

46TH DISTRICT  
**J. BARRY STOUT**  
1024 ROUTE 519, SUITE 400  
EIGHTY FOUR, PA 15330  
(724) 225-5400

SENATE BOX 203046  
ROOM 10-EW  
THE STATE CAPITOL  
HARRISBURG, PA 17120-3046  
(717) 787-1463

REPLY TO:

#2654



**Senate of Pennsylvania**

Harrisburg

May 13, 2008

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RECEIVED  
2008 MAY 14 AM 10:26  
INDEPENDENT REGULATORY  
REVIEW COMMISSION

Secretary Calvin Johnson, M.D.  
Department of Health  
Room 802, Health & Welfare Building  
Harrisburg, PA 17108

Dear Dr. Johnson:

I am taking this opportunity to advise you of my opposition to the Department of Health's Proposed Regulation No. 10-186. After reviewing the proposal I believe that it will weaken the confidentiality protections of drug and alcohol addiction treatment records and that it should be withdrawn.

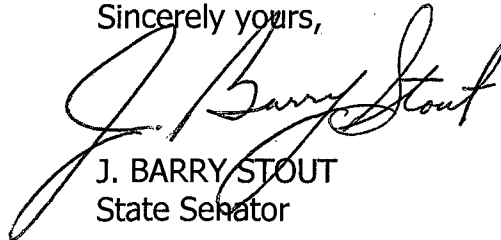
The Independent Regulatory Review Commission's review points out specific concerns that as a member of the General Assembly I feel strongly about. The intent of the Legislature is to provide confidentiality of these records and to ensure that those seeking treatment are forthcoming in providing information that is essential for a complete recovery. As a Senator, I count on the Pennsylvania Recovery Organizations-Alliance, the Pennsylvania Association of County Drug and Alcohol Administrators and the Drug and Alcohol service Providers Organization of Pennsylvania to handle constituents and their families seeking help. These entities oppose this proposed regulation and I agree that this is an unnecessary change.

It appears that payers are receiving more than enough information to be able to make payment determinations for services rendered by treating facilities. The Pennsylvania Client Placement Criteria and the rules contained in 4 PA Code 255.5 are more than adequate.

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The confidentiality rules and information requirements are well established in law and regulation of the Commonwealth. I would ask that this regulation be withdrawn for the good of the citizens of Pennsylvania who have sought treatment for drug and alcohol addiction.

Sincerely yours,



J. BARRY STOUT  
State Senator

JBS:ch

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CC: Honorable Edward Rendell  
Honorable Vincent Hughes  
✓ Independent Regulatory Review Commission  
Steve Crawford, Secretary Legislative Affairs