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Treatment Trends, Inc.

18-22 S. SIXTH STREET P.O. BOX 685 ALLENTOWN, PA 18105

- Confront • Halfway Home of Lehigh Valley • Keenan House •
- Richard S. Csandl Recovery House •

February 11, 2008

Scott R. Schalles, Regulatory Analyst
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17104

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Mr. Schalles,

I want to thank you for meeting with me to discuss the proposed changes to the Department of Health's Proposed Regulation No. 10-186 regarding confidentiality of drug and alcohol addiction treatment patient records and information. It is my continued stance that these regulations should be withdrawn from the review process due to the negative impact they will have on people needing chemical dependency services and the treatment providers who serve them.

My primary concern in asking to meet with you is in regard to the methodology and results obtained by the Department of Health to conclude that there would be no additional direct or indirect costs incurred by individuals, businesses and organizations in the public and private sectors as a result of the proposed changes No. 10-186.

To this point, the Department has indicated in its Regulatory Analysis portion of the proposal that "The proposed amendments would not create any additional costs or savings to the regulated community". I am wondering if it would be possible to publish for public inspection prior to the hearing process the methodology the Department used in determining that there would be no costs in respect to the current FY through year 5 + if implemented. Specifically, I am interested in how those results were arrived at in the following areas:

- Direct or indirect costs to consumers in providing the additional information to their insurance companies, operating in either or both public and private sectors.
- Direct or indirect costs to treatment providers in providing verbal information to insurance companies operating in either or both public and private sectors.
- Direct or indirect costs to treatment providers in providing additional written information to insurance companies operating in either or both public and private sectors.
- Direct or indirect costs to treatment providers in copying charts and providing them to insurance companies operating in either or both public and private sectors.
- Direct or indirect costs to treatment providers in assuring that patients are fully aware of the written, verbal and copied documents to insurance companies in compliance with the requirement to insure that patients are fully aware of to whom and how information is





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shared in regard to their care.

- Direct or indirect costs to treatment providers in documenting what information was provided to insurance companies operating in either or both public and private sectors.
- Direct or indirect costs to all entities from potential litigation when the information permitted to be released is changed from the “five points” currently permitted to the more subjective standard of “whatever information is necessary for the purpose of the disclosure.”
- Direct or indirect costs to all entities to document for the purposes of Agency Licensing and Credentialing Inspections to insure compliance with the proposed standard of “whatever information is necessary for the purpose of the disclosure” from the more objective “five points” currently permitted under 255.5.
- Costs to all entities, both public and private to assure that all entities comply with the proposed changes to 255.5 once implemented in the areas of changing release of information documents, various forms and the document review process within each agency to insure that the new standards are being met.

My stance remains that these proposed regulations present a tremendous administrative burden for providers, consumers and government entities operating at the state and county level. It would be helpful to have the methodology and results for all these or other areas that the Department utilized in determining that these proposed changes represented no additional costs across the state of Pennsylvania be part of the documents available on line as part of the review process.

Respectfully Submitted,

**William Stauffer, LSW, MSW, CCS, CAC
Program Director,
The Halfway Home of the Lehigh Valley**

