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TESTIMONY to the Committee on Insurance and Real Estate

March 18, 2014

**Re: SB 479, An Act Concerning the Authority and Duties of the Connecticut Health Insurance Exchange and Establishing Certain Standards for Certain Stop Loss Insurance Exchange Policies**

Ellen Andrews, PhD  
Executive Director

Thank you for the opportunity to share our concerns about SB 479. We at the CT Health Policy Project have worked for almost fifteen years to improve the quality and affordability of health care for every Connecticut resident. Connecticut's health care system desperately needs reform to make coverage affordable and meaningful. We believe that a robust, sustainable All Payer Claims Database (APCD) is key to successful reform.

Early last year, together with the CT Center for Patient Safety, we authored a report on developing an APCD for Connecticut from the consumer's perspective. We collected best practices from other states and surveyed Connecticut stakeholders to ensure that our APCD is successful and has the support needed for a sustainable future. Last Fall we hosted a successful policy roundtable on APCDs with experts from other states. Not surprisingly, we found that the two most important issues are access to the data and ensuring privacy. If either of these is not done right, the APCD will not have the support it needs for sustainable funding and will not reach its potential to improve Connecticut's health care system.

Unfortunately, SB 479 weakens the already inadequate process for access to data through the APCD. It is critical that access to APCD data be subject to a thoughtful, transparent, fair process that considers the needs of all stakeholders and promotes uses that improve the lives of Connecticut residents. The current process requires multiple layers of approval by several committees that meet in public. Successful states also include a public comment period and full transparency for all data requests, including the purpose and any restrictions on use of the data. SB 479 would unravel that process and place all decision-making under one person, the CEO of the health insurance exchange, with no public process or opportunity for comment. Placing access to our most sensitive and commercially lucrative medical data at the discretion of one appointed official, who is not accountable to the public, is unwise and will generate deep suspicion among stakeholders and the public.

Also adding to suspicion is SB 479's provisions to erode even the existing meager privacy protections in current law. Numerous surveys have found that people are understandably anxious about the security of their most sensitive health information. It is critical that policies are as strong as possible to protect privacy, ensuring no inappropriate uses or disclosures of sensitive information. If anything, current law about APCD privacy and consumer control over their own information needs to be strengthened, not weakened. A breach or, worse, a deliberate release of information that is perceived as inappropriate and harmful to consumers will undermine support for the APCD jeopardizing funding, participation and the integrity of the tool.

I urge you not to pass SB 479 and to work with stakeholders to find and an APCD solution that works for all Connecticut. Thank you for your time and your commitment to improving the health of every Connecticut resident.