

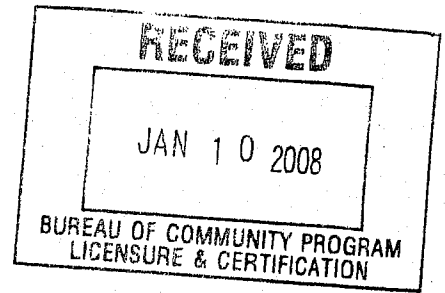
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January 7, 2008

INDEPENDENT REGULATORY
REVIEW COMMISSION



Janice A Staloski
 Bureau of Community Program Licensure and Certification
 02 Kline Plaza, Suite A
 Harrisburg, Pa 17104

Dear Janice Staloski:

I would like to express my concerns to the proposed changes to 4 PA Code Section 255.5, the state confidentiality regulations that presently protect the confidentiality information of patients and families seeking help for addiction to alcohol and other drugs. The confidentiality laws currently in place have provided sufficient protection to individuals and families for many years, by restricting health and law enforcement agencies from information that could be used against persons in need of addiction treatment services. The current code protects the patient's right to confidentiality and strengthens their ability to seek treatment services, without the fear of reprisal and disapproval of others. The proposed changes seek to diminish the intent of the law by expanding the amount of information treatment providers will be able to give to outside entities.

While the aforementioned can not begin to solely define the concentrated efforts of these proposed changes, it does address the fundamental issue of privacy for people accessing addiction treatment services. The assessment of necessity for addiction treatment should be limited solely to the provider of services (e.g. treatment provider or physician), and not left in the hands of the insurance industry or even the criminal justice system. It is imperative that individuals and their families maintain the right to privacy, so they can effectively move through the treatment process without the barriers caused by fear and discrimination. The current law aids a person seeking treatment to move forward after being diagnosed; with the assurance that any information provided to the outside will not be used to incriminate or hinder their rehabilitation process in any way.

We believe the proposed changes will discourage persons from seeking recovery due to the inhibitions of being completely honest about who they are and what has happened to them in their past. This information is vital to the recovery process and most sacred to those in recovery. We have learned that the process of self-disclosure is paramount to long-term recovery. Ms. Staloski, speaking as a registered voter, it is vital that these proposed changes not be introduced into legislation, or even be considered as a part of the 4 PA Code Section 255.5.

Sincerely,

Joyce A. Bernatich, MHS, R.N. C.A.R.A.
 Certified Addictions
 Registered Nurse