment.** The requester must reimburse the health care provider within 30 days of receipt of the copies requested.

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Reimbursement for Copies of Workers' Compensation Medical Records

AGENCY: Department of Labor and Industry

MINNESOTA RULES: Chapter 5219

The attached rules are approved for publication in the State Register

John C. Fuller
Assistant Deputy Revisor

STATE OF MINNESOTA

DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of the Proposed Adoption of the Rule of the State Department of Labor and Industry, Workers' Compensation Division, Governing Reimbursement for Copies of Workers' Compensation Medical Records

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

(1) Notice is hereby given that the State Department of Labor and Industry intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statutes, Section 176.135, subds. 1 and 7, and Section 176.83.

(2) All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Public comment is encouraged. (3) Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. (4) If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. (4) Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. (5) If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

(5) Comments or written requests for a public hearing must be submitted to:

Gloria Gebhard
Senior Rehabilitation & Medical Specialist
Rehabilitation and Medical Affairs
443 Lafayette Road
St. Paul, Minnesota 55155
Telephone: (612) 296-8213

(8) The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

(11) A copy of the proposed rule is attached to this notice.

A free copy of the rule is available upon request from Gloria Gebhard at the above address and telephone number.

(12) **A Statement of Need and Reasonableness** that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Gloria Gebhard upon request.

(14) Minnesota Statutes, Section 14.115 requires state agencies to consider methods to reduce the impact of proposed rules on small businesses and to provide small businesses with special notice of rules that may affect them, unless the rules regulate service businesses such as health care providers for standards and costs. While the proposed rules are exempt from these requirements because they regulate providers for costs, the Department has considered the impact on small business providers. It is expected that there will be a small impact on providers who currently charge more for copies of records than allowed by the proposed rules. The Statement of Need and Reasonableness discusses in greater detail the impact on small businesses and options considered by the Department.

A fiscal note under Minnesota Statutes, Sections 3.982 or 14.11 is not needed because the rule is expected to result in savings that equal or exceed costs to self-insured local public bodies and school districts.

(9) If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Gloria Gebhard at the above address.

6/5/90
Date

David Abrams
David Abrams, Deputy Commissioner
for Ken Peterson, Commissioner

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate

An Equal Opportunity Employer

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- ☐ we use an outside copy service
- ☐ review and approval of request
- ☐ review of file to identify material to be copied
- ☐ approval by professional staff of material to be copied
- ☐ separating materials to be copied from the rest of the file
- ☐ recollating the file after copying
- ☐ returning the file
- ☐ other _____

_____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you charge per page?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you notarize the records?	☐ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	☐ yes	☐ no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

_____

_____

_____

_____

4. Name and title of person completing this form _____

_____

Telephone number, including area code ( ) _____

☐ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

_____

_____

_____

Survey responses to Kate Berger 6-7-90 to be kept in Rule-making file in Legal Services

FAMILY PRACTICE

Niles H. Batdorf, M.D.
302 Medical Arts Bldg.
Duluth, MN 55802
rec'd

~~John J. Dwyer, M.D.~~ retired ← Dr. Harvey Smith
Northland Medical Center
1000 E. 1st St.
Duluth, MN 55805
rec'd

Polly C. Galbraith, M.D.
PO Box 64271
St. Paul, MN 55164
rec'd

Donald W. Kjome, M.D.
Excelsior Medical Clinic
386 Oak St.
Excelsior, MN 55331
rec'd

↘ Brian A. Henjum
Mound Medical Clinic
2200 Commerce Blvd.
Mound, MN 55364
rec'd

↘ Ahmad W. K. Dajani, M.D.
Bloomington Lake Clinic
3017 Bloomington Ave.
Minneapolis, MN 55407
rec'd

Dale J. Duthoy, M.D.
Scenic Hills Medical Center
261 No. Ruth St.
St. Paul, MN 55119
rec'd

Roger J. Bauer, M.D.
AMC-Benson
1805 Wisconsin Ave.
Benson, MN 56215
rec'd

Baudette Clinic
5th St. SW
Baudette, MN 56623
~~rec'd~~ rec'd

↘ = sent followup letter 1-16-90

HOSPITALS

St. Olaf Hospital
300 8th Ave. NW
Austin, MN 55912
rec'd S

Trinity Hospital
Rt. 1, Box 2120
Baudette, MN 56623
rec'd S

Cambridge Memorial Hospital
725 Dellwood St.
Cambridge, MN 55008
rec'd S

Tracy Municipal Hospital
5th St. E.
Tracy, MN 56175
rec'd S

Miller-Dwan Hospital
502 E. 2nd
Duluth, MN 55805
rec'd D

St. Luke's Hospital
915 E. 1st St.
Duluth, MN 55805
See response from St Luke's P.T. Services D

Nathaniel G. Polinsky Mem. Rehab. Center
530 E. 2nd St.
Duluth, MN 55805
rec'd D

Cloquet Community Memorial Hospital
Skyline Blvd.
Cloquet, MN 55720
rec'd ?

Abbott Northwestern Hospital
800 E. 28th St.
Minneapolis, MN 55407
rec'd TC

Fairview Southdale Hospital
6401 France Ave. So.
Edina, MN 55435

United Hospital of St. Paul
333 Smith Ave. No.
St. Paul, MN 55102
rec'd TC

Midway Hospital
1700 University Ave. W.
St. Paul, MN 55104
rec'd TC

St. Mary's Hospital & Rehabilitation Center
Riverside at 25th Ave. So.
Minneapolis, MN 55454
rec'd TC

St. Joseph's Hospital
69 W. Exchange
St. Paul, MN 55102
rec'd TC

St. John's Hospital Northeast
1575 Beam Ave.
Maplewood, MN 55109
rec'd TC

Bethesda Lutheran Hospital
559 Capitol Blvd.
St. Paul, MN 55103
rec'd TC

15

16

PHYSICAL THERAPISTS

Time Rehabilitation Center, Inc.
280 Smith Ave. No.
St. Paul, MN 55102 rec'd

Thomas W. Beltz, RPT
Rt. 3, Box 100
Bagley, MN 56621 rec'd

Teresa J. Bellis, RPT
1177 West Ave.
Zumbrota, MN 55992

St. Luke's Physical Therapy Services
1000 E. 1st St.
Duluth, MN 55805 rec'd

Benedictine Health Center
935 Kenwood Ave.
Duluth, MN 55811

Heritage of Edina Physical Therapy Clinic
3452 Heritage Dr.
Edina, MN 55435 rec'd

Try
Itasca Mem Hosp &
Convalescent Nrsg Care Unit
126 SE 1st Ave
Grand Rapids 55744

Orthopaedic

Orthopaedic Consultants, PA
7201 Washington Ave. So.
Edina, MN 55435 rec'd

James Kramer, M.D
1020 W. Bandana Blvd.
St. Paul, MN 55108 rec'd

NW Orthopaedic Surg., P.A.
8290 University Ave. NE
Fridley, MN 55432

Michael W. Davis, M.D.
E-405 Meadowbrook Medical Bldg.
6490 Excelsior Blvd.
St. Louis Park, MN 55426 rec'd

Gary R. Sager, M.D.
Fridley Plaza Clinic
6341 University Ave. NE
Fridley, MN 55432 rec'd

Orthopaedic Associates of Duluth, P.A.
1000 E. 1st Street
Duluth, MN 55805 rec'd

St. Cloud Orthopaedic Associates
1555 Northway Dr.
St. Cloud, MN 56303 rec'd

Duane R. Anderson, M.D.
Cambridge Clinic
626 SW 7th Ave.
Cambridge, MN 55008 rec'd

Peter L. Boman, M.D.
Duluth Clinic
400 E. 3rd St.
Duluth, MN 55805

RADIOLOGY

Duluth Radiologists, PA
824 Medical Arts Bldg.
Duluth, MN 55802

rec'd

Radiologic Associates of Duluth, Ltd.
1000 E. 1st St.
Duluth, MN 55805

rec'd

~~Northwestern Radiology Associates~~
~~120 LaBree Ave. So.~~
~~Thief River Falls, MN 56701~~

out of business since 7-1-87

West Central Radiologic Associates
101 Jade Center
Box 2000
Willmar, MN 56201

rec'd

Richard M. Bergen, M.D.
401 SW 21st St.
Austin, MN 55912

rec'd

Suburban Radiologic Consultants
4801 W. 81st St. - #108
Bloomington, MN 55437

Alan L. Hill, M.D.
Park Nicollet Medical Center
5000 W. 39th St.
Minneapolis, MN 55416

see address correction

Metropolitan Radiological Consultants PA
825 So. 8th St.
Minneapolis, MN 55402

rec'd

Diagnostic Radiology of St. Paul
530 Lowry Medical Arts Bldg.
St. Paul, MN 55102

rec'd

TRY
sent 1-4-90 1-15
North Star Radiology
Morris, MN
56267

Chiropractic

Jedidiah Krauss, D.C.
11300 Minnetonka Mills Road
Minnetonka, MN 55343
rec'd

Charles Rawlings, Sr., D.C.
1497 White Bear Ave.
St. Paul, MN 55106
rec'd

Wayne Sullwold, D.C.
3801 W. 50th St.
Edina, MN 55410
rec'd

Janice Alden, D.C.
63 So. 9th St. - #300
Mpls., MN 55402
rec'd

Clayton Lewis, D.C.
711 3rd St.
Jackson, MN 56143
rec'd

John Redebaugh, D.C.
P.O. Box 689
Nisswa, MN 56468
rec'd

J. David Mitchell, D.C.
1731 London Road
Duluth, MN 55812
rec'd

Miller Hill Chiropractic Center
4815 Burning Tree Road
Duluth, MN 55811
rec'd

Tina Mash, D.C.
1240 E. 3rd Avenue
Shakopee, MN 55379
rec'd

Occupational Medicine

Healthworks Occupational Medicine Center
3033 University Ave. S.E.
Mpls., MN 55414

Richard C. Cohan, M.D.
Park Nicollet Medical Center rec'd
5000 W. 39th St.
Mpls., MN 55316

Beth A. Baker, M.D.
Ramsey Clinic rec'd
640 Jackson
St. Paul, MN 55101

Harvey D. Aaron, M.D.
Pain Assessment Rehab. Center, Ltd. rec'd
6200 Excelsior Blvd. - #204
St Louis Park, MN 55416

William P. Fleeson, M.D.
Medical Arts Bldg. - #505 rec'd
324 W. Superior St.
Duluth, MN 55805

Reynolds B. Brissenden, III, M.D.
Northland Medical Office Center
1000 E. 1st St.
Duluth, MN 55805

Bernard S. Chapnick, M.D. rec'd
500 NE 14th Ave.
Austin, MN 55912

Mervin W. Dobson
501 Holly Lane rec'd
Mankato, MN 56001

Donald M. Garland, M.D.
Lakeside Office Park rec'd
4600 Lake Road Ave.
Robbinsdale, MN 55422

Neurology

Noran Clinic
910 E. 26th St. - 3210
Mpls., MN 55404
rec'd

James G. Brueggemann, M.D.
Duluth Clinic
400 E. 3rd St.
Duluth, MN 55805
rec'd

Frederick R. Taylor, M.D.
Park Nicollet Medical Center
6490 Excelsior Blvd. - #W-314
Mpls., MN 55425
rec'd

Charles F. Ormiston, M.D.
280 No. Smith Ave. - #550
St. Paul, MN 55102

Royal C. Gray, M.D.
3440 W. River Rd.
Mpls., MN 55406

Keith D. Larson, M.D.
1521 Northway Dr. - #110
St. Cloud, MN 56303
rec'd

John M. Mahowald, M.D.
St. Cloud Clinic
1200 6th Ave. No.
St. Cloud, MN 56303
rec'd

Donald T. Starzinski, M.D.
Mankato Clinic
501 Holly Lane
Mankato, MN 56001
rec'd

Steven H. Suga, M.D.
AMC-Willmar
101 Willmar Ave. SW
Willmar, MN 56201
rec'd

RADIOLOGY

Duluth Radiologists, PA
824 Medical Arts Bldg.
Duluth, MN 55802
rec'd

Radiologic Associates of Duluth, Ltd.
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56267

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7201 Washington Ave. So.
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St. Louis Park, MN 55426

rec'd

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Fridley, MN 55432

rec'd

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St. Cloud, MN 56303

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Cambridge Clinic
626 SW 7th Ave.
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400 E. 3rd St.
Duluth, MN 55805

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Minnetonka, MN 55343
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1497 White Bear Ave.
St. Paul, MN 55106
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Edina, MN 55410
rec'd

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Jackson, MN 56143
rec'd

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P.O. Box 689
Nisswa, MN 56468
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Duluth, MN 55812
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Duluth, MN 55811
rec'd

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Shakopee, MN 55379
rec'd

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Mpls., MN 55414

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5000 W. 39th St.
Mpls., MN 55316

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rec'd

Charles F. Ormiston, M.D.
280 No. Smith Ave. - #550
St. Paul, MN 55102

Royal C. Gray, M.D.
3440 W. River Rd.
Mpls., MN 55406

Keith D. Larson, M.D.
1521 Northway Dr. - #110
St. Cloud, MN 56303
rec'd

John M. Mahowald, M.D.
St. Cloud Clinic
1200 6th Ave. No.
St. Cloud, MN 56303
rec'd

Donald T. Starzinski, M.D.
Mankato Clinic
501 Holly Lane
Mankato, MN 56001
rec'd

Steven H. Suga, M.D.
AMC-Willmar
101 Willmar Ave. SW
Willmar, MN 56201
rec'd

January 22, 1990

Gregg Donley, Vice President
Client Services
Multi-Media Marketing Group
100 W. Franklin Ave.
Minneapolis, MN 55404

Dear Mr. Donley:

Thank you for your interest in receiving copies of the responses to our Department's survey of health care providers regarding their costs for providing copies of medical records.

