

Members of the Public Health Committee:

Please address the following issues concerning SB 812 regarding the electronic health record:

1. Every patient and provider must *not be forced* to have an electronic health record, as it is a violation of their civil rights and rights to privacy.
2. The legislation *must require* that the technology be implemented to allow patients: 1) to keep some information private and not automatically transmitted, using such methods as segmentation, etc. There could be an asterisk in the record to indicate that information was withheld to alert the provider to ask further questions if they need more information
2) to indicate which providers and others can receive their records on an as needed basis
3. How