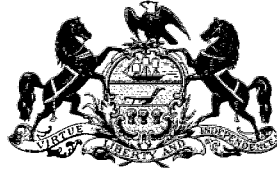


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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

18TH LEGISLATIVE DISTRICT

COMMITTEES

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PROFESSIONAL LICENSURE
PENNSYLVANIA ATHLETIC
OVERSIGHT COMMITTEE,
CHAIRMAN

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INDEPENDENT REGULATORY
REVIEW COMMISSION

September 5, 2008

To All Petition Signatores:

I am writing to provide an update on the Department of Health's proposed regulation (No. 10-186) that will weaken state confidentiality protections of personal information in addiction treatment records.

Lacking support from the drug and alcohol field, in early August, the Department of Public Welfare began direct solicitation of community drug and alcohol, mental health and other treatment programs to sign a letter written for them by the Department to support the proposed regulation.

Prior to the use of this coercive tactic, the proposed regulation garnered only 43 letters of support. At least one of the organizations rescinded support after reading the proposed regulation.

At the same time, opposition to the proposed regulation is overwhelming, growing and includes 177 members of the Pennsylvania House of Representatives, 17 members of the Pennsylvania Senate, the three statewide drug and alcohol and addiction treatment organizations representing county drug and alcohol administrators, addiction treatment programs and the recovering community and others. (Over 525 letters and signatures of opposition to date.)

In response to the direct pressure from the Department of Public Welfare, 72 organizations have now signed on to the letter written for them by the Department.

You may have received a copy of this letter and I don't want you to be misled.

Many of the organizations signed on are not addiction treatment organizations at all, provide no addiction treatment services and will not be effected by this new rule. In addition, with client consent, all of the treating facilities on the list already can receive the entire client file under the existing confidentiality rules.

I am saddened that the Department of Public Welfare continues to pressure and coerce treatment programs that they fund to support a proposed regulation that is likely to be harmful to people seeking help. Having a son eight years in recovery, I can testify to the harm that it will bring.

This coercive tactic, in my opinion, oversteps the proper boundary between departments and the programs they fund and appears to violate the express purpose of the Independent Regulatory Review Act.

I appreciate your ongoing opposition to these proposed regulations and will keep you advised of any additional Departmental efforts to impose them despite overwhelming opposition by effected parties.

Sincerely,



Gene DiGirolamo
State Representative
18th Legislative District

Cc: Senator Rhoades
Senator Stack
Senator Erickson
Senator Hughes
Kim Kaufman, IRCC

GD/ph