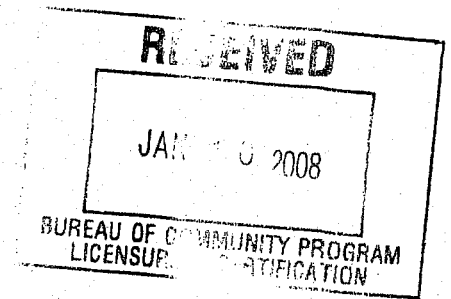


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INDEPENDENT REGULATORY
REVIEW COMMISSION



January 8, 2008

Janice Staloski, Director
Bureau of Community Program Licensure
and Certification
Department of Health
132 Kline Plaza, Suite A
Harrisburg, PA 17104

Dear Ms. Staloski,

This letter is in regard to the changes found in the Department of Health's proposed regulation # 10-186, which expands the parameters of confidentiality relative to drug and alcohol treatment services and the providers of those services. The proposed regulation will drastically change/undermine the current 4 PA Code 255.5(b), which will create yet another deterrent to individuals, and their families, who need appropriate and professional care for chemical dependency issues.

The State of Pennsylvania can not afford to uphold the proposed changes to the confidentiality laws for several reasons. First and foremost, is the addict, and their family members or loved ones, who struggle with the insidiousness of chemical dependency and who, more often than not, are terrified of disclosing this illness. It is part of the psychology of the disease.

In order to successfully treat chemical dependency and maintain long-term recovery, self-disclosure is paramount. If individuals can not be open and honest, for fear that their personal information will be used against them at a later date, they will continue to carry part of their disease with them, and most likely stay very ill. I'm sure the Department recognizes that the benefits to society of comprehensive treatment services, far out-ways non-treatment of the disease.

My work experience includes in excess of fifteen years in the corporate insurance world, serving as a supervisor over claims processing, the appeals process and pre-existing investigations. While insurance companies are in the business of providing medical benefits, from an insurance administrator's perspective, they are also very well versed in making determinations that call for a denial of those benefits. I can also tell you from my experience, that persons working in the insurance industry are not educated when it comes to the disease of addiction. It should not be their "call" as to whether treatment services are warranted or the extent of those services. These decisions must be left to the professionals providing direct care.

In addition, the daily comings and goings of a person suffering from chemical dependency issues should have absolutely no bearing on them receiving "safe" and private treatment. The criminal justice department does not need access to any additional information than what is already provided under the current regulations. The

State has already ensured that regulations are in place that would mandate reporting of heinous or harmful acts, to ones self or another individual.

Today I am a person who experiences freedom from active addiction. I celebrate each and every day of long-term recovery, which has only been afforded to me by appropriate treatment for the appropriate length of time and the ability of full self-disclosure, without fear of discrimination from outside entities that do not understand this illness. I hate to imagine where I would be if I had an HMO making the determination as to what I needed in order to survive.

"Addictive disorders are among the most prevalent and most often neglected health problem in our nation." (Substance Abuse & Mental Health Services Administration, SAMHSA, 2006) Helping people to recover from addiction and lead healthy productive lives must be an important component of Pennsylvania's health care agenda. Please, please, do not hinder the treatment and recovery process by imposing regulations that are not medically necessary, or conducive, to successful treatment.

Sincerely,



Barbara J. Genna
628 Old Forge Road
New Cumberland, PA 17070

900 South Arlington Avenue, Suite 119
Harrisburg, PA 17109

PRO-A

Pennsylvania Recovery
Organizations Alliance

Fax

To: Jamie Stalowski From: Cheryl Floyd, PRO A
Fax: 717-787-3188 Pages: 17
Phone: _____ Date: 1/10/08
Re: Comments - Cont. Regs CC: _____
 Urgent For Review Please Comment Please Reply Please Recycle

Please accept this fax as our agency's comments on the proposed changes to the confidentiality regs. I have also mailed a copy to you.

Attached to our letter are letters from people in the community.

Please review them as well.

Thank you.