



Treatment Trends, Inc. ^{COPY}

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◆ Confront ◆ Keenan House ◆ Halfway Home of Lehigh Valley
◆ Richard S. Csandl Recovery House ◆ LC TCAP ◆ NC TCAP

2654.

July 8, 2008

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

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Ms. Staloski,

Please accept for review my comments on the third set of proposed changes to the Department of Health's Proposed Regulation No. 10-186 regarding confidentiality of drug and alcohol addiction treatment patient records. These regulations should be withdrawn from the review process for the following reasons:

- It would keep fewer of those in addiction from seeking the treatment services they need for fear that treatment information will not remain confidential but be given to legal entities and insurers.
- The changes would require providers to give unnecessary personal information to insurance and third party payers. This undermines PA Placement Criteria.
- Information about vital signs, lab test results, motivation for treatment, behavioral information can and will be used by insurance companies to delay or deny treatment at a critical time of need.
- They exceed the federal standards under 42 CFR by allowing broad access to court ordered release of records without patient consent.
- The definitions are vague regarding "Government officials", which would permit wide access to confidential records through the open ended nature of the definition.
- These standards require a much larger amount of information than the current five points permitted under the current regulations. There will be a cost increase for the significant documentation and record maintenance for treatment providers under these new regulations.

Please withdraw the proposed changes to these vitally important regulations. The replacement of our current standards with those proposed will result in the loss of a critical protection to privacy rights for those persons suffering from this highly stigmatized disease and therefore, many who need it will not seek treatment. Thank you.

Sincerely,

Theodore Alex, MPA

Theodore Alex, MPA
Director of Operations
Treatment Trends, Inc.

cc: Robert C. Csandl, TTI Executive Director
Independent Regulatory Review Commission
Representative Frank Oliver
Representative George Kenney
Senator Edwin Erickson
Senator Vincent Hughes

