

**CONNECTICUT LEGAL RIGHTS PROJECT, INC.**

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**P.O. Box 351, Silver Street • Middletown, CT 06457  
(860) 262-5030 • Fax: (860) 262-5035**

**PUBLIC HEALTH COMMITTEE**

**Testimony of Thomas Behrendt  
in Opposition to  
Raised House Bill No. 5992,  
An Act Concerning the Treatment of Persons  
with Psychiatric Disabilities.**

**March 8, 2013**

Senator Gerratana, Representative Johnson, and distinguished members of the Public Health Committee:

I am Thomas Behrendt, Counsel Emeritus with the Connecticut Legal Rights Project. CLRP is a statewide organization that provides free legal services to low income adults who have, or are regarded as having, psychiatric disabilities on matters related to their treatment and civil rights. We work predominantly with DMHAS clients.

I am here to testify in opposition to HB 5992, An Act Concerning the Treatment of Persons with Psychiatric Disabilities. This proposed legislation is problematic, as it seeks to facilitate the disclosure of medical records without the patient's consent. Although HIPPA will prohibits most, if not all, such disclosures, the bill singles out people with psychiatric disabilities. It amounts to discrimination, in violation of the Americans with Disabilities Act and the State constitution.

There are other problems with the bill in addition to the civil rights objections noted above. The lack of confidentiality works against the therapeutic relationship between patient and provider. As a consequence, HB 5992 would discourage individuals from seeking assistance and from being candid with providers.

While the bill's stated purpose, "enhanc[ing] the care and treatment of persons with psychiatric disabilities," is laudable, there are better, more effective ways to further this objective.

Thank you for your attention to this matter and for the opportunity to testify.