

GAUDENZIA, Inc.

106 West Main Street, Norristown, PA 19401 (610) 239-9600
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Robert P. Kelly
Chairman of the Board

Michael Harle, M.H.S.
President/Executive Director

A United Way Donor Option Agency

#2654

July 1, 2008

Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17104
Attention: Scott Schalles

Dear Mr. Schalles;

In January, I communicated my concerns (see attached letter dated January 11, 2008) about proposed changes to existing regulations regarding the confidentiality of drug and alcohol treatment records. I have continued to monitor this issue as it continued to be developed through the Department of Health.

For more than 25 years, I have been in charge of Gaudenzia's confidentiality compliance, and I have handled many requests from outside parties for client records. In June, I had the opportunity to review the third draft of the proposed revisions to the existing regulations dealing with this very matter. I continue to be disappointed with the ongoing discussion regarding proposed changes, for I do not believe any are needed. I remain concerned that the confidentiality of deserving clients who are undergoing treatment to overcome their addictions to drug and alcohol will be compromised. As stated in my letter dated January 11, the release of additional personal information to outside parties will deter people from seeking treatment.

My very strong preference remains that the existing regulations be left as already written.

Sincerely,

Karen Scott Griffin
Director of Administration

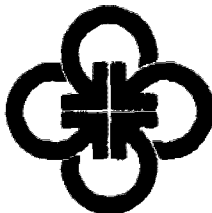
INDEPENDENT REGULATORY
REVIEW COMMISSION

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Jan. 11, 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 correspondence is in response to the proposed changes in the regulations regarding the confidentiality of drug and alcohol treatment records. I appreciate the opportunity to submit my opinion.

I fail to see how the proposed rules, which loosen the standards substantially, are going to result in people having greater access to treatment. The release of additional data, as called for in the proposed changes, is going to cause a greater fear of having the knowledge of one's treatment known to people who have no need for the information. It will certainly put the information into the hands of people who do not have a stake in the client's recovery.

I have been in charge of Gaudenzia's confidentiality compliance for more than 25 years and have handled many requests for client records. I have never seen a request for information beyond the basic assessment criteria that was intended to help the client. There is a significant amount of detailed personal history in a client file that is simply not needed by anyone but the treatment staff. The information we exchange now under 255.5 is more than sufficient for a third party payer to make an eligibility decision. The addition of unnecessary information may actually be used to keep people out of treatment, either when the additional data is not forthcoming or it is detrimental to what the requesting party sees as admission criteria.

Part of the rationale for the proposed changes states that there is currently a conflict with the federal regulations. If there is, I don't know what it is. What we currently have is merely an extra layer of security with the restrictions of 255.5; they do not directly contradict anything in the federal code that I know of. So I do not believe we should change our regulations unless this assertion can be substantiated.

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The justification states that the current rules are outdated and impede service delivery, yet it fails to explain how. I believe that is another facet of stated rationale that we must demand an explanation for before we use it to support any changes.

Also, I think the most obvious problem is that these changes would pose a much greater risk of peoples' private information being visible to people that it shouldn't be. That it is very reason we have the regulations to begin with!

Simply put, it is not logical to ask clients to consent to the release of *more* personal information and expect them to be *less* uncomfortable about seeking treatment.

Sincerely,

A handwritten signature in cursive script that reads "Karen Scott Griffin". The signature is written in black ink and is positioned above the printed name and title.

Karen Scott Griffin
Director of Administration

FAXIMILE

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2654
SPS

DATE: July 1, 2008

TO: SCOTT SCHALLES

FAX NO.: _____

FROM: KAREN GRIFFIN

NO. OF PAGES INCLUDING COVER 4

COMMENTS: Confidentiality Regulations



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