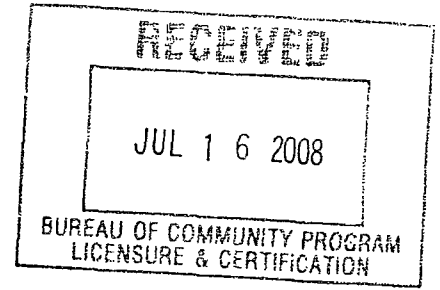




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July 14, 2008

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

**RE: Department of Health Regulation 10-186;
Privacy of Addiction Treatment Records**

Dear Ms. Staloski:

This letter is a follow-up to the one I sent you in January of this year relative to the proposed confidentiality rule changes. I wish to make three points:

- The Department has received *very strong opposition* from the treatment field and others. It would be wrong to force the regulations through in the face of such widespread, well reasoned, and strong opposition.
- Claims that more information than current law permits to be disclosed is needed to manage care are erroneous. I have personally dealt with care managers of all types since 1985 when this cost control device first appeared in Western Pennsylvania. It has been abundantly clear to me that the overarching goal of the care manager is cost control. This is the reason the care manger was hired. Cost control is the reason for the care manager's very existence. Therefore, it is likewise clear that the information that is demanded by the care manager is to be used to deny care not to provide it better. What a perverse reason for the Department to lend the force of Pennsylvania law to these organizations that have more to do with cost accounting than patient care.
- The protections that are provided by current law are excellent and should be themselves protected from the proposed unwise and unnecessary change in regulation. Rather than weaken current law, a vigorous enforcement effort should be mounted.

I object to the proposed changes in the regulations and urge in the strongest terms that the Department terminate its efforts to weaken our important protections, turning instead to the proper enforcement of the law.

Sincerely,

Stephen B. Roman
Chief Planning Officer