



**TESTIMONY
OF THE
CONNECTICUT HOSPITAL ASSOCIATION
JUDICIARY COMMITTEE**

Wednesday, March 20, 2002

**SB 604, An Act Concerning The Protection Of Medical, Pharmacy And
Other Confidential Information**

CHA has concerns regarding **SB 604, An Act Concerning The Protection Of Medical, Pharmacy And Other Confidential Information**, which would prohibit “authorized persons” from disclosing confidential information, including medical records. The statement of purpose indicates that the intent of the bill is to deter disclosure “by law enforcement officials, regulatory personnel and other persons authorized by law to obtain such information where such disclosure is outside the scope of duty or employment.”

Although the intent of the bill relates to disclosures by government officials, the definition of authorized person is arguably broad enough to include healthcare providers. “Authorized person” is defined as “any person having authority under state or federal law to inspect, review, copy or otherwise obtain confidential information in the course of such person’s duties or employment, including, but not limited to, federal, state and local law enforcement officials and federal, state and local government agency officials and employees.”

Healthcare providers are already subject to detailed confidentiality provisions in Connecticut statutes and regulations and will soon be subject to the requirements of the federal Health Insurance Portability and Accountability Act (HIPAA). This bill, as applied to healthcare providers, is duplicative and may even be preempted by HIPAA. We therefore respectfully request that the Committee amend the definition of “authorized person” to exclude healthcare providers.

Thank you for your consideration of our position.