We will provide these copies to you upon receipt of payment for the copies. As of today's date, we have received 53 responses of the one-page survey. Our charges for copying include a $2.00 base charge plus $.35 per copy, the appropriate sales tax and postage. Please send your check, payable to the Commissioner of Labor and Industry, in the amount of $22.86 and I will promptly mail the copies to you.

If you have any other questions please don't hesitate to contact me.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

MMM

MULTI-MEDIA MARKETING GROUP

"A TOTAL ADVERTISING SERVICE"
SEMPLE MANSION - 100 WEST FRANKLIN AVENUE
MINNEAPOLIS, MN 55404
612-872-7826

January 11, 1990

Ms. Jeanne Gehrman, Workers Compensation Specialist
Rehabilitation and Medical Affairs
Minnesota Department of Labor and Industry
443 Lafayette Road
St. Paul, Minnesota 55155

Dear Ms. Gehrman;

Our firm represents clients in the health care industry throughout the United States. Several times during the year there are items of interest or recent decisions within the health care field that provides an impetus for our clients to utilize our services to gather certain data or information. Consequently, the purpose of this correspondence.

I have enclosed a copy of a cover letter from your office which solicits responses, as part of a survey, from health care facilities to assist your division in the development of a rule establishing reasonable reimbursement rates of the copying of medical records of patients with workers' compensation injuries.

On behalf of our clients, I hereby request that a copy of each response be made available for our records. Since the survey is being conducted by a state agency the resultant information is public record. This information disclosure request is made in full compliance with, and under authority of, Minnesota Statutes, Chapter 19, Government Data Practices Act. Should you require something other than this letter, please provide same as soon as possible.

I appreciate your time and assistance in this matter, and should you have any questions, please feel free to contact me.

Sincerely,

Gregg Donley

Gregg Donley, Vice President
Client Services

GCD:dd

Enclosure

RECEIVED
JAN 16 1990
LABOR & INDUSTRY
REHAB SERVICES

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

J. David Mitchell, D.C.
1731 London Road
Duluth, MN 55812

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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An Equal Opportunity Employer

RECEIVED
JAN 0 8 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [X] review and approval of request
- [X] review of file to identify material to be copied
- [X] approval by professional staff of material to be copied
- [X] separating materials to be copied from the rest of the file
- [X] recollating the file after copying
- [X] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[X] yes	[ ] no
If yes, please indicate the amount	$ 5.00	
Do you charge per page?	[X] yes	[ ] no
If yes, please indicate the amount	$ SEE BELOW #3	
Do you notarize the records?	[ ] yes	[X] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[X] no

3. Please add any comments about the information above or any other information regarding the cost of copies Charges per page are according to the schedule of charges from the Department of Labor & Industry of 11/9/87:

75 cents a page for up to 20 pages
50 cents a page for the next 32 pages
25 cents a page for all remaining pages

4. Name and title of person completing this form J. David Mitchell, D.C.
Doctor of Chiropractic

Telephone number, including area code (218) 728-2426

[X] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

James Kramer, M.D.
1020 W. Bandana Blvd.
St. Paul, MN 55108

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

RECEIVED FEB 5 1990 LABOR & INDUSTRY REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$work comp 5.00	other 10.00
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$work comp (See below)	other 1.00
Do you notarize the records? When requested.	[ ] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	[x] yes	[ ] no

3. Please add any comments about the information above or any other information regarding the cost of copies Work Comp - copy costs continued → (per page) 75¢ for up to 20 sheets; .50¢ for the next 32 sheets; 25¢ for all remaining

4. Name and title of person completing this form Barbara Philippi
Medical Records Clerk II, Aspen Medical Group - Bandana Sq.
Telephone number, including area code (612) 641-7079

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Aspen Medical Group - Medical Records
1020 Bandana Blvd W.
St. Paul, MN. 55103

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

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JAN 29 1990
LABOR & INDUSTRY
REHAB SERVICES

Brian A. Henjum, M.D.
Mound Medical Clinic
2200 Commerce Blvd.
Mound, MN 55364

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [x] we use an outside copy service
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- [ ] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [ ] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [ ] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 5.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 1st 20 pages 75¢ per page; next 32 pages 50¢ per page	
Do you notarize the records?	[ ] yes	[x] no Unless asked to do so
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____
Copying cost for records that are not work related the fee is $35.00.

4. Name and title of person completing this form Brenda E.

Telephone number, including area code (612) 472-1144 ext 52

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

DM

Donald M. Garland, M.D.
Lakeside Office Park
4600 Lake Road Ave.
Robbinsdale, MN 55422

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

RECEIVED
JAN 3 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records.

- ☐ we use an outside copy service
- ☒ review and approval of request
- ☒ review of file to identify material to be copied
- ☐ approval by professional staff of material to be copied
- ☒ separating materials to be copied from the rest of the file
- ☒ recollating the file after copying
- ☒ returning the file
- ☐ other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☒ yes	☐ no
If yes, please indicate the amount	$ 5.00	
Do you charge per page?	☒ yes	☐ no
If yes, please indicate the amount	$ per current WC fee sch	
Do you notarize the records? only when requested	☐ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$	
Is there a separate charge for postage? not usually	☐ yes	☐ no

3. Please add any comments about the information above or any other information regarding the cost of copies I think the current fee schedule is adequate, although I think instead of .25¢ per page from pgs 52 on, it should 50¢/pg up to 75 pgs + then 25¢ thereafter per pg.

4. Name and title of person completing this form Lori Harvey, Office Mgr.

Telephone number, including area code (612) 537-6997

☒ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

family

Dale J. Duthoy, M.D.
Scenic Hills Medical Center
261 No. Ruth St.
St. Paul, MN 55119

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

RECEIVED
JAN 04 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
- [ ] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [ ] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$ _____	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 1.50	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies 1.50 per page minimum 5.00

25.00 to review chart

Work Comp - 5.00 retrievable fee. 75¢ 1st 20 copies

4. Name and title of person completing this form Nancy Northward
Clinic Manager

Telephone number, including area code (612) 735-1640

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

St. Mary's Hospital
& Rehabilitation Center
Riverside at 25th Ave. So.
Minneapolis, MN 55454

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

JAN 16 1990

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COST OF COPIES SURVEY

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- [ ] recollating the file after copying
- [x] returning the file
- [ ] other _____

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JAN 19 1990
LABOR & INDUSTRY
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 5.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ .75 for first 20 pg.	
Do you notarize the records?	[ ] yes	[x] no .50 next 3 .25 all P
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Denise Medical Records clerk

Telephone number, including area code (612) 337-4359

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

St. Mary's Hospital & Rehabilitation Center
Riverside at 25th Ave. So.
Minneapolis, MN 55454

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate MINNESOTA 1990

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COST OF COPIES SURVEY

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- [x] returning the file
- [ ] other _____

RECEIVED
JAN 17 1990
LABOR & INDUSTRY
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 5.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 1.00	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[x] yes	[ ] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Jo Milosevic
Director, Medical Records

Telephone number, including area code (602) 371-6380

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

AL NELSON, ADMINISTRATOR
~~Duane R. Anderson, M.D.~~
Cambridge Clinic
626 SW 7th Ave.
Cambridge, MN 55008

ortho

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

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- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

RECEIVED
JAN 17 1990
LABOR & INDUSTRY
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 5.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 75¢ pg up to 20 pg. 60¢ pg for next 32 pg. 25¢ pg remaining pg.	
Do you notarize the records? If asked b	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[x] yes	[ ] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form _____
Albert C Nelson Administrator

Telephone number, including area code (612) 689-1411

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

Bethesda Lutheran Hospital
559 Capitol Blvd.
St. Paul, MN 55103

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

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Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

RECEIVED
JAN 24 1990
LABOR & INDUSTRY
REHAB SERVICES

- [x] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
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- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 5.00	
Do you charge per page? $.75 first 20 pgs, $.50 next 32 pgs, $.25 anytime else	[x] yes	[ ] no
If yes, please indicate the amount	$	
Do you notarize the records? Unless requested	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Nancy Johnson
release of information clerk

Telephone number, including area code (612) 291-3455

[ ] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

RECEIVED DEC 2 8 1989

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Orthopaedic Associates of Duluth, P.A.
1000 E. 1st St.
Duluth, MN 55805

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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DEC 29 1989
LABOR & INDUSTRY
REHAB SERVICES

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COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [x] returning the file
- [x] other request prepayment for records copied by phone or letter.

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 12.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ after 12 pages $1.00 per page upon request	
Do you notarize the records?	[ ] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies

4. Name and title of person completing this form Laurie Baker
Head of Medical Records

Telephone number, including area code (218) 722-5513

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

ORTHOPAEDIC ASSOCIATES OF DULUTH, P.A.
1000 East First Street - Suite 404
Duluth, Minnesota 55805

DEC 28 1989

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

St. Cloud Orthopaedic Associates
1555 Northway Dr.
St. Cloud, MN 56303

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

RECEIVED
FEB 5 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [x] returning the file
- [x] other envelope preparation
  response letter / note in chart indicating info sent

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee? We did	[ ] yes	[ ] no
If yes, please indicate the amount $5.00	$	
Do you charge per page? 75¢ per page	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Do you notarize the records? If asked	[ ] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount $5.00	$	
Is there a separate charge for postage? No	[ ] yes	[ ] no

3. Please add any comments about the information above or any other information regarding the cost of copies The above charges are not in effect at present. We would like to charge a fair fee for above

4. Name and title of person completing this form Bette Deitz
   Reimbursement Mgr

   Telephone number, including area code (612) 259-4100

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

St. Cloud Orthopaedic Associates
1555 Northway Dr.
St. Cloud, MN 56303

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

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JAN 22 1990
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REHAB SERVICES

- [x] we use an outside copy service
- [ ] review and approval of request
- [x] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 25.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 1.50 1st 5 pages, .50 After that	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Julie Laudenbach, Administrative Assistant

Telephone number, including area code (612) 259-4100

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

Neurol

Donald T. Starzinski, M.D.
Mankato Clinic
501 Holly Lane
Mankato, MN 56001

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [X] review and approval of request
- [X] review of file to identify material to be copied
- [X] approval by professional staff of material to be copied
- [X] separating materials to be copied from the rest of the file
- [X] recollating the file after copying
- [X] returning the file
- [ ] other _____

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REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[X] yes	[ ] no
If yes, please indicate the amount	$ 8.00 per phone call	
Do you charge per page?	[X] yes	[ ] no
If yes, please indicate the amount	$ .50 per page after 5 pages	
Do you notarize the records?	[ ] yes	[X] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	[ ] yes	[X] no

3. Please add any comments about the information above or any other information regarding the cost of copies The fee schedule as noted above became effective 1/1/90. This schedule applies to requests from attorneys and or patients. Physicians and/or medical facilities are not charged. The Mn WC fee schedule is followed on compensation cases. Xrs & copy of chart notes are sent in lieu of initial report. No charge is made.

