

Guide for Members of the Public Requesting Public Data

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Purpose of this document

This document explains how members of the public may request access to public data from the Minnesota Department of Health (MDH). The purpose of this document is, in part, to fulfill the requirements of [Minnesota Statutes, section 13.025, subdivision 2](https://www.revisor.mn.gov/statutes/cite/13.025) (<https://www.revisor.mn.gov/statutes/cite/13.025>).

Your right to access public data

The Minnesota Government Data Practices Act, [Minnesota Statutes Chapter 13](https://www.revisor.mn.gov/statutes/cite/13) (<https://www.revisor.mn.gov/statutes/cite/13>) (MGDPA) gives you and all other members of the public the right to see public data that MDH maintains and to receive copies of public data for a cost. The MGDPA presumes that government data are public unless a state or federal law says the data are not public. Government data means all recorded information a government entity has, including information in both electronic and paper formats. You have the right to look at (inspect), free of charge, public data that we keep. You also have the right to get copies of public data. The MGDPA allows MDH to charge for copies. You have the right to look at data without charge before deciding to request copies. The MGDPA also sets requirements for how MDH keeps government data.

The following sections of this document provide more information about your rights to request public data and instructions about how to request public data from MDH.

Regular or informal data requests versus data practices requests

If you want to make a formal data request under the MGDPA—also called a “data practices request”—you must make your request in writing and follow the instructions below.

If you know which MDH division has the data you are looking for, you can also choose to request the data directly from that division. This option is not a formal data request and MDH is not required to respond. However, MDH divisions may be able to help you access data more quickly.

How to make a data practices request

To make a data practices request for public MDH data, you must submit your request in writing. Your request must include the following information:

- A statement that you are making a request for data under the Minnesota Government Data Practices Act.
- A clear, specific description of the data you want to access.

- A statement explaining whether you are asking to inspect the data (meaning, view in person), whether you are asking for paper or electronic copies of the data, or both. If you are asking for paper or electronic copies of the data, we will need to know where to send the data.

Note: There is no charge for inspecting data, but MDH may charge for providing paper or electronic copies of data.

You are not required to identify yourself or explain the reason for your request to access public data. However, you will need to provide MDH with a way to contact you so that MDH can clarify what you are asking for, if needed, and can make arrangements for inspecting or receiving copies of the data you requested. If we do not understand your request and have no way to contact you, or do not know how we can provide you with the data requested, we cannot respond to your request.

Where to submit a data practices request

By law, the Commissioner of Health is the designated authority who is responsible for the collection, use, and dissemination of MDH's data. Data practices requests are handled by staff members assigned to respond to requests on behalf of the Commissioner.

If you wish to make a data practices request, you must send your written request to MDH one of two ways:

- By email to: Health.DataPracticesRequest@state.mn.us
- By US Mail to:

Minnesota Department of Health
ATTN: Data Request
PO Box 64975
St. Paul, MN 55164-0975

How MDH will respond to your data practices request

After receiving your request, MDH will review it.

- MDH may ask you to clarify what data you are requesting.
- If MDH does not have the data you are requesting, MDH will tell you in writing as soon as reasonably possible.
- If MDH has the data you are requesting, MDH will collect and review the data to make sure that it is public. If MDH is not allowed to give some or all of the data to you, MDH will tell you as soon as reasonably possible and identify the law that prevents MDH from giving you the data.
- If MDH has the data and the data are public, MDH will respond to your request within a reasonable amount of time by doing one of the following:
 - Arrange a date, time, and place for you to inspect data at MDH's offices; or,

- If you request paper or electronic copies of the data, make arrangements for providing you with the copies. If MDH is charging for copy costs, you may be required to pay the costs in full before MDH provides you with the copies.
- Response time will be impacted by the size and/or complexity of your request, as well as the number of requests MDH receives in a given period of time.
- We will consider your request closed if we contact you to make arrangements to inspect or clarify the data you are requesting and we do not hear back from you within three weeks.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please contact the MDH employee who provided the data to you for clarification.

The MGDPA does not require MDH to create or collect new data to respond to a data request. If MDH agrees to create data in response to your request, MDH will work with you on the details of your request, including cost and response time. The MGDPA also does not require MDH to put data in a different or new format. For example, if MDH only has data in paper form, it is not required to create electronic documents to respond to your request. MDH is also not required to answer questions that are not actually requests for data or questions about a data request.

Requests for summary data

Summary data are statistical records or reports created from private or confidential data. Requests for summary data must be made in writing and MDH may require you to pay the costs of preparing the data. You may submit a request for summary data by submitting your request in writing one of two ways:

- By email, to Health.DataPracticesRequest@state.mn.us, or
- By U.S. mail to:

Minnesota Department of Health
ATTN: Data Request
PO Box 64975
St. Paul, MN 55164-0975

After MDH receives your request, staff will review the request to make sure they understand what you are asking for and to estimate the cost of completing your request (if applicable). MDH may require prepayment of costs before preparing your data. MDH will contact you with any questions about your request and to give you information about the estimated cost and instructions on how to pay if you wish to proceed with your request.

Copy costs when you request public data

Minnesota Statutes, section 13.03, subdivision 3(c), allows MDH to charge for copies. Whether or not we charge you for costs may depend on our costs for providing the copies compared to our costs for collecting and recording a fee. If the costs are large, we may require that the costs be paid before we make copies

If possible, and upon request, we will provide you with an estimate of costs in advance.

For 100 or fewer paper copies – 25 cents per page

100 or fewer pages of black and white, letter or legal size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy.

Other copies – actual cost

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data and making, certifying, compiling and/or electronically sending copies of the data. This includes the actual cost of making copies, employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). MDH uses hourly staff pay rates determined by MDH Human Resources to calculate the actual costs related to employee time for a request. If your request is for copies of data that MDH cannot copy itself, MDH will charge you the actual cost MDH must pay an outside vendor for the copies.

NOTE: costs for some MDH data, such as birth and death certificates, are not covered by this information because fees for these data are set in state law.

Data practices contacts

The MDH Responsible Authority for data practices is Commissioner Jan Malcolm, PO Box 64975, Saint Paul, Minnesota, 55164-0975.

Questions or complaints about request for or access to data under the MGDPA may be emailed to Health.DataPracticesRequest@state.mn.us, or directed to the Data Practices Compliance Official, Mindy Hexum. You can contact Mindy Hexum at Mindy.Hexum@state.mn.us or by mail at the following address: P.O. Box 64975, Saint Paul, Minnesota 55164-0975.

Minnesota Department of Health
Legal Unit
PO Box 64975
St. Paul, MN 55164-0975
health.datapracticesrequest@state.mn.us
www.health.state.mn.us

To obtain this information in a different format, call: 651-201-5741.