Data Access Guide for Data Subjects

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Data about You

The Minnesota Government Data Practices Act (MGDPA @ Minn.Stat.Chap. 13) says that data subjects have certain rights related to a government entity collecting, creating, and keeping government data about them. You are the subject of data when you can be identified from the data. Government data is a term that means all recorded information a government entity has, including paper, email, CDs, photographs, etc.

Classification of Data about You
The MGDPA presumes that all government data are public unless a law says that the data are not public. Data about you are classified by state law as public, private, or confidential. See below for some examples.

Public data: We must give public data to anyone who asks; it does not matter who is asking for the data or why. The following is an example of public data about you:
Example: If you are an employee of a government entity, the fact that you work for the entity, and your job title are public.

Private data: We cannot give private data to the general public, but you have access to private data when the data are about you. The following is an example of private data about you:
Example: We can share your social security number with you, with someone who has your permission, with staff who need the data to do their work, and as permitted by law or court order.

Confidential data: Confidential data have the most protection. Neither the public nor you can get access even when the confidential data are about you.
Example: If you register a complaint with a government entity concerning violations of state laws, the use of data about you and your identity are sometimes considered confidential. We can share confidential data about you with staff who need the data to do their work and with others as permitted by law or court order.

Your Rights under the Data Practices Act
We must keep all government data in a way that makes it easy for you to access data about you. Also, we can collect and keep only those data about you that we need for administering and managing programs that are permitted by law. As a data subject, you have the following rights.

Your Access to Your Data: You have the right to look at (inspect), free of charge, public and private data that we keep about you. You also have the right to get copies of public and private data about you. The Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies. Also, if you ask, we will tell you whether we keep data about you and whether the data are public, private, or confidential.

Parents have the right to look at and get copies of public and private data about minor children (under the age of 18). As a legally appointed guardian, a person has the right to look at and get copies of public and private data about an individual for whom you are appointed guardian, but for certain healthcare concerns, minors also have the right to ask us not to give certain data about them to their parent or guardian. If you are a minor we will tell you that you have this right. We may ask you to put your request in writing and to include the reasons that we should deny your parents access to the data. We have the right to make the final decision about your request based on your best interests.

When We Collect Data from You: When we ask you to provide data about yourself that are not public, we must give you a notice. The notice is sometimes called a Tennessen Notice/Warning. This notice is included in our Notice of Privacy Practices document. The notice tells you what we do with the data that we collect from you.

We will ask for your written permission if we need to use or release private data about you in a way we are not authorized to, or if you ask us to release the data to another person. This permission is called authorization or consent. If you want us to release data to another person, you may use the authorization form we provide.

Protecting your Data: We are required to protect your data by both state and federal law. We have established appropriate safeguards to ensure that your data are safe.

When you think your Data are Inaccurate and/or Incomplete: You have the right to challenge the accuracy and/or completeness of public and private data about you. You also have the right to appeal our decision. If you are a minor, your parent or guardian has the right to challenge data about you.

How to Make a Request for Your Data

To look at data or request copies of data that we may have about you, your minor children, or an individual for whom you have been appointed legal guardian, please make a written request for data on the form provided in this packet. You may deliver this written request by mail, email or fax.

If you choose not to use the data request form, your written request should include:

1. that you are making a request, under the Data Practices Act as a data subject, for data about you;
2. whether you would like to look at the data, have copies of the data, or both;
3. a clear description of the data you would like to inspect or have copied; and
4. identifying information that proves you are the data subject, or data subject's parent/guardian.

We require proof of your identity before we can respond to your request for data about you. If you are requesting data about your minor child, you must show proof that you are the minor's parent. If you are a guardian, you must show legal documentation of your guardianship.

How We Respond to a Data Request

Once you make your written request, we will work to process your request. If it is not clear what data you are requesting, we will ask you for clarification.

- If we do not have the data, we will notify you within 10 business days.
- If we have the data, but the data are confidential or private data that are not about you, we will notify you within 10 business days and state which specific law says you cannot access the data.
- If we have the data, and the data are public or private data about you, we will respond to your request within 10 business days, by doing one of the following:
    1. arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
    2. provide you with copies of the data within 10 business days - you may choose to pick up your copies, or we will mail or fax them to you;
    3. provide electronic copies upon request if we keep the data in electronic format.

After we have provided you with access to data about you, we do not have to show you the data again for six (6) months unless there is a dispute or we collect or create new data about you.

If you do not understand some of the data please let us know and we will do our best to explain it to you.

The MGDPA does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

We are not required to respond to questions that are not requests for data.

Copy Costs – Data Subjects

Hennepin Healthcare System, Inc. charges data subjects for copies of government data. These charges are authorized under Minn.Stat.§13.04, Subd. 3.

You must pay for the copies before we will give them to you.

In determining the actual cost of making copies we factor in the cost of the materials onto which we are copying the data (paper, CD, USB, etc.), and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

Hennepin Healthcare System, Inc.
Responsible Authority & Data Practices Compliance Official:

Privacy Officer
701 Park Avenue, G2-205
Minneapolis, MN 55415
Phone number: 612.873.3737
Fax number: 612.904.4444
Email Address: privacyofficer@hcmed.org

Hennepin County Medical Center

MINNESOTA GOVERNMENT DATA PRACTICES REQUEST FORM

A. Detailed description of the information requested (attach additional sheets if necessary). An employee from the Information Privacy and Security Office may need to contact you for clarification of your request, to let you know we do not have the data, that the request will be denied and why, or that your request is ready so please put down at least one way you may be contacted about your request (phone, email, address, etc.): _____

_____

_____

B. To be completed by requestor if data is to be mailed or is private data (please type or print):

_____
Name (Last, First, MI)

_____
Street Address Phone Number

_____
City, State, Zip

_____
Signature Date

C. Completed by Hennepin Healthcare System, Inc./Information Privacy & Security Office

Information classified as:
Public Non-Public Private Protected Non-Public Confidential Copyrighted

Action:
Approved Approved in part (Explain Below) Denied (Explain Below)

Remarks or basis for denial including MN Statute if applicable:
_____
_____

Charges:

Photocopy:
___ Pages x _____ cents = _____
Special Rate: _____
Other (Disk, USB, etc.): _____
Explanation _____
By: _____ Date: _____

Identity Verified for Private Information:
N/A Identification: Driver's License, etc.
Comparison with Signature on File
Personal Knowledge
Other _____

4/2017

Hennepin County Medical Center

Standards for Verifying Identity

The following constitute proof of identity:

- An **adult individual** must provide a valid photo ID, such as a
  - state driver's license
  - military ID
  - passport
  - Minnesota ID
  - Minnesota tribal ID

- A **minor individual** must provide a valid photo ID, such as a
  - state driver's license
  - military ID
  - passport
  - Minnesota ID
  - Minnesota Tribal ID
  - Minnesota school ID

- The **parent or guardian of a minor** must provide a valid photo ID *and either*
  - a certified copy of the minor's birth certificate *or*
  - a certified copy of documents that establish the parent or guardian's relationship to the child, such as
    - a court order relating to divorce, separation, custody, foster care
    - a foster care contract
    - an affidavit of parentage

- The **legal guardian for an individual** must provide a valid photo ID *and* a certified copy of appropriate documentation of formal or informal appointment as guardian, such as
  - court order(s)
  - valid power of attorney

NOTE: Individuals requesting data about themselves who do not exercise their data practices rights in person must provide *either* notarized or certified copies of the documents that are required *or* an affidavit of ID.