4. Name and title of person completing this form Vera Hemmelman
Workers Comp. Secretary.

Telephone number, including area code (507) 625-1811 ext 433

[X] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

_____

_____

_____

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

OM

Mervin W. Dobson
501 Holly Lane
Mankato, MN 56001

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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JAN 05 1990
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REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied sometimes
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 8.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ .50 after first 4 pages	
Do you notarize the records? if required	[ ] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Cindy L Carpenter, A.R.T. Medical Records Supervisor

Telephone number, including area code (507)625-1811

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Mankato Clinic; Attn: Medical Records
501 Holly Ln
Mankato, MN 56001

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Heritage of Edina Physical Therapy Clinic
3452 Heritage Dr.
Edina, MN 55435

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

RECEIVED

JAN 2 1990

LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- ☐ we use an outside copy service
- ☒ review and approval of request
- ☒ review of file to identify material to be copied
- ☒ approval by professional staff of material to be copied
- ☐ separating materials to be copied from the rest of the file
- ☒ recollating the file after copying
- ☒ returning the file
- ☐ other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☒ yes	☐ no
If yes, please indicate the amount	$ 30.00 average	
Do you charge per page?	☐ yes	☒ no
If yes, please indicate the amount	$	
Do you notarize the records?	☒ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☒ no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	☐ yes	☒ no

3. Please add any comments about the information above or any other information regarding the cost of copies

If the records are minimal of 5 pages the cost is less 20.00 - over 5 pages $30.00

4. Name and title of person completing this form Erle L Williams PT Director of PT

Telephone number, including area code ( )

☒ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

OM

Harvey D. Aaron, M.D.
Pain Assessment Rehab. Center, Ltd.
6200 Excelsior Blvd. - #204
St. Louis Park, MN 55416

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

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- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

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REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$.50 after 15 p.	
Do you notarize the records?	[x] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies We charge $15 minimum fee for medical records - which is for 1-15 copies (This covers retrieval and copy fees.) Copies in excess of 15 are charged at 50¢/page.

4. Name and title of person completing this form Julie Ryan, Clinic Mgr

Telephone number, including area code (612) 920-2148

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Where applicable, we follow the Work Comp guidelines, however.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Trinity Hospital
Rt. 1, Box 2120
Baudette, MN 56623

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

RECEIVED
JAN 0 8 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

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- ☐ we use an outside copy service
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- ☒ review of file to identify material to be copied
- ☐ approval by professional staff of material to be copied — Sometimes, for clarification
- ☒ separating materials to be copied from the rest of the file
- ☒ recollating the file after copying
- ☒ returning the file
- ☒ other Notification of physician that info. has been sent

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☐ no
If yes, please indicate the amount	$	
Do you charge per page?	☐ yes	☐ no
If yes, please indicate the amount	$	
Do you notarize the records?	☐ yes	☒ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	☐ yes	☒ no

(see below #3)

3. Please add any comments about the information above or any other information regarding the cost of copies We charge a minimum fee of $10 for the first 10 pages; additional pages (over 10) are charged at $.25/page

4. Name and title of person completing this form Liz Hanson, ART, Director of Medical Record Department

Telephone number, including area code (218) 634-2120

☐ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Abbott Northwestern Hospital
800 E. 28th St.
Minneapolis, MN 55407

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate MINNESOTA 1990

An Equal Opportunity Employer

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JAN 2 1990

LABOR & INDUSTRY
REHAB. SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

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- [ ] recollating the file after copying
- [x] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 10 (includes 5 pages)	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 1 per page	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies It takes a significant amount of time to respond to requests for medical records. Our process includes: screening requests, returning improper authorizations, typing invoices, pulling charts, ~~to~~ determining what to send, copying chart refiling chart, and follow-up on billing. The cost for records should reflect the time needed to process

4. Name and title of person completing this form Karen L. Boatman, RRA
Supervisor, Release of Information

Telephone number, including area code (612) 863-4728

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

ATTN: Karen Boatman, RRA

MEDICAL RECORD DEPARTMENT
ABBOTT NORTHWESTERN HOSPITAL
800 E. 28th ST. at CHICAGO AVE.
MINNEAPOLIS, MN 55407

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Cambridge Memorial Hospital
725 Dellwood St.
Cambridge, MN 55008

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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DEC 29 1989
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
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- [x] recollating the file after copying
- [x] returning the file
- [x] other photo copying

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 5.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 5.00 first 6 pages (includes 95¢ there after)	
Do you notarize the records? if requested	[x] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

Search + Find fe

3. Please add any comments about the information above or any other information regarding the cost of copies

4. Name and title of person completing this form Beverly A. Siemens
Director, Medical Records

Telephone number, including area code (612) 689- 1500 x 171

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Hosp

Nathaniel G. Polinsky Mem. Rehab. Center
530 E. 2nd St.
Duluth, MN 55805

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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JAN 05 1990

LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- ☐ we use an outside copy service
- ☑ review and approval of request
- ☑ review of file to identify material to be copied
- ☑ approval by professional staff of material to be copied
- ☐ separating materials to be copied from the rest of the file
- ☑ recollating the file after copying
- ☑ returning the file
- ☑ other Typing envelopes to people receiving copies Stamping on pg 1 a confidentiality statement

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☑ no
If yes, please indicate the amount	$	
Do you charge per page?	☑ yes	☐ no
If yes, please indicate the amount	$ .15 for 1st 5 pgs, .50¢/pg there aft	
Do you notarize the records?	☑ yes	☐ no
If yes, do you charge a separate notary fee?	☑ yes	☐ no
If yes, please indicate the amount	$ Additional $10	
Is there a separate charge for postage?	☐ yes	☑ no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Michelle R Teigen, ERA
Medical Information Specialist

Telephone number, including area code (218) 727-5083 Ext 210

☑ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Polinsky Medical Rehabilitation Center
530 E. 2nd St
Duluth, MN 55805 Attn: MIST

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Miller-Dwan Hospital
502 E. 2nd
Duluth, MN 55805

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

4

COST OF COPIES SURVEY

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- [ ] we use an outside copy service
- [X] review and approval of request
- [X] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [X] separating materials to be copied from the rest of the file
- [X] recollating the file after copying
- [X] returning the file
- [ ] other _____

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JAN 2 1990
LABOR & INDUSTRY
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[ ] yes	[X] no
If yes, please indicate the amount	$ _____	
Do you charge per page?	[X] yes	[ ] no
If yes, please indicate the amount	$ See below	
Do you notarize (certify) the records?	[ ] yes	[ ] no
If yes, do you charge a separate notary fee?	[X] yes	[ ] no
If yes, please indicate the amount	$ 8.00 addl. per p.c. 1-31	
Is there a separate charge for postage?	[ ] yes	[X] no

3. Please add any comments about the information above or any other information regarding the cost of copies

$8.00 for first 10 pages
50¢/page up to 100 pages
25¢/page for 100 and up

4. Name and title of person completing this form Ann Krueger
Assistant Director Medical Records

Telephone number, including area code (218) 720-1365

[X] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

John Redebaugh, D.C.
PO Box 689
Nisswa, MN 56468

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate MINNESOTA 1990

An Equal Opportunity Employer

RECEIVED
JAN 10 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- /_/ we use an outside copy service
- /_/ review and approval of request
- /X/ review of file to identify material to be copied
- /X/ approval by professional staff of material to be copied
- /X/ separating materials to be copied from the rest of the file
- /X/ recollating the file after copying
- /X/ returning the file
- /_/ other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	/_/ yes	/X/ no
If yes, please indicate the amount	$_____	
Do you charge per page?	/X/ yes	/_/ no
If yes, please indicate the amount	$ .75	
Do you notarize the records?	/_/ yes	/X/ no
If yes, do you charge a separate notary fee?	/_/ yes	/_/ no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	/_/ yes	/X/ no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Joleen Gaffey - Secretary

Telephone number, including area code (218) 963-2944

/X/ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

Charles Rawlings, SR., D.C.
1497 White Bear Ave.
St. Paul, MN 55106

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [ ] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [ ] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [ ] returning the file
- [ ] other _____

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JAN 25 1990
LABOR & INDUSTRY
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 20.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ .50	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Joleen A. Waalen
Office Manager

Telephone number, including area code (612) 776-7100

[ ] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Diagnostic Radiology of St. Paul
530 Lowry Medical Arts Bldg.
St. Paul, MN 55102

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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GOU 50

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JAN 0 4 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- ☐ we use an outside copy service
- ☐ review and approval of request
- ☐ review of file to identify material to be copied
- ☐ approval by professional staff of material to be copied
- ☐ separating materials to be copied from the rest of the file
- ☐ recollating the file after copying
- ☐ returning the file
- ☒ other Copy Records with Authorization + Rel

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☒ no
If yes, please indicate the amount	$	
Do you charge per page?	☐ yes	☒ no
If yes, please indicate the amount	$	
Do you notarize the records? if necessary	☒ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	☐ yes	☒ no

3. Please add any comments about the information above or any other information regarding the cost of copies

DIAGNOSTIC RADIOLOGY
530 LOWRY MED. ARTS BLDG.
ST. PAUL, MINNESOTA 55102

4. Name and title of person completing this form Barb Schrank R.T.

Telephone number, including area code (612) 227-7363

☐ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

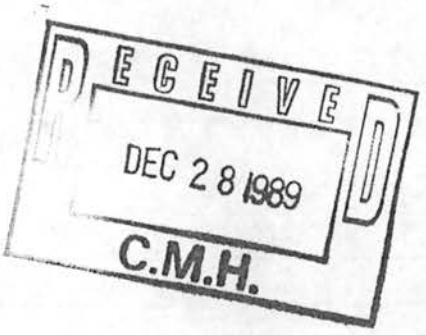
Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989



Cloquet Community Memorial Hospital
Skyline Blvd.
Cloquet, MN 55720

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

RECEIVED
JAN 16 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [X] review and approval of request
- [X] review of file to identify material to be copied
- [X] approval by professional staff of material to be copied
- [X] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [X] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[X] yes	[ ] no	
If yes, please indicate the amount	$ 5.00		
Do you charge per page?	[X] yes	[ ] no	
If yes, please indicate the amount	$ .50 per copy		
Do you notarize the records?	[ ] yes	[ ] no	Can be notarized if needed.
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no	
If yes, please indicate the amount	$		
Is there a separate charge for postage?	[ ] yes	[X] no	

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Kathy Brunner, Medical Secretary

Telephone number, including area code (218) 879-4641

[ ] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

RECEIVED
JAN 16 1990
C.M.H.

January 16, 1990

Cloquet Community Memorial Hosp.
Skyline Blvd.
Cloquet, MN 55720

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

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- [ ] we use an outside copy service
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- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

RECEIVED
JAN 24 1990
LABOR & INDUSTRY
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 5.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ .75	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Margo Brasfield, RRA

Telephone number, including area code (218) 879-4641 Ext. 202

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Duluth Radiologists, PA
824 Medical Arts Bldg.
Duluth, MN 55802

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Should we responsible to send reports & what if they won't a report from a radiologist & we are only duplicating what the hospital sends u/ you.

COST OF COPIES SURVEY

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- ☐ we use an outside copy service
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- ☐ separating materials to be copied from the rest of the file
- ☐ recollating the file after copying
- ☐ returning the file
- ☐ other We Request Reports From the Hospital So we can Submit with a report we must copy the report for our records & Workers file.

