

#2654

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Senate of Pennsylvania

March 18, 2008

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The Honorable Calvin B. Johnson, M.D., M.P.H., Secretary
Pennsylvania Department of Health
Eighth Floor West
Health and Welfare Building
Harrisburg, PA 17108

Re: Regulation #10-186 (IRRC #2654)
Department of Health
Confidentiality of Patient Records and Information

RECEIVED
2008 MAR 18 PM 4:56
INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Secretary Johnson:

I have reviewed the Department of Health's Proposed Regulations No. 10-186 changing the confidentiality protections of private drug and alcohol addiction treatment records as well as the comments of the Independent Regulatory Review Commission.

The Independent Regulatory Review Commission finds that the Department of Health has failed to establish any real need for the proposed changes. In addition, the Department also failed to consult with the major affected parties including the statewide recovery organization, the county drug and alcohol administrators and the statewide drug and alcohol addiction treatment organization.

These three major, statewide drug and alcohol organizations are joined by over 140 other organizations, individuals and elected officials. In addition, the Department of Health's own statutorily established Pennsylvania Advisory Council on Drug and Alcohol Abuse has voted three times to oppose any weakening or changes to the current state rules.

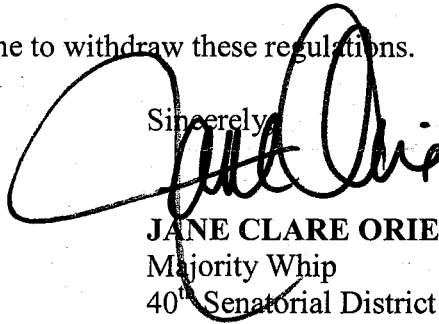
Both as a prosecutor and now as a state Senator, I have long recognized the importance of addiction treatment in fighting and preventing drug and alcohol driven crime. When people hesitate to enter treatment for any reason, we pay a horrific price in crime, family violence and loss of life.

The Honorable Calvin B. Johnson, M.D.
Regulation #10-186 (IRRC #2654)
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Let's not miss the point here. The groups and individuals who work the closest with drug and alcohol addicted patients and their families oppose this proposed regulation. These are also the same groups we rely upon for their special expertise, long and tested commitment to helping our most troubled citizens achieve recovery.

Secretary Johnson, it's time to withdraw these regulations.

Sincerely,



JANE CLARE ORIE
Majority Whip
40th Senatorial District

cc: Sen. Edwin Erickson, Chair, Senate Public Health and Welfare Committee
Rep. Frank Oliver, Chair, House Health and Human Services Committee
Sen. Joseph Scarnati, Senate President Pro Tempore
Sen. Dominic Pileggi, Senate Majority Leader
✓Arthur Coccodrilli, Chair, Independent Regulatory Review Commission
Janet Staloski, Department of Health, Bureau of Community
Program Licensure and Certification

JCO/adb

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