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*Democratic Whip*



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REPLY TO:

Harrisburg

**Senate of Pennsylvania**

February 27, 2008

Ms. Janice Staloski, Director  
Bureau of Community Program Licensure and Certification  
Department of Health  
132 Kline Plaza, Ste A  
Harrisburg, PS 17104

Dear Ms. Saloski:

I am writing to voice my concern and opposition to currently proposed regulation 10-186 (37 Pa.B.6529), which would significantly diminish the existing confidentiality for drug and alcohol treatment records and personal information.

The expanded access that insurers and other third-party payers would be given to patient information would make already difficult situations worse by discouraging many of those with drug and alcohol issues from seeking or completing treatment. The importance of confidentiality for non-medical patient records is laid out in detail in the recent comments to this proposal submitted by the Pennsylvania Association of County Drug and Alcohol Administrators. I adopt them and encourage the Department to weigh them seriously in reconsidering this proposal. Needless disincentives will only fuel the problems of addiction, not help end them. I also am seriously concerned by the Department's apparent failure to seek the written advice and counsel of the Pennsylvania Advisory Council on Drug and Alcohol Abuse, as required by state law, and by proceeding with this proposal over the clear opposition of the Council nonetheless expressed on three separate occasions. The concerns of treatment experts for the critical importance of patient privacy appear clear, deep and commonly shared, and should be heeded.

Thank you for your attention to them as you give further consideration to this proposed regulation.

Sincerely,

Michael A. O'Pake  
Senator - 11<sup>th</sup> District

MAO'P:C  
CC: IRRC, PACDAA, DASPOP

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