RECEIVED
JAN 04 1990
LABOR & INDUSTRY
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☒ no
If yes, please indicate the amount	$	
Do you charge per page?	☐ yes	☒ no
If yes, please indicate the amount	$	
Do you notarize the records?	☒ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☒ no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	☐ yes	☒ no

3. Please add any comments about the information above or any other information regarding the cost of copies It is a very expensive venture but how to charge is very different. I know many Professions we are charged for copies but in Medical we really have not had a reason to charge for copies

4. Name and title of person completing this form
Sherry Ahlen, Office Manager

Telephone number, including area code (218) 722-3185

☒ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Northwestern Radiology Associates
120 LaBree Ave. So.
Thief River Falls, MN 56701

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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An Equal Opportunity Employer

Northwestern Radiology Associates
out of business since July 1, 1987

COST OF COPIES SURVEY

unusable

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JAN 3 1990
LABOR & INDUSTRY
REHAB SERVICES

1. Please check those services typically provided by you in copying medical records:

- ☐ we use an outside copy service
- ☐ review and approval of request
- ☐ review of file to identify material to be copied
- ☐ approval by professional staff of material to be copied
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- ☐ recollating the file after copying
- ☐ returning the file
- ☐ other _____

_____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you charge per page?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you notarize the records?	☐ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	☐ yes	☐ no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

_____

_____

_____

_____

4. Name and title of person completing this form _____

_____

Telephone number, including area code ( ) _____

☐ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

_____

_____

_____

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

West Central Radiologic Associates
101 Jade Center
Box 2000
Willmar, MN 56201

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

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Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

RECEIVED
JAN 22 1990
LABOR & INDUSTRY
REHAB SERVICES

1. Please check those services typically provided by you in copying medical records:

- ☐ we use an outside copy service
- ☐ review and approval of request
- ☐ review of file to identify material to be copied
- ☐ approval by professional staff of material to be copied
- ☐ separating materials to be copied from the rest of the file
- ☐ recollating the file after copying
- ☐ returning the file
- ☐ other This office does not have Medical Records at this location - they are kept at the hospitals

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you charge per page?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you notarize the records?	☐ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	☐ yes	☐ no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form _____
Alice L. Peck, Law Off Mgr.

Telephone number, including area code ((612) 231-2208

☐ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Radiologic Associates of Duluth, Ltd.
1000 E. 1st St.
Duluth, MN 55805

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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JAN 2 1990
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COST OF COPIES SURVEY

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- ☐ approval by professional staff of material to be copied
- ☐ separating materials to be copied from the rest of the file
- ☐ recollating the file after copying
- ☐ returning the file
- ☐ other _____

_____

✓ reasonable $

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you charge per page?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you notarize the records?	☐ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	☐ yes	☐ no

3. Please add any comments about the information above or any other information regarding the cost of copies We normally refer all data to the hospital where the records are kept - We bill here from this office.

4. Name and title of person completing this form _____

Telephone number, including area code ( ) _____

☐ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

_____

_____

_____

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

radiol.

Richard M. Bergen, M.D.
401 SW 21st St.
Austin, MN 55912

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate MINNESOTA 1990

An Equal Opportunity Employer

GOU 50

Records are copied by Clinic or hospital records Dept. R Bergen MD

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- ☐ we use an outside copy service
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- ☐ approval by professional staff of material to be copied
- ☐ separating materials to be copied from the rest of the file
- ☐ recollating the file after copying
- ☐ returning the file
- ☐ other _____

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LABOR & INDUSTRY
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you charge per page?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you notarize the records?	☐ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	☐ yes	☐ no

✓ Unusable

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form _____

Telephone number, including area code ( ) _____

☐ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Metropolitan Radiological Consultants PA
825 So. 8th St. #220
Minneapolis, MN 55402

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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LABOR & INDUSTRY
REHAB. SERVICES

COST OF COPIES SURVEY

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- ☒ review and approval of request
- ☒ review of file to identify material to be copied
- ☒ approval by professional staff of material to be copied
- ☒ separating materials to be copied from the rest of the file
- ☒ recollating the file after copying
- ☒ returning the file
- ☒ other Also involved with X-ray Film Duplication (copies)

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee? YES for X-ray film	☒ yes	☐ no
If yes, please indicate the amount	$ 8 cs per film copy	
Do you charge per page?	☐ yes	☒ no
If yes, please indicate the amount	$	
Do you notarize the records?	☐ yes	☒ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	☐ yes	☒ no

3. Please add any comments about the information above or any other information regarding the cost of copies

4. Name and title of person completing this form DEAN W. JOHNSON
BUSINESS MANAGER

Telephone number, including area code (612) 347-3576

☒ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

NW Orthopaedic Surg., P.A.
8290 University Ave. NE
Fridley, MN 55432

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [x] we use an outside copy service ~~Document~~
- [ ] review and approval of request
- [ ] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [ ] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [ ] returning the file
- [x] other Health Care Providers Copy Service

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FEB 6 1990
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REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☐ no
If yes, please indicate the amount	$	
Do you charge per page?	☐ yes	☐ no
If yes, please indicate the amount	$	
Do you notarize the records?	☐ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	☐ yes	☐ no

3. Please add any comments about the information above or any other information regarding the cost of copies

refer to HCPCS
General Offices
Franklin Natl Bank Building
100 West Franklin Ave
Minneapolis MN
55404

4. Name and title of person completing this form Sandra J Hanson
Medical Records Department Manager

Telephone number, including area code (612) 786 9543

- [x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

I would appreciate a copy of the MN work comp fee rates for medical records and narrative reports. Please send to me

Sandra J Hanson
Medical Records Department
Northwestern Orthopaedic Surgeons

Northwestern Orthopaedic Surgeons, P.A.
8298 University Avenue N.E.
Fridley, MN 55432

called on 2/6. gave her # for State Register. They have Fee Sch. Also gave her

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Family

Northland Family Physicians, LTD
~~John J. Dwyer, M.D.~~ (he retired) Dr Harvey Smith
Northland Medical Center
1000 E. 1st St.
Duluth, MN 55805

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate MINNESOTA 1990

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GCU 50

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- ☐ we use an outside copy service
- ☒ review and approval of request
- ☒ review of file to identify material to be copied
- ☒ approval by professional staff of material to be copied
- ☒ separating materials to be copied from the rest of the file
- ☒ recollating the file after copying
- ☒ returning the file
- ☒ other Postage

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JAN 04 1990
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REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☒ yes	☐ no
If yes, please indicate the amount	$ 25.00 per request.	
Do you charge per page?	☐ yes	☒ no
If yes, please indicate the amount	$	
Do you notarize the records?	☐ yes	☒ no
If yes, do you charge a separate notary fee?	☐ yes	☒ no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	☐ yes	☒ no

We end up paying.

3. Please add any comments about the information above or any other information regarding the cost of copies
Some records are large & take considerable time to do forms — We feel $25.00 is adequate.

4. Name and title of person completing this form Dorothy E Read
Business Manager - Northland Family Physicians.

Telephone number, including area code (218) 723-1100

☒ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

United Hospital of St. Paul
333 Smith Ave. No.
St. Paul, MN 55102

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate MINNESOTA

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COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [x] we use an outside copy service
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- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [x] returning the file
- [x] other printing invoice, addressing envelopes, mailing

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JAN 05 1990
LABOR & [illegible]
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ $10.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ $1.00	
Do you notarize the records?	[ ] yes	[x] no unless asked for
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[x] yes	[ ] no

3. Please add any comments about the information above or any other information regarding the cost of copies

Even though we use an outside copy service, we would charge (and did in the past) the same amount as they do.

4. Name and title of person completing this form

Mary Cahill Supervisor, medical Record's

Telephone number, including area code (612) 220-8698

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

United Hospital
333 N. Smith Ave.
St. Paul, MN 55102

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Tracy Municipal Hospital
5th St. E.
Tracy, MN 56175

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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JAN 08 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

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- [ ] we use an outside copy service
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- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 10.00	
Do you charge per page?	[x] yes	[x] no
If yes, please indicate the amount	$ _____	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies If chart were lengthy, fee would be more. $10 is minimum.

4. Name and title of person completing this form Lois Johnson Asst. Adm

Telephone number, including area code (507) 629-3200

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Time Rehabilitation Center, Inc. PT
280 Smith Ave. No.
St. Paul, MN 55102

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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JAN 0 8 1990

LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service NO
- [x] review and approval of request
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- [x] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes [ ] no	if asked for PPD rating
If yes, please indicate the amount	$ 35 - PPD - $150	
Do you charge per page?	[x] yes [ ] no	
If yes, please indicate the amount	$ $1 per page to pt for own use - is OWN	
Do you notarize the records? (if requested)	[x] yes [ ] no	
If yes, do you charge a separate notary fee?	[ ] yes [x] no	
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	[ ] yes [x] no	

3. Please add any comments about the information above or any other information regarding the cost of copies Treatment records only - $35 - if opinion or PPD charge is $150 - transfer to other doctors or clinics - no chg -

4. Name and title of person completing this form Evelyn Watchmaker
medical Records

Telephone number, including area code (612) 227-0864

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

St. Paul Orthopaedic & Time Rehabilitation
250 N. Smith - Suite 579
St. Paul Mn. 55102

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Frederick R. Taylor, M.D.
Park Nicollet Medical Center
6490 Excelsior Blvd. - #W-314
Minneapolis, MN 55425

Neurologist

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate Minnesota

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JAN 17 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [ ] returning the file
- [ ] other _____

_____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[ ] yes	[x] no
If yes, please indicate the amount	$_____	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 1.00	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

_____

_____

_____

_____

4. Name and title of person completing this form _____

_____

Telephone number, including area code ( ) _____

[ ] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

_____

_____

_____

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Wayne Sullwold, D.C.
3801 W. 50th St.
Edina, MN 55410

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate MINNESOTA

An Equal Opportunity Employer

RECEIVED

JAN 2 1990

LABOR & INDUSTRY
REHAB. SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- ☐ we use an outside copy service
- ☐ review and approval of request
- ☐ review of file to identify material to be copied
- ☐ approval by professional staff of material to be copied
- ☐ separating materials to be copied from the rest of the file
- ☐ recollating the file after copying
- ☑ returning the file
- ☐ other _____

2. Please answer the following about your charges (not including sales tax):

per phone call 1-31 jf

Do you charge a retrieval fee?	☐ yes	☐ no
If yes, please indicate the amount	$ _____	
Do you charge per page?	☑ yes	☐ no
If yes, please indicate the amount	$ 10¢	
Do you notarize the records?	☐ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☑ no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	☑ yes	☐ no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form DR Wayne Sullwold
4952 Fremont Ave S Edina, MN 55410
Telephone number, including area code (612) 920-4504

☐ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Same

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

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for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Neurol.

Steven H. Suga, M.D.
AMC-Willmar
101 Willmar Ave. SW
Willmar, MN 56201

Attn: Medical Records

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Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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LABOR & INDUSTRY
REHAB SERVICES

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- [x] approval by professional staff of material to be copied
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- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

unusable

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$_____	
Do you charge per page?	[ ] yes	[ ] no
If yes, please indicate the amount	$_____	
Do you notarize the records?	[ ] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	[ ] yes	[ ] no

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4. Name and title of person completing this form _____

Telephone number, including area code ( ) _____

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Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
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for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

St. Olaf Hospital
300 8th Ave NW
Austin, MN 55912

Attn: Medical Records

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Rehabilitation and Medical Affairs

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COST OF COPIES SURVEY

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- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

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REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[ ] yes	[x] no
If yes, please indicate the amount	$ _____	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 35/page	
Do you notarize the records?	[x] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Thirle Dreier, Director, Med Records

Telephone number, including area code (507) 437-0948

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

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FAX (612) 297-1329

December 28, 1989

St. Luke's Hospital
915 E. 1st St.
Duluth, MN 55805

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

RECEIVED
DEC 28 1989
MEDICAL RECORDS DEPT
St. Luke's Hospital

See attached copy

COST OF COPIES SURVEY

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JAN 08 1990
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REHAB SERVICES

1. Please check those services typically provided by you in copying medical records:

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- ☐ approval by professional staff of material to be copied
- ☐ separating materials to be copied from the rest of the file
- ☐ recollating the file after copying
- ☐ returning the file
- ☐ other _____

_____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you charge per page?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you notarize the records?	☐ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	☐ yes	☐ no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

_____

_____

_____

_____

4. Name and title of person completing this form _____

_____

Telephone number, including area code ( ) _____

☐ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

_____

_____

_____

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

✓ St Luke's Hospital coordinates all release information

St. Luke's Physical Therapy Services
1000 E. 1st St.
Duluth, MN 55805

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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MED
ST.

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JAN 0 8 1990
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REHAB SERVICES

COST OF COPIES SURVEY

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- ☐ we use an outside copy service
- ☒ review and approval of request
- ☒ review of file to identify material to be copied
- ☐ approval by professional staff of material to be copied
- ☒ separating materials to be copied from the rest of the file
- ☒ recollating the file after copying
- ☒ returning the file
- ☐ other Retrieval + Record Billing for Services

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☒ yes	☐ no
If yes, please indicate the amount	$ 5.00	
Do you charge per page?	☒ yes	☐ no
If yes, please indicate the amount	$ .50	
Do you notarize the records? on request	☑ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☑ no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	☐ yes	☒ no

3. Please add any comments about the information above or any other information regarding the cost of copies Above fees will be waived and waived in 1989 as only services are not covered

4. Name and title of person completing this form [illegible]

Telephone number, including area code (218) 762-5367

☒ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

St. Joseph's Hospital
69 W. Exchange
St. Paul, MN 55102

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

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REHAB SERVICES

1. Please check those services typically provided by you in copying medical records:

- [x] we use an outside copy service
- [x] review and approval of request
- [ ] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [ ] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ $10.00 reg, $5.00 Work Comps	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ $1.00 reg, .75 WC	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies When we do not use our copy service there is no charge for postage, we notarize if it is requested (no fee)

4. Name and title of person completing this form Kathy Davelun

Telephone number, including area code (612) ~~[illegible]~~ 291-3670

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

St. John's Hospital Northeast
1575 Beam Ave.
Maplewood, MN 55109

Attn: Medical Records

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WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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JAN 04 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [x] we use an outside copy service
- [ ] review and approval of request
- [ ] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [ ] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [ ] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 10.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 1.00	
Do you notarize the records?	[X] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[X] no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	[X] yes	[ ] no

3. Please add any comments about the information above or any other information regarding the cost of copies We only charge the amount indicated by the statute for Workmen's Comp requests

4. Name and title of person completing this form Marian Gentner, RRA Supervisor

Telephone number, including area code (612) 779-4602

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

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for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Ortho

DEC 2 8 1989

Gary R. Sager, M.D.
Fridley Plaza Clinic
6341 University Ave. NE
Fridley, MN 55432

Attn: Medical Records

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JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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REHAB SERVICES

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COST OF COPIES SURVEY

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- [ ] we use an outside copy service
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Do you charge a retrieval fee?	[ ] yes	[x] no
If yes, please indicate the amount	$_____	
Do you charge per page?	[ ] yes	[x] no
If yes, please indicate the amount	$_____	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	[ ] yes	[x] no

Just flat $20 fee for copies

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Sara Robinette, Medical Secretary

Telephone number, including area code (612) 571-0457

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

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St. Paul, Minnesota 55155
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for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Neurol.

Noran Clinic
910 E. 26th St. - 3210
Minneapolis, MN 55404

Attn: Medical Records

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Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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GCU 50

COST OF COPIES SURVEY

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LABOR & INDUSTRY
REHAB SERVICES

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- ☐ we use an outside copy service
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Do you charge a retrieval fee?	☐ yes	☐ no
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Do you charge per page?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you notarize the records?	☐ yes	☒ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	☐ yes	☐ no

We have Standard Charges that cover all of the above called - no charge js 1-24

THAT's what we want to know! js

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form _____

Shelly Ultimore Med. Rec. Supervisor

Telephone number, including area code (612) 879-1555

☒ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

Miller Hill Chiropractic Center
4815 Burning Tree Road
Duluth, MN 55811

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

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- [x] returning the file
- [ ] other _____

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JAN 19 1990
LABOR & INDUSTRY
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 35.00	
Do you charge per page?	[ ] yes	[x] no
If yes, please indicate the amount	$	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

per p.c. 1-31. 78

3. Please add any comments about the information above or any other information regarding the cost of copies one dollar/page is not enough if you are sending out only a few pages because it still requires about the same time as several pages

4. Name and title of person completing this form MARY OLSON

Telephone number, including area code (218) 879-5831

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Associated Chiropractic Physicians
2511 WASHINGTON AVE
Cloquet, MN 55720

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Midway Hospital
1700 University Ave. W.
St. Paul, MN55104

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate MINNESOTA

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4

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [x] we use an outside copy service
- [ ] review and approval of request
- [ ] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [ ] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [ ] returning the file
- [ ] other _____

RECEIVED
JAN 2 1990
LABOR & INDUSTRY
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 15	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 1.00	
Do you notarize the records?	[ ] yes	[x] no unless specified
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[x] yes	[ ] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Les Bergstrom, RRA

Telephone number, including area code (612) 641-5282

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

Tina Mash, D.C.
1240 E. 3rd Ave.
Shakopee, MN 55379

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

4

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [x] returning the file
- [ ] other _____

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REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 10	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 1	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[x] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form DN MASH

Telephone number, including area code (612) 445-7890

[ ] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

JAN 15 1990

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

Neurol

John M. Mahowald, M.D.
St. Cloud Clinic
1200 6th Ave. No.
St. Cloud, MN 56303

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

RECEIVED
JAN 18 1990
LABOR & INDUSTRY
REHAB SERVICES

THIS PROCEDURE APPLIES TO WORKMAN'S COMP CASES ONLY

COST OF COPIES SURVEY

RECEIVED
JAN 18 1990
LABOR & INDUSTRY
REHAB SERVICES

1. Please check those services typically provided by you in copying medical records:

- ☐ we use an outside copy service
- ☐ review and approval of request
- ☒ review of file to identify material to be copied
- ☐ approval by professional staff of material to be copied
- ☒ separating materials to be copied from the rest of the file
- ☒ recollating the file after copying
- ☒ returning the file
- ☐ other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☒ no
If yes, please indicate the amount	$_____	
Do you charge per page?	☐ yes	☒ no
If yes, please indicate the amount	$_____	
Do you notarize the records?	☐ yes	☒ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	☐ yes	☒ no

3. Please add any comments about the information above or any other information regarding the cost of copies According to MN Statute 176.138 We, as Medical Care providers are required to release all medical records related to work injuries free of charge and without a signed release.

4. Name and title of person completing this form Jane Berg
Business Office personnel

Telephone number, including area code (612) 252-5133 ext. 111

☒ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Attn: Jane Berg rather than John Mattawald, MD

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Clayton Lewis, D.C.
711 3rd St.
Jackson, MN 56143

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate MINNESOTA

An Equal Opportunity Employer

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [ ] returning the file
- [ ] other _____

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REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[ ] yes	[x] no
If yes, please indicate the amount	$ _____	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ .1/page	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies the amount of requests continue to rise my costs are going up due to the nuisance of it all.

4. Name and title of person completing this form same as front

Telephone number, including area code (507) 847-4390

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

DEC 28 RECD

December 28, 1989

Neuro

Keith D. Larson, M.D.
1521 Northway Dr. - #110
St. Cloud, MN 56303

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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COST OF COPIES SURVEY

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JAN 2 1990
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REHAB SERVICES

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[ ] yes	[x] no
If yes, please indicate the amount	$ _____	
Do you charge per page? - flat rate $25.00 per p.c. 1-31	[ ] yes	[x] no
If yes, please indicate the amount	$ _____	
Do you notarize the records? - occasionally	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies we utilize a flat rate for photocopies. Incorporated into the rate is the retrieval fee and postage fee.

4. Name and title of person completing this form Rosemarie Omgrund, Office Mgr.

Telephone number, including area code (612) 452-3131

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Jedidiah Krauss, D.C.
11300 Minnetonka Mills Road
Minnetonka, MN 55343

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [x] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 10.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 1.00	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[x] yes	[ ] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Dr. Jedidiah Krauss

Telephone number, including area code (612) 933-8089

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

family

Donald W. Kjome, M.D.
Excelsior Medical Clinic
386 Oak St.
Excelsior, MN 55331

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying → staff does this
- [x] returning the file → staff does this
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$_____	
Do you charge per page?	[ ] yes	[x] no
If yes, please indicate the amount	$_____	
Do you notarize the records?	[ ] yes	[x] no (not usually)
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	[ ] yes	[ ] no

We take all 3 of Blues cases account & usually they insurance companies about $25 - 30%/hour

3. Please add any comments about the information above or any other information regarding the cost of copies I feel we should be able to charge for workers Comp copies but we have not been able to collect in the past

4. Name and title of person completing this form D.C. Kyame M.D.

Telephone number, including area code (612) 474-8826

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

D.C. Kyame M.D.
386 Oak St
Excelsior Mn. 55331

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

family

Polly C. Galbraith, M.D.
PO Box 64271
St. Paul, MN 55164

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

COST OF COPIES SURVEY

4

1. Please check those services typically provided by you in copying medical records:

- ☐ we use an outside copy service
- ☒ review and approval of request
- ☒ review of file to identify material to be copied
- ☒ approval by professional staff of material to be copied
- ☒ separating materials to be copied from the rest of the file
- ☐ recollating the file after copying
- ☐ returning the file
- ☐ other _____

RECEIVED
APR 3 1990
LABOR & INDUSTRY
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☒ no
If yes, please indicate the amount	$_____	
Do you charge per page?	☐ yes	☒ no
If yes, please indicate the amount	$_____	
Do you notarize the records?	☐ yes	☒ no
If yes, do you charge a separate notary fee?	☐ yes	☒ no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	☒ yes	☒ no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Polly Galbraith M.D.
Medical Director

Telephone number, including area code (612) 738-4323

☐ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

OM

William P. Fleeson, M.D.
Medical Arts Bldg. - #505
324 W. Superior St.
Duluth, MN 55805

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

RECEIVED
JAN 17 1990
LABOR & INDUSTRY
REHAB SERVICES

- [ ] we use an outside copy service occasionally
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 15.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ .25¢	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form JANE FLEESON, OFFICE MANAGER

Telephone number, including area code (218) 727-4878

[X] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Ortho

Michael W. Davis, M.D.
E-405 Meadowbrook Medical Bldg.
6490 Excelsior Blvd.
St. Louis Park, MN 55426
Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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RECEIVED
JAN 2 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [ ] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [ ] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[ ] yes	[x] no
If yes, please indicate the amount	$ _____	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ $5.00 per page	
Do you notarize the records?	[x] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form _____
Marilyn Feder, Insurance Secretary

Telephone number, including area code (612) 926 6588

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

WESTERN ORTHOPAEDIC SURGERY LTD.
6490 EXCELSIOR BLVD. #E405 MEADOWBROOK BLDG
ST. LOUIS PARK, MN. 55426
612-926-6588

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

January 16, 1990

family

Ahmad W. K. Danjani, M.D.
Bloomington Lake Clinic
3017 Bloomington Ave.
Minneapolis, MN 55407

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

TO Rob Vogel

Celebrate MINNESOTA

An Equal Opportunity Employer

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [X] review and approval of request
- [X] review of file to identify material to be copied
- [X] approval by professional staff of material to be copied
- [ ] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [X] returning the file
- [ ] other _____

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REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[X] yes	[ ] no
If yes, please indicate the amount	$ 27.00	
Do you charge per page?	[ ] yes	[X] no
If yes, please indicate the amount	$	
Do you notarize the records?	[ ] yes	[X] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[X] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form ROBERT VOGEL
ADMINISTRATOR

Telephone number, including area code (612) 721-6511

[X] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

O.M.

Richard C. Cohan, M.D.
Park Nicollet Medical Center
5000 W. 39th St.
Minneapolis, MN 55316

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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JAN 0 8 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- ☐ we use an outside copy service
- ☒ review and approval of request
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- ☒ approval by professional staff of material to be copied
- ☒ separating materials to be copied from the rest of the file
- ☒ recollating the file after copying
- ☒ returning the file
- ☐ other _____

unusable

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you charge per page?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Do you notarize the records?	☐ yes	☐ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	☐ yes	☐ no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form _____

Telephone number, including area code ( ) _____

☐ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

Bernard S. Chapnick, M.D.
500 NE 14th Ave.
Austin, MN 55912

OM

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

RECEIVED
JAN 22 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [ ] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[ ] yes	[x] no
If yes, please indicate the amount	$_____	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$.20¢ per page	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$_____	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form _____

Linda Wobschall, Legal Assistant

Telephone number, including area code (507) 437-5313

[XX] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Linda Wobschall, Legal Assistant
Geo. A. Hormel & Company
P.O. Box 800
Austin, MN 55912

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Neurol

James G. Brueggemann, M.D.
Duluth Clinic
400 E. 3rd St.
Duluth, MN 55805

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate MINNESOTA 2000

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GCU 50

RECEIVED
JAN 18 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [X] review and approval of request
- [X] review of file to identify material to be copied
- [X] approval by professional staff of material to be copied
- [X] separating materials to be copied from the rest of the file
- [X] recollating the file after copying
- [X] returning the file
- [X] other Obtaining patient's authorization for the release of information when it is difficult to determine visit's relationship to a work injury/illness. Documenting what information is released. Location and retrieval of records from neighborhood centers.

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[X] yes	[ ] no
If yes, please indicate the amount	$ 15.00	
Do you charge per page?	[X] yes	[ ] no
If yes, please indicate the amount	$ .20	
Do you notarize the records?	[X] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[X] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[ ] no

POSTAGE CHARGE ONLY FOR EXPRESS MAIL OR OVERNIGHT DELIVERY

3. Please add any comments about the information above or any other information regarding the cost of copies Copying a record for WC is more labor intensive than than what you would assume. A review of the record is required to establish what information can be released without a patient's authorization. In an integrated record, it is necessary to block out what information is not related to the work injury/illness so only the work injury/illness information is released.

4. Name and title of person completing this form Muriel Selen, R.R.A.
Assistant Manager, Medical Secretaries

Telephone number, including area code (218) 722-8364 EXT 170

[X] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Thomas W. Beltz, RPT
Rt. 3, Box 100
Bagley, MN 56621

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate MINNESOTA 1990

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RECEIVED
JAN 1 1 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- ☐ we use an outside copy service
- ☒ review and approval of request
- ☒ review of file to identify material to be copied
- ☐ approval by professional staff of material to be copied
- ☒ separating materials to be copied from the rest of the file
- ☒ recollating the file after copying
- ☒ returning the file
- ☐ other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	☒ yes	☐ no
If yes, please indicate the amount	$ .10/page ?	
Do you charge per page?	☒ yes	☐ no
If yes, please indicate the amount	$ _____	
Do you notarize the records?	☐ yes	☒ no
If yes, do you charge a separate notary fee?	☐ yes	☐ no
If yes, please indicate the amount	$ _____	
Is there a separate charge for postage?	☐ yes	☐ no

3. Please add any comments about the information above or any other information regarding the cost of copies
medical records at ccmH (Bagley) copies & mails info

4. Name and title of person completing this form Tom Bartz PT

Telephone number, including area code (218) 694-6722 *

☐ Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

* Called 2-1. Child answered & didn't know which office RPT was at. Tried

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Family

Roger J. Bauer, M.D.
AMC-Benson
1805 Wisconsin Ave.
Benson, MN 56215

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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COST OF COPIES SURVEY

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- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

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JAN 2 1990
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REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 20.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ .50¢ if requested	
Do you notarize the records?	[x] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form K Fragodt Receptionist

Telephone number, including area code (612) 843-3030

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Kimberly Fragodt
Amc. Benson
1805 Wisconsin Ave
Benson, MN 56215

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Family

Baudette Clinic
5th St. SW
Baudette, MN 56623

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate MINNESOTA

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COST OF COPIES SURVEY

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- [ ] we use an outside copy service
- [X] review and approval of request
- [X] review of file to identify material to be copied
- [X] approval by professional staff of material to be copied
- [X] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [X] returning the file
- [ ] other _____

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JAN 12 1990
LABOR & INDUSTRY
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[X] yes	[ ] no
If yes, please indicate the amount	$ #10 - #25.00	
Do you charge per page?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Do you notarize the records? (only if requested)	[X] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[X] no

all included in on one fee depending on what all was done or is needed.

3. Please add any comments about the information above or any other information regarding the cost of copies The chg depends on how small or large the chart is, if the records need to be notarized, etc.

4. Name and title of person completing this form Janelle K. Westerlund

Telephone number, including area code (218) 634-1655

[X] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Janelle Westerlund
Baudette Clinic
Rt 1 Box 2122
Baudette, Mn 56623

Sorry this is late - I was out of the office; so this is the 1st chance to comp

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Niles H. Batdorf, M.D.
302 Medical Arts Bldg.
Duluth, MN 55802

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

RECEIVED
DEC 29 1989
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [ ] returning the file
- [x] other Copying the file

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 5.00 per p.c.	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ .50¢	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

1-25 ✓

3. Please add any comments about the information above or any other information regarding the cost of copies We charge an initial $5.00 fee plus the above 50¢ per page. We don't notarize our records unless it is requested.

4. Name and title of person completing this form Karen Lawney, Insurance Clerk

Telephone number, including area code (218) 722-6356

[x] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

OM

Beth A. Baker, M.D.
Ramsey Clinic
640 Jackson
St. Paul, MN 55101

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

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Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

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All requests for ~~medical~~ records goes to Med records ✓

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [X] review and approval of request
- [ ] review of file to identify material to be copied
- [ ] approval by professional staff of material to be copied
- [ ] separating materials to be copied from the rest of the file
- [ ] recollating the file after copying
- [ ] returning the file
- [ ] other _____

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JAN 05 1990
LABOR & INDUSTRY
REHAB SERVICES

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[X] yes	[ ] no
If yes, please indicate the amount	$ 10-20 per P.C. 1-25	
Do you charge per page?	[X] yes	[ ] no
If yes, please indicate the amount	$ 1.00 per page if requested	
Do you notarize the records?	[ ] yes	[ ] no
If yes, do you charge a separate notary fee?	[ ] yes	[X] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[X] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form Beth Baker, Physician

Telephone number, including area code ( )

[X] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

221-3300 Beth Baker, M.D.
5825 Creek Valley Rd. S.
Edina, MN 55435

Minnesota
Department of Labor and Industry

443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

FAX (612) 297-1329

December 28, 1989

Janice Alden, D.C.
63 So. 9th St. - #300
Minneapolis, MN 55402

Attn: Medical Records

The Department of Labor and Industry, Workers' Compensation Division, is in the process of promulgating a rule to provide reasonable reimbursement for the cost of copying existing medical records of your patients with workers' compensation injuries. These costs are incurred by hospitals and health care providers in providing copies of medical records to insurers, attorneys and other parties in the workers' compensation system.

We are asking for your assistance to help the Department determine a reasonable rate of reimbursement for hospitals and health care providers. YOU CAN HELP BY TAKING A FEW MINUTES TO COMPLETE THE SURVEY ON THE REVERSE SIDE OF THIS LETTER AND RETURNING IT IN THE ENCLOSED POSTAGE PAID ENVELOPE BY JANUARY 5, 1990.

The results of our survey will be used in determining the reimbursement rate set by rule. Your assistance by participating in this survey is appreciated. If you have any questions please call me at (612) 297-2727. If you need to call long distance, you may call toll free by dialing 1 - 800 - 652-9747 and ask for the Workers' Compensation Hotline. When you reach the Hotline, ask to be transferred to my telephone number. Thank you.

Sincerely,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Celebrate MINNESOTA

An Equal Opportunity Employer

RECEIVED
JAN 11 1990
LABOR & INDUSTRY
REHAB SERVICES

COST OF COPIES SURVEY

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$ 10.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$ 50¢	
Do you notarize the records?	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[ ] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form DR. Janice Alden

Telephone number, including area code (612) 333-9144

[ ] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

January 16, 1990

Orthopaedic Consultants, PA
7201 Washington Ave. So.
Edina, MN 55435

Attn: Medical Records

On December 28, 1989 our office requested your participation in a survey of health care professionals regarding the cost of copying existing medical records of your patients with workers' compensation injuries. Our letter asked for a response by January 5, 1990.

As of the date of this letter we have no record that you have responded to this survey. Your input is important to us and to your colleagues in helping this Department determine a reasonable rate of reimbursement for the costs incurred in providing copies of records to insurers, attorneys and other parties in the workers' compensation system. It is not too late to respond to this survey. If you have misplaced the original, the survey is printed on the reverse side of this letter. Enclosed is another stamped, self-addressed envelope for your convenience.

Thank you for your cooperation.

Very truly yours,

WORKERS' COMPENSATION DIVISION

Jeanne Gehrman

JEANNE GEHRMAN
Workers' Compensation Specialist Intermediate
Rehabilitation and Medical Affairs

Please see enclosed attachment.

Orthopaedic Consultants, P. A.
2600 East Franklin Avenue
Minneapolis, MN 55406-1192

An Equal Opportunity Employer

per phone call 2-2-90

COST OF COPIES SURVEY

RECEIVED
FEB 1 1990
LABOR & INDUSTRY
REHAB SERVICES

1. Please check those services typically provided by you in copying medical records:

- [ ] we use an outside copy service
- [x] review and approval of request
- [x] review of file to identify material to be copied
- [x] approval by professional staff of material to be copied
- [x] separating materials to be copied from the rest of the file
- [x] recollating the file after copying
- [x] returning the file
- [ ] other _____

2. Please answer the following about your charges (not including sales tax):

Do you charge a retrieval fee?	[x] yes	[ ] no
If yes, please indicate the amount	$5.00	
Do you charge per page?	[x] yes	[ ] no
If yes, please indicate the amount	$75¢/20 pp; 50¢/next 32 p; 25¢/rest	
Do you notarize the records? if requested	[ ] yes	[x] no
If yes, do you charge a separate notary fee?	[ ] yes	[x] no
If yes, please indicate the amount	$	
Is there a separate charge for postage?	[ ] yes	[x] no

3. Please add any comments about the information above or any other information regarding the cost of copies _____

4. Name and title of person completing this form jacki

Telephone number, including area code ( ) 920-7676 or 944-2579

[ ] Please check here if you would like to receive a copy of the results of this survey. Use the space below to indicate any address correction.

STATE OF MINNESOTA

DEPARTMENT OF LABOR AND INDUSTRY

In the matter of the Proposed Adoption of the Rule of the State Department of Labor and Industry Workers' Compensation Division, Governing Reimbursement for Copies of Workers' Compensation Medical Records

AFFIDAVIT OF MAILING THE NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

Janis Keesling, being sworn says:

That on the 15th day of June, 1990, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Adopt A Rule Without a Public Hearing by depositing in the State of Minnesota Central Mail System for United States mailing a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

Janis Keesling
Name

Exec I
Title

Subscribed and sworn to before me
this 19 day of June 1990

Rosemary L. LaRue

ROSEMARY L. LARUE
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES NOVEMBER 21, 1990

STATE OF MINNESOTA

DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of the Proposed Adoption of the Rule of the State Department of Labor and Industry, Workers' Compensation Division, Governing Reimbursement for Copies of Workers' Compensation Medical Records

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

Notice is hereby given that the State Department of Labor and Industry intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statutes, Section 176.135, subds. 1 and 7, and Section 176.83.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Public comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Gloria Gebhard
Senior Rehabilitation & Medical Specialist
Rehabilitation and Medical Affairs
443 Lafayette Road
St. Paul, Minnesota 55155
Telephone: (612) 296-8213

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A free copy of the rule is available upon request from Gloria Gebhard at the above address and telephone number.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Gloria Gebhard upon request.

Minnesota Statutes, Section 14.115 requires state agencies to consider methods to reduce the impact of proposed rules on small businesses and to provide small businesses with special notice of rules that may affect them, unless the rules regulate service businesses such as health care providers for standards and costs. While the proposed rules are exempt from these requirements because they regulate providers for costs, the Department has considered the impact on small business providers. It is expected that there will be a small impact on providers who currently charge more for copies of records than allowed by the proposed rules. The Statement of Need and Reasonableness discusses in greater detail the impact on small businesses and options considered by the Department.

A fiscal note under Minnesota Statutes, Sections 3.982 or 14.11 is not needed because the rule is expected to result in savings that equal or exceed costs to self-insured local public bodies and school districts.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Gloria Gebhard at the above address.

6/5/90
Date

David Abrams
David Abrams, Deputy Commissioner
for Ken Peterson, Commissioner

STATE OF MINNESOTA

DEPARTMENT OF LABOR AND INDUSTRY

In the matter of the Proposed Adoption of the Rule of the State Department of Labor and Industry Workers' Compensation Division, Governing Reimbursement for Copies of Workers' Compensation Medical Records

CERTIFICATE OF MAILING LIST

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

Janis Keesling, being sworn says:

I hereby certify that the list of persons and associations who have requested , pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 or 14.30, that their names be placed on the state Department of Labor and Industry, Workers' Compensation Division rulemaking mailing list is accurate, complete, and current as of this 15th day of June, 1990.

Janis Keesling
Name

Exec I
Title

Subscribed and sworn to before me
this 19 day of June, 1990

Rosemary L. LaRue

ROSEMARY L. LARUE
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES NOVEMBER 11, 1990

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AMALGAMATED CLAIM CONTROL CORP
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ADDITIONAL PERSONS SENT THE NOTICE OF INTENT

.DATE 14 JUN 90 10:23:11 RJD 46H 31 OCT 89 KEEJ
.FREE FORM REPORT: BY: PHAM H0
*
WORK COMP ADVISORY COUNCIL
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State of Minnesota

STATE REGISTER

Department of Administration—Print Communications Division



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Subp. 3. **New providers.** A provider who registers on or after the effective date of this chapter shall pay the fee to the commissioner and submit the fee together with a completed registration form provided by the commissioner. The commissioner will not accept a registration without payment of the fee in full.

4667.0030 FEE SCHEDULE.

The amount of the registration fee shall be determined according to the following schedule for each class of provider:

A. Class A provider, $900;

B. Class A-individual provider, $150;

C. Class B provider, $650;

D. Class C provider, $15;

E. Class D provider, $250; and

F. Class E provider, $650.

Department of Labor and Industry

Proposed Permanent Rules Relating to Reimbursement for Copies of Workers' Compensation Medical Records

Notice of Intent to Adopt a Rule without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Department of Labor and Industry intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes*, section 176.135, subds. 1 and 7, and Section 176.83.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Public comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Gloria Gebhard
Senior Rehabilitation & Medical Specialist
Rehabilitation and Medical Affairs
443 Lafayette Road
St. Paul, Minnesota 55155
Telephone: (612) 296-8213

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A free copy of the rule is available upon request from Gloria Gebhard at the above address and telephone number.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Gloria Gebhard upon request.

Minnesota Statutes, Section 14.115 requires state agencies to consider methods to reduce the impact of proposed rules on small businesses and to provide small businesses with special notice of rules that may affect them, unless the rules regulate service businesses such as health care providers for standards and costs. While the proposed rules are exempt from these requirements because they regulate providers for costs, the Department has considered the impact on small business providers. It is expected that there will be a small impact on providers who currently charge more for copies of records than allowed by the proposed rules. The Statement of Need and Reasonableness discusses in greater detail the impact on small businesses and options considered by the Department.

A fiscal note under *Minnesota Statutes*, Sections 3.982 or 14.11 is not needed because the rule is expected to result in savings that equal or exceed costs to self-insured local public bodies and school districts.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Gloria Gebhard at the above address.

Dated: 5 June 1990

David Abrams, Deputy Commissioner
for Ken Peterson, Commissioner

Rules as Proposed (all new material)

5219.0100 PURPOSE.

This chapter provides a schedule for reasonable reimbursement to a health care provider for copies of medical records. The privacy of medical records or reports under other law is not affected by this chapter.

5219.0200 SCOPE.

This chapter governs reimbursement for copies of existing medical records related to a current claim for compensation under *Minnesota Statutes*, chapter 176, when requested by any person or business entity from a health care provider as defined in *Minnesota Statutes*, section 176.011, subdivision 24.

5219.0300 REASONABLE REIMBURSEMENT ALLOWANCE.

Subpart 1. **First copy of appropriate record.** For the first copy of the appropriate record as defined in part 5221.0100, subpart 1a, (proposed at 14 S.R. 2412, April 9, 1990) when provided by the health care provider to the payer to substantiate the service being billed, a charge not to exceed 75 cents per page is reasonable. This amount applies whether the record is provided with the billing, under separate cover, or in response to a request by the payer for an appropriate record which has not been submitted with the bill.

Subp. 2. **Other copies.** For all other copies of existing medical records or data that are not specifically addressed in subpart 1 or in *Minnesota Statutes*, section 176.155, or any other Minnesota statute or rule, a charge is reasonable if the total charge for each submission following a request does not exceed the sum of $10 as a retrieval fee and 75 cents per page.

Subp. 3. **Postage and other charges.** In addition to the charges in subparts 1 and 2, the health care provider may charge actual postage, any applicable Minnesota sales tax, and notary fees, if notarization is requested.

Subp. 4. **Time for payment.** The requester must reimburse the health care provider within 30 days of receipt of the copies requested.

Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

State Board of Vocational Technical Education

Adopted Permanent Rules Relating to License for Financial Aid Administrator

The rule proposed and published at *State Register*, Volume 14, Number 34, pages 2050-2051, February 20, 1990 (14 S.R. 2050) is adopted as proposed.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

STATE OF MINNESOTA

DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of the Proposed Adoption of the Rule of the State Department of Labor and Industry, Workers' Compensation Division, Governing Reimbursement for Copies of Workers' Compensation Medical Records

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

Notice of the Commissioner's intent to adopt the above-entitled rule was published in the State Register on June 18, 1990 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on June 15, 1990. The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. No requests for a public hearing on the rule were received by the agency.

No requests for notice of submission to the attorney general were received by the agency.

Based on the comments and evidence in the record before the agency, I find the following nonsubstantial changes are appropriate:

FINDINGS OF FACT

5219.0300 REASONABLE REIMBURSEMENT ALLOWANCE.

Subpart 1. **First copy of appropriate record.** For the first copy of the appropriate record as defined in part 5221.0100, subpart 1a, ~~(proposed at 14 S.R. 2412, April 9, 1990)~~ when provided by the health care provider to the payer <u>as defined in part 5221.0100, subpart 11,</u> to substantiate the service being billed, a charge not to exceed 75 cents per page is reasonable. This amount applies whether the record is provided with the billing, under separate cover, or in response to a request by the payer for an appropriate record which has not been submitted with the bill.

The State Register citation to the proposed rule defining "appropriate record" is deleted because the definition has since been adopted in another rulemaking proceeding. A definition of "payer" is added to clarify that the term has the same meaning as used in other workers' compensation rules governing medical charges and reimbursement. These changes ensure consistent use of terminology between the two sets of rules. The changes are not substantial because they do not introduce new subject matter or affect a new class of persons. Further, as the definitions already exist in other rules, they are not likely to invite reaction.

Based upon the Findings of Fact, I make the following:

CONCLUSIONS

1. That the Department has complied with all procedural requirements of law or rule adopting the proposed rule.

2. That the Department has acted within its statutory authority in adopting proposed rule.

3. That the above captioned rule as modified is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as Part 5219.0100-5219.0300 as modified is adopted this 14th day of August, 1990, pursuant to authority vested in me by Minnesota Statutes, sections 176.135 and 176.83.

Ken Peterson
Commissioner

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55101
(612) 296-6107

Telecommunication Device
for the Deaf (612) 297-4198

August 7, 1990

Patricia R. Johnson
State Fund Mutual Insurance Company
900 Wilson Ridge
7500 Flying Cloud Drive
Eden Prairie, Minnesota 55344-3758

Re: Reimbursement for Copies of Medical Records

Dear Ms. Johnson:

Thank you for your letter of July 5, 1990 regarding the proposed rule governing cost of copies of medical records. As you requested, enclosed please find a copy of the final changes that will be made in the rule as proposed. As I mentioned during our phone conversation in July, the change merely refers to the definition of "payer" found in the medical reimbursement rules. In addition, since the definition of "appropriate record" has been adopted since this rule was published, the State Register citation is omitted.

The rules as modified will be sent to the Attorney General for approval this week. I expect the rules to be republished and adopted (as modified) in September or early October. Please call me at 297-3313 if you have further comments or questions.

Sincerely,

WORKERS' COMPENSATION DIVISION

Kate Berger

Kate Berger
Compensation Attorney

KB/cm

Enclosure

D Kate 7/3/90

apta American Physical Therapy Association

Minnesota Chapter

RECEIVED

JUN 22 1990

LABOR & INDUSTRY
REHAB SERVICES

June 20, 1990

P.T. Payor Data Resource Group and Worker's Compensation Committee Members

From: David A. Thoreson PT, Chairman

RE: State of Minnesota Dept of Labor and Industry
Adoption of a Rule Governing Reimbursement for Copies of
Worker's Compensation Medical Records

Attached is the information I received from Gloria Gephart at the Labor and Industry regarding a fee schedule for copying medical records which we have all become very proficient in doing. The third party payor's are complaining that the fees people are charging vary greatly and that the cost of copying should be part of the overall service that was provided. Through lengthy negotiations at the Department of Labor and Industry, the commissioner has agreed to adopt the following rule unless providers and/or third party payors have significant objection and a hearing is held which alters the content. I have discussed this at length with Gloria and after listening to the negotiation and compromises that have occurred, I would recommend that the MN APTA not appeal any part of this rule at this time. The fees may not be what we feel are adequate, but at the same time they are better than nothing which was where the process originated. I feel there are issues other than the cost of copying that will need to be dealt with in the near future and burning a bridge with insurance companies over this issue would not be in our best interest, either now or in the future.

If you disagree with the proposed rule and the position that Barb Baum and I have formed, please give either of us a call. If need be, we will call a special meeting and further discuss the APTA's position.

Have a good summer! Both groups will be reconvening in late summer or early fall to deal with some additional issues: relative value system, meetings with third party payors, and more.

Rosewood Office Plaza, Suite S-101, 1711 West County Road B, Roseville, MN 55113 (612) 635-0902

D Kate 7/3/90

Mayo Clinic

Rochester, Minnesota 55905 Telephone 507 284-2511

Kathleen A. Meyerle
Legal Counsel

June 21, 1990

RECEIVED
JUN 25 1990
LABOR & INDUSTRY
REHAB SERVICES

Ms. Gloria Gebhard
Senior Rehabilitation & Medical Specialist
Rehabilitation and Medical Affairs
443 Lafayette Road
Saint Paul, Minnesota 55155

Re: Notice of Intent to Adopt Proposed Permanent Rules Relating to Reimbursement for Copies of Worker's Compensation Medical Records Without a Public Hearing

Dear Ms. Gebhard:

The proposed rules set out the fees which may be charged in varying circumstances for providing copies of medical records under the worker's comp system. We suggest one clarification for your consideration.

The rule states that the charge is to be based on a "per page" basis. It is ambiguous whether "per page" refers to a single sheet of paper which may be printed on one or both sides or whether "per page" refers to one printed side of a sheet of paper. We would suggest that the correct interpretation is the latter, namely that one page constitutes one printed side of a sheet of paper.

We do not think this clarification requires a public hearing. Perhaps this matter may simply be clarified by an announcement in an appropriate department mailing announcing adoption of the final rule.

Sincerely,

Kathleen A. Meyerle

Kathleen A. Meyerle

KAM:net

Kate - FYI Gloria

STATE FUND MUTUAL INSURANCE COMPANY

July 5, 1990

PATRICIA R. JOHNSON
VICE PRESIDENT AND GENERAL COUNSEL

Ms. Gloria Gebhard
Senior Rehabilitation & Medical Specialist
Rehabilitation and Medical Affairs
443 Lafayette Road
St. Paul, MN 55155

Re: Proposed Rules Regarding Reimbursement for Copies of Workers' Compensation Medical Records, Minnesota Rules Section 5219.0100-.0300

Dear Ms. Gebhard:

State Fund Mutual and CompCost, Inc., its wholly-owned subsidiary for medical billing review and payment, support the proposed permanent rules regarding reimbursement for copies of workers' compensation medical records. We think the rule is fair. It also appears to be simple enough to apply with ease.

We specifically applaud the structure of the rule which encourages the immediate voluntary provision of medical records to support billings. Obviously, this is what the Legislature had in mind in structuring their requirement to provide medical billings along with the bill as to most providers. We also appreciate the Department's treatment of hospital billings when medical records are requested by the payer. An additional retrieval fee is, we agree, inappropriate for the first such copy of the medical records.

If, based on any comments from others, the Department would consider making any changes to this proposal, we would like to be notified of any such possible changes.

We appreciate the opportunity to offer these comments.

Very truly yours,

Patricia R. Johnson
Vice President and General Counsel

PRJ:lkb

cc: Andrew C. Meuwissen
Rose E. Wagoner
Cheryll A. Kaukis
Theresa A. Simon
Jackie K. Ross

RECEIVED
JUL 06 1990
LABOR & INDUSTRY
REHAB SERVICES

900 WILSON RIDGE • 7500 FLYING CLOUD DRIVE
EDEN PRAIRIE, MINNESOTA 55344-3758
(612) 944-3260

Kate - fyi Gloria

RECEIVED
JUL 06 1990
LABOR & INDUSTRY
REHAB SERVICES

Administrative Office
2600 East Franklin
Minneapolis, Minnesota 55406-1192
612 339-8976

Lester W. Carlander, M.D.
E. Harvey O'Phelan, M.D.
John A. Hartwig, M.D.
John A. Wilson, M.D.
John E. McMahon, M.D.
Richard J. Aadalen, M.D.
Gordon M. Aamoth, M.D.
James D. Priest, M.D.
Robert E. Heeter, M.D.
Gary E. Wyard, M.D.
David A. Fischer, M.D.
J. Patrick Smith, M.D.
William H. Call, M.D.
Alan W. Markman, M.D.
John A. Steubs, M.D.
Mark E. Friedland, M.D.
Robert M. Barnett, Jr., M.D.

George E. Nelson, M.D. *1971*
Arnold L. Hamel, M.D. *1982*

Robert C. Finke, R.P.T., A.T.C.
Coordinator of Sports Medicine Services

Richard F. Board, FACMGA
Robert D. Bergstrom
Administration

701 Riverside Office Building
Minneapolis, Minnesota 55454-1438
612 339-8976

270 Southdale Medical Building
Edina, Minnesota 55435-2119
612 920-7676

501 South Maple
Waconia, Minnesota 55387-1788
612 442-2163/Metro 445-8580

210 Ridgepoint Medical Building
Burnsville, Minnesota 55337-5796
612 435-4180

Braemar Sports Medicine Center
7201 Washington Avenue South
Edina, Minnesota 55435-2703
612 944-2519

311 Medical Arts Building
Minneapolis, Minnesota 55402-2606
612 332-6757

17599 Kenwood Trail
Lakeville, Minnesota 55044-9253
612 892-5801

July 3, 1990

Gloria Gebhard
Senior Rehabilitation and Medical Specialist
Rehabilitation and Medical Affairs
443 Lafayette Road
St. Paul, Minnesota 55155

Dear Gloria:

Thank you for your recent notice of intent to adopt to rule without a public hearing concerning copies of report charges.

In looking at the piece of paper that is titled, REVISOR,AND PROPOSED PERMANENT RULES RELATING TO REIMBURSEMENT FOR COPIES OF WORKERS' COMPENSATION MEDICAL RECORDS, there is no comment about the charges of anything other than 75 cents. When I read subpart 2 there is a retrieval fee of $10.75 per page. It does not make sense that we can not charge a retrieval fee for the first copy of the appropriate record. It seems to me that it should be $10.00 plus 75 cents per page. You have to remember that we are required by law to provide a report to the appropriate workers' comp carrier which is done at no charge. The additional copies we are charging for are sent because the payor or the requesting party has lost their copy, or in fact does not want to, in the case of an attorney or an insurance company, contact the other attorney or the other insurance company for copies of their records which understanding is they have a complete right to do. I think that should be the first plan of action and the first requirement rather than to simply time and time again request copies of our records. We in fact have some companies who may request four, five and six times the same record. I do not think 75 cents is a fair fee for that. In any case it should be $10.00 plus 75 cents per page.

Many times the attorneys will send in someone to copy the records and in that case we have to provide these people with a room to copy in, the charts, the time to count the pages of the chart before it is given to the people, count them again when they are finished. I would interpret this rule that a copy company is not included in this rule and in fact if a company comes to our office and expects us to provide them with space to copy they should understand that they are going to receive a charge for the room they are using and for the retrieval fee.

Again I assume we have that right to make that charge. Would you please let me know if this interpretation is correct.

Sincerely yours,

Richard F. Board, FACMGA
Administrator
RB:jl

D Hate 7/3/90

Itasca Medical Center

RECEIVED

JUN 29 1990

LABOR & INDUSTRY
REHAB SERVICES

June 26, 1990

Gloria Gebhard
Senior Rehabilitation & Medical Specialist
Rehabilitation and Medical Affairs
443 Lafayette Road
St. Paul, MN. 55155

Dear Ms. Gebhard:

This letter is in response to the Notice of Intent to Adopt a Rule Without a Public Hearing for the proposed rule for Reimbursement for Copies of Worker's Compensation Medical Records.

I would like to comment on changes that I feel are necessary before the rule is adopted. The first deals with Subpart 1 and Subpart 2 which address the reasonable fee for copies of records. Although at this time the 75¢ is a reasonable fee, I feel that something should be written into the rulewhich allows for the ability to increase reasonable cost to reflect inflation and the cost of copying records in the future. Without this it appears that we could be stuck with this level of reimbursement indefinitely.

My second concern is in Subpart 4 in which time for payment is addressed. The rule addresses a length of time for payment, but there is no mechanism to enforce this section. As a healthcare provider we are required under law to respond to requests within a specified time period or face the possibility of financial penalty. I feel that the same should be true for payment for copies. At this time we have problems in getting reimbursement from some Worker's Compensation carriers or companies who do not pay for the records once they are received or refuse to pay sales tax for records that are sent through the copy service that we utilize. We have had attorney's request records and refuse to pay unless they win their case under the threat of not including our outstanding bill in their claim against the employer unless we send the records for no cost.

I believe that unless these changes are made, the healthcare providers will be at a distinct disadvantage and make complying with the intent of the law more and more difficult.

Thank you for the opportunity to comment. I hope that this will be of some value.

Sincerely,

Judith Backman

Judith Backman, RRA
Director of Quality Review

126 First Avenue Southeast, Grand Rapids, MN 55744
(218)326-3401

D Rule 7/3/90

7255 Seville Road
Saginaw, MN 55779
June 28, 1990

Gloria Gebhard
Senior Rehabilitation and Medical Specialist
Rehabilitation and Medical Affairs
443 Lafayette Road
St. Paul, MN 55155

Dear Gloria:

I have had the opportunity to read the proposed rules relating to reimbursement for copies of Worker's Compensation medical records. I do not feel that the suggested fees are reasonable in every situation or in every facility.

The fact that each medical facility may have a different volume of requests and different types of records makes it unreasonable to set a standard fee scale for all. For some facilities, the release of information process may take several full-time employees, while other facilities may only need one FTE. The more active facilities may not be able to even recover their processing costs.

Also, often duplicate requests are made unnecessarily. A lower fee schedule will only encourage such a problem.

I feel a reconsideration should be made regarding the rules relating to reimbursement for copies of Worker's Compensation medical records.

Sincerely,

Pam Oachs, RRA

Pam Oachs, RRA

RECEIVED
JUL 0 2 1990
LABOR & INDUSTRY
REHAB SERVICES

D Kab 7/3/90

Polinsky
Medical
Rehabilitation
Center

530 EAST SECOND STREET, DULUTH, MN 55805
(218) 727-5083 FAX: (218) 727-1167

Timothy S. Mowbray
Executive Director
Matthew J. Eckman, M.D.
Medical Director
Thomas C. Silvestrini, M.D.
Associate Medical Director
Kevin P. Murphy, M.D.
Associate Medical Director
Jerome E. Kwako, M.D.
Medical Advisor
Peter F. Person, M.D.
Medical Advisor

June 28, 1990

Gloria Gebhard
Senior Rehabilitation & Medical Specialist
Rehabilitation and Medical Affairs
443 Lafayette Road
St. Paul, MN 55155

Dear Gloria:

I received the proposed adoption of the rule regarding charges and copies of medical records today and I'm very concerned.

The fee suggested ($10 retrieval & 75 /page) is unreasonable. It does not allow a facility to simply recoup the cost of processing, i.e. staff time to assure authorizations appropriate and follow through accordingly, record retrieval, photocopying, preparation for mailing, and billing. In our facility, this amounts to one full-time employee.

I would like to propose that a "reasonable" fee can be charged to cover the cost of actually providing such services. If specific rates are delineated, a $15 - $20 minimum retreival fee is requested.

I also believe that many unnecessary and duplicate requests for information are made. Having a nominal fee only perpetuates the problem.

Please reconsider the rule regarding charges for copies of medical records.

Sincerely,

Jeanne Amato

Jeanne Amato
Director, Medical Record Services

JA:dl

RECEIVED
JUL 03 1990
LABOR & INDUSTRY
REHAB SERVICES

To Kate B.

LUKE M. SEIFERT
MICHAEL R. VADNIE
Attorneys at Law
28 Ninth Avenue North
St. Cloud, Minnesota 56303
(612) 255-8847

July 10, 1990

Gloria Gebhart
Senior Rehabilitation and Medical Specialist
Rehabilitation and Medical Affairs
443 Lafayette Road
St. Paul, MN 55155

Dear Ms. Gebhart:

Be advised that I received a copy of your proposed adoption of Rule of the State, Department of Labor and Industry, concerning costs of copying medical records. I think it is a good rule; however, I think the charge of 75 cents per page may be somewhat excessive. I would recommend a maximum of 50 cents per page. The reason I recommend 50 cents a page is that the approximate cost for using a unit is two to four cents per copy page, for use of a copier, and today most offices have copiers that copy really fast, and that in effect is a large profit being made by the medical care providers. Under the circumstances I would be more agreeable to a 50 cents maximum per page.

Very truly yours,

Luke M. Seifert

LMS/jb

RECEIVED
JUL 12 1990
LABOR & INDUSTRY
REHAB SERVICES

MINNESOTA
HOSPITAL
ASSOCIATION

RECEIVED
JUL 17 1990
LABOR & INDUSTRY
REHAB SERVICES

July 16, 1990

Ms. Gloria Gebhard
Senior Rehabilitation & Medical Specialist
Rehabilitation & Medical Affairs
443 Lafayette Road
St. Paul, MN 55155

Dear Gloria:

In regard to the proposed permanent rule relating to reimbursement for copies of Workers' Compensation medical records, MHA does not intend to request a public hearing. However, we would like to bring a couple of concerns to your attention.

First, the rule should be written to allow periodic updating to reflect increases in the cost of copying medical records. As written, medical providers will be stuck with this level of reimbursement.

Second, we believe that it is appropriate that there be a standard for payment of copies of medical records to health care providers. This has been a significant problem for health care providers. However, we would like to see a specific penalty for noncompliance with this section.

Thank you for the opportunity to comment. We appreciate your willingness to work with us on matters of concern.

Sincerely,

Linda

Linda Sandvig
MHA Legislative Consultant

LS/al

2221 UNIVERSITY AVENUE SE, SUITE 425 • MINNEAPOLIS, MINNESOTA 55414-3085 •PHONE (612) 331-5571 • FAX (612) 331-1001