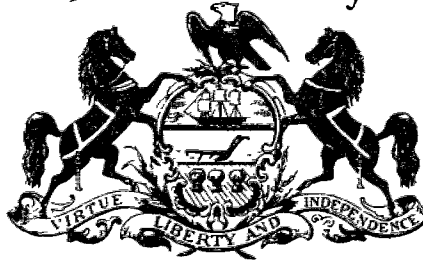


Tioga County



ERICK J. COOLIDGE
COMMISSIONER

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Department of Human Services

1873 Shumway Hill Road Wellsboro, PA 16901

#2654

August 15, 2008

The Honorable Frank Louis Oliver
Majority Chairperson
House Health and Human Services Committee
Room 34E East Wing
Harrisburg, PA 17120-2195

The Honorable Edwin B. Erickson
Majority Chairperson
Senate Public Health and Welfare
Committee
281 Main Capitol Building
Harrisburg, PA 17120-3026

The Honorable George T. Kenney, Jr.
Minority Chairperson
House Health and Human Services Committee
Room 108 Ryan Office Building
Harrisburg, PA 17120-2170

The Honorable Vincent J. Hughes
Minority Chairperson
Senate Public Health and Welfare
Committee
543 Main Capitol Building
Harrisburg, PA 17120

Mr. Kim Kaufman
Executive Director
Independent Regulatory Review Commission
14th Floor, 333 Market Street
Harrisburg, PA 17101

RE: Department of Health Regulation, 4 Pa. Code § 255.5

Dear Honorable Committee Chairpersons and Director Kaufman:

We are writing to express our support for the proposed revisions to the Department of Health's regulations relating to the confidentiality of drug and alcohol treatment records, 4 Pa. Code § 255.5. As a Single County Authority, the Tioga County Drug and Alcohol Program, under the auspices of the Tioga County Department of Human Services, provides planning and administrative oversight for the provision of drug and alcohol services at the local level, and we believe that the proposed revisions to Pennsylvania's drug and alcohol confidentiality regulations are in the best interest of our clients. In short, these changes to the confidentiality regulations will help our clients to access safe, quality care.

INDEPENDENT REGULATORY
REVIEW COMMISSION

2008 AUG 22 AM 9:00

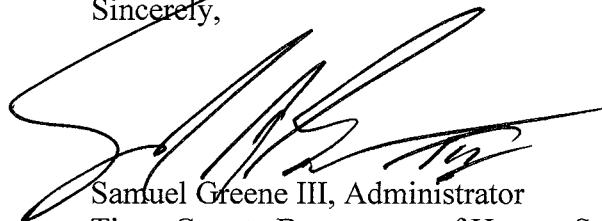
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The proposed revisions will empower clients by giving them the right to control their own medical information. Recognition of these client rights will provide additional tools to assist them in their recovery. The manner in which the system currently operates under the existing 4 Pa. Code § 255.5 limits effective treatment delivery because providers can be prohibited from releasing information, even when clients give their consent. Without the ability to share basic information, clients cannot get the services they need. Under the proposed revision, clients will have the choice to release information in order to access clinically appropriate services.

Opponents of the proposed revisions claim the new regulations will hurt client privacy. We do not agree with this stance for the following reasons. First, the essence of privacy is the ability of the client to direct what personal information is disclosed and to whom it is disclosed. The proposed revisions will only increase these privacy rights by eliminating unnecessary limitations on the client's ability to authorize appropriate disclosure of information. Second, if these proposed changes are approved, Pennsylvania will continue to have one of the strongest drug and alcohol confidentiality regulations in the country. Personal information will continue to be protected by the Pennsylvania regulations, federal drug and alcohol confidentiality regulations, federal HIPAA regulations and the Pennsylvania Drug and Alcohol Abuse Control Act.

We urge you to approve these needed revisions to Pennsylvania's drug and alcohol confidentiality regulations. The proposed changes offer a positive, client-controlled solution that will ensure our clients receive needed substance use treatment services to support long term recovery, while their personal information remains appropriately protected.

Sincerely,



Samuel Greene III, Administrator
Tioga County Department of Human Services



Timothy McBride, Vice-Chairperson
Tioga County Department of Human Services
Advisory Board and Tioga County Drug and
Alcohol Planning Council

cc: Honorable Tim Seip
Honorable John Myers
Honorable Eddie Day Pashinski
Honorable Jake Wheatley
Honorable Kerry A. Benninghoff
Honorable Douglas G. Reichley

Honorable Curtis G. Sonney
Honorable Louise Williams Bishop
Honorable Angel Cruz
Honorable Lawrence H. Curry
Honorable Thaddeus Kirkland
Honorable Kathy Manderino
Honorable Barbara McIlvaine Smith
Honorable Phyllis Mundy
Honorable Tony J. Payton, Jr.
Honorable Frank Andrews Shimkus
Honorable Ken Smith
Honorable Ronald G. Waters
Honorable Bryan Cutler
Honorable Maureen Gingrich
Honorable Rob W. Kauffman
Honorable Beverly Mackereth
Honorable Fred McIlhattan
Honorable Chris Ross
Honorable John Taylor
Honorable Katie True
Honorable Katharine M. Watson
Honorable Patricia H. Vance
Honorable Joseph B. Scarnati, III
Honorable Lisa Baker
Honorable Jane Clare Orie
Honorable Mary Jo White
Honorable Robert C. Wonderling
Honorable Jay Costa
Honorable Shirley M. Kitchen
Honorable Leanna M. Washington