



**TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
PUBLIC HEALTH COMMITTEE
Wednesday, February 22, 2017**

**SB 326, An Act Concerning Access To Medical Records And The Fees
Charged For Medical Records**

The Connecticut Hospital Association (CHA) appreciates this opportunity to submit testimony concerning **SB 326, An Act Concerning Access To Medical Records And The Fees Charged For Medical Records**.

Before commenting on the bill, it's important to point out that Connecticut hospitals provide high quality care for everyone, regardless of ability to pay. Connecticut hospitals are finding innovative solutions to integrate and coordinate care to better serve patients and communities, as well as achieve health equity. These dynamic, complex organizations are working to build a healthier Connecticut. That means building a healthy economy, community, and healthcare system. By investing in the future of Connecticut's healthcare and hospitals, rather than continuing to cut away at them, we will strengthen our economy, put communities to work, and deliver affordable care that Connecticut families deserve.

Federal law, specifically the Health Insurance Portability and Accountability Act of 1996 (HIPAA), including related regulations and extensive guidance, dictates strict controls and rules for how patients and others with patient authorization may access their medical records pursuant to 45 CFR 164.524 and 45 CFR 164.508. States are not legally permitted to dip below those standards. CHA is concerned that SB 326 deviates from those requirements.

SB 326, in attempting to clarify how patients and their personal representatives may access records, contradicts several of these mandated HIPAA Privacy Rule directives. If providers follow SB 326, many will violate patients' HIPAA rights including those with respect to fees, satisfactory assurances for subpoenas, determination of personal representatives, and form and format obligations.

CHA urges the legislature to avoid these confusions, and instead align Connecticut's outmoded record access laws with current HIPAA requirements.

Thank you for your consideration of our position. For additional information, contact CHA Government Relations at (203) 294-7310.