

March 24, 2015

Testimony in opposition of SB 710

Respectfully submitted by: Tracy Paul

Vice President of DBS Health Information \*Business Associate to Healthcare facilities

Dear Committee,

I submit this testimony in opposition to S B 710 for the following reasons.

Processing requests for health information are not processed by untrained hospital volunteers. These requests create high liability for healthcare facilities. Highly trained individuals process these requests navigating and applying multiple federal and state regulations directing what can be released when and how that information must be released in order to protect the patients privacy. The question this bill is trying to answer is who is responsible for incurring the cost associated with responding to this information.

It stands to reason that the healthcare facilities would have some administrative costs they are responsible for in administering patient care. For example providing copies of health information for patients continuing care, substantiation of the healthcare facilities charges for patient care and other review aspects to ensure proper documentation of that patient care.

However, other requests where the requestor stands to gain financially from the use and disclosure of patient information, these individuals should be the ones responsible for paying the fees associated with these requests. The wording in this bill allowing the "individuals authorized representative" opens this free copy of information to be given to attorneys, social security information and other entity's that currently pay the fee associated with these requests.

The question I ask you is: should it be the healthcare facilities responsibility to provide a free copy of patient health information to the patients legal representative who intends to gain financially through the practice of law in attaining disability benefits for patients? Or does it stand to reason that anyone who intends to use the information to assist them in the business of making money should be the ones responsible to pay these costs?

These requests for information comprise about 20% or more of the requests in a health information management department. If this bill passes it will greatly increase the cost to these healthcare facilities and unfortunately the cost will probably in turn make the cost of healthcare increase. Of note OAR 847-012-0000(7) does currently state that patients shall not be denied copies of health information for the inability to pay. Therefore, is this bill even necessary?

Sincerely,  
Tracy Paul