



LIVENGRIN
 Foundation for Addiction Recovery

RECEIVED

2008 JUL -2 PM 2: 07

INDEPENDENT REGULATORY
 REVIEW COMMISSION

#2654

June 30, 2008

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

Re: Rulemaking Regulation No. 10-186

Dear Janice Staloski,

I'd like to express Livengrin Foundation, Inc., strong objection to the proposed changes to the state confidentiality protections of drug and alcohol addiction records by the Department of Health draft rulemaking regulation No. 10-186.

These changes would significantly weaken the state protections of confidentiality of addiction records and would negatively impact those who suffer from the disease of addiction (and their families) and seek treatment.

Currently under Act 106 of 1989, information regarding commercial patients is limited to the certification and referral to treatment by a licensed physician or psychologist. For the non-Act 106 patient and for the publicly-funded patient, Pennsylvania's highly regarded Pennsylvania Client Placement Criteria (PCPC) provides for communication with the payers while simultaneously protecting the privacy of the patient through use of the PCPC Summary Sheet.

These two instruments limit information to be shared with payers with consent of the patient to specific information about the illness itself and information about diagnosis, prognosis, progress, relapse and form of treatment.

Under the new proposed rule, definitions are so broad that the role of government and payer is confused with the role of those providing hands-on treatment thus inviting the payer to intervene with treatment and to substitute his/her judgment for that of the treating professional.

Janice Staloski, Director
June 30, 2008
Page 2

Our position at Livengrin based on our 41 years of treating those suffering from the disease of addiction is that those seeking help have a right to protection of their sensitive/personal information from insurers and payers and that any loosening of these protections would have negative impact on this most vulnerable group.

For these reasons we strongly oppose the Department Of Health's Proposed Regulation No. 10-186.

Sincerely,

Joseph Curran, CACD, CEAP, MBA
Director of Business Development
Livengrin Foundation, Inc.

/etk

