

Testimony in Opposition to:

H.B. No. 6372 (RAISED) AN ACT CONCERNING PATIENT ACCESS TO RECORDS MAINTAINED BY HEALTH CARE INSTITUTIONS.

The Connecticut Association of Health Care Facilities (CAHCF), our state's 115-member association of for profit and not-for-profit nursing homes is opposed to H.B No. 6372, which would require nursing homes, and other health care institutions, to accommodate on-site examination of records maintained by a health care institution and to establish an administrative hearing process within the Department of Public Health to address complaints concerning lack of access to such records.

H.B No. 6372 is unnecessary because the longstanding practice of providing photocopies of requested documents upon request has proven to be a cost effective means to accommodate requests for records maintained in Connecticut nursing homes.

The legislation is burdensome and costly because nursing homes would experience significant new costs associated with staffing on-site record review requirements. A responsible and diligent on-site records review policy would require trained staff to facilitate the document review process. It would be irresponsible to implement an on-site records review process without accompanying on-site staffing for a least two reasons: first, a trained staff person must be available on-site to monitor and evaluate records requests to assure that privacy and other protected health information is not wrongly disclosed; and second, in the context of litigation or potential litigation, to assure that documents are not compromised, deleted or embellished in any way, a nursing home must assure responsible and diligent supervision through rigorous and attentive staffing. Such increased costs associated with the increased staffing component of the bill will inevitably lead to diverting scarce staffing resources away from patient care.

Finally, the bill will increase state Medicaid costs as additional staffing costs will pass along to the state government under Medicaid reimbursement rules.

For additional information, contact: Matthew V. Barrett, Executive Vice President, CAHCF, at mbarrett@cahcf.com or (860) 290-9424.