

February 20, 2014

Re: **HB 5124: AN ACT CONCERNING THE PRESERVATION OF HISTORICAL RECORDS AND ACCESS TO RESTRICTED RECORDS IN THE STATE ARCHIVES.**

Dear Senator Musto:

I am writing to ask that the Government Administration and Elections committee remove **Section 2(c) of HB 5124: An Act Concerning the Preservation of Historical Records and Access to Restricted Records in the State Archives.** The passage in question states,

(c) Notwithstanding any provision of the general statutes, any prohibition against viewing a medical record that has been deposited 27 in the state archives shall be lifted fifty years after the death of the 28 individual who is the subject of such record.

Passing this clause will result in substantial harm to people served by the State of Connecticut's public mental health system. As written, this bill would allow public access to the psychiatric records of any person served in a state psychiatric institution 50 years after their death. This is terribly unjust. Because these individuals are deceased, they have no say over whether their psychiatric histories and treatment can be made public. Similarly, their living descendants, *and descendants as yet unborn*, will have no say over whether their family members' behavior, diagnoses, and treatment can become part of the public record.

Not only can such information cause substantial harm, it is also exceedingly inequitable. The records of people treated in private institutions are protected forever. However, if this bill passes, the records of the indigent men and women who received treatment at Connecticut Valley Hospital and other state institutions can be made public. This creates the possibility that the shame and stigma of mental illness will be carried forward not only for the individuals who were treated in state psychiatric institutions, but also for their families, in perpetuity.

I am an individual who is in recovery from hearing voices. I was hospitalized at two private institutions in the early 1980s. As a result, my psychiatric history is protected forever. I kept my psychiatric history secret for more than 26 years. However, through my association with the National Alliance on Mental Illness, I have recently chosen to make my family history of mental illness and suicide, and my own psychiatric history and subsequent recovery, public. My goal in speaking out now is to reduce the stigma attached to mental illness. But this disclosure is my choice. And I have the blessing of my family.

If Section 2(c) of HB 5124 an Act Concerning the Preservation of Historical Records and Access to Restricted Records in the State Archives is written into law and these records are made public, the privacy of innocent men and women now living in Connecticut and their descendants can be compromised.

I urge you to strike this most damaging clause from the bill. Striking it is the only way in which the laws concerning privacy can be applied justly and equitably. By striking the clause you will not only be protecting the privacy of those unfortunate individuals whose poverty forced them to seek treatment in state institutions, but also the dignity and privacy of their descendants, forever.

Sincerely,

Claire Bien  
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