

State of Minnesota – Department of Health

The following provides the State with the authority to obtain records and documents necessary for the determination of consumer food purchases during investigation of foodborne illnesses within their jurisdiction. Questions regarding specific situations, the documents that can be requested, or the statutory citations listed should be directed to the authorized State agency. You may access contact information for the state agency on the Directory of State and Local Officials webpage at:

<http://dslo.afdo.org>

Minnesota Administrative Rules

§ 4605.7500 DISEASE INVESTIGATIONS.

The commissioner shall investigate the occurrence of cases, suspected cases, or carriers of reportable diseases or unusual disease occurrences in a public or private place for the purpose of verification of the existence of disease, ascertaining the source of the disease causing agent, identifying unreported cases, locating and evaluating contacts of cases and suspected cases by assessing relevant risk factors and testing and treatment history, identifying those at risk of disease, determining necessary control measures, and informing the public if necessary.

2019 Minnesota Statutes

§144.054 SUBPOENA POWER. Subdivision 1. Generally.

The commissioner may, as part of an investigation to determine whether a serious health threat exists or to locate persons who may have been exposed to an agent which can seriously affect their health, issue subpoenas to require the attendance and testimony of witnesses and production of books, records, correspondence, and other information relevant to any matter involved in the investigation. The commissioner or the commissioner's designee may administer oaths to witnesses or take their affirmation. The subpoenas may be served upon any person named therein anywhere in the state by any person authorized to serve subpoenas or other processes in civil actions of the district courts. If a person to whom a subpoena is issued does not comply with the subpoena, the commissioner may apply to the district court in any district and the court shall order the person to comply with the subpoena. Failure to obey the order of the court may be punished by the court as contempt of court. Except as provided in subdivision 2, no person may be compelled to disclose privileged information as described in section [595.02, subdivision 1](#). All information pertaining to individual medical records obtained under this section shall be considered health data under section [13.3805, subdivision 1](#). The fees for the service of a subpoena must be paid in

the same manner as prescribed by law for a service of process issued out of a district court. Witnesses must receive the same fees and mileage as in civil actions.

§144.053 RESEARCH STUDIES CONFIDENTIAL.

Subdivision 1. Status of data collected by commissioner.

All information, records of interviews, written reports, statements, notes, memoranda, or other data procured by the state commissioner of health, in connection with studies conducted by the state commissioner of health, or carried on by the said commissioner jointly with other persons, agencies or organizations, or procured by such other persons, agencies or organizations, for the purpose of reducing the morbidity or mortality from any cause or condition of health shall be confidential and shall be used solely for the purposes of medical or scientific research.

§144.658 EPIDEMIOLOGIC DATA DISCOVERY

Notwithstanding any law to the contrary, health data on an individual collected by public health officials conducting an epidemiologic investigation to reduce morbidity or mortality is not subject to discovery in a legal action.