



Testimony to the Public Committee

Submitted by Mag Morelli, President of LeadingAge Connecticut

March 4, 2015

In opposition to

Senate Bill 766, An Act Prohibiting the Use of Patient Information by Nursing Homes for Purposes Unrelated to Patient Care

[LeadingAge Connecticut](#) is a statewide membership organization representing not-for-profit provider organizations serving older adults across the continuum of aging services, including not-for-profit skilled nursing facilities, residential care homes, home health care agencies, hospice agencies, adult day centers, assisted living communities, senior housing and continuing care retirement communities. On behalf of LeadingAge Connecticut I am pleased to submit the following testimony to the Public Health Committee regarding *Senate Bill 766, An Act Prohibiting the Use of Patient Information by Nursing Homes for Purposes Unrelated to Patient Care*.

LeadingAge Connecticut cannot support this bill as drafted as we have several questions regarding its scope, purpose and need.

The bill would prohibit the use of nursing home patient information for anything other than patient care. Federal HIPAA regulation permits covered entities (such as nursing homes) to access, use, share information for treatment, payment or health care operations, but does restrict it to only the "minimum necessary," so we do not see why this new legislation is needed.

We also do not understand why nursing homes are being singled out for this specific requirement. Nursing homes appropriately utilize resident data when conducting business related to DSS Medicaid eligibility, third party payers, and the probate court. They also utilize the data when complying with regulations such as waiting list laws and discharge planning. We question whether these activities would fall within the scope of "care of a patient" or if they would be deemed unrelated and therefore prohibited. We are unaware of other uses of nursing home resident information that this bill may be targeting.

In conclusion, LeadingAge Connecticut cannot support this bill as drafted.

Thank you for this opportunity to submit testimony on this issue. Please consider us to be a resource to you as you consider this and other issues related to aging services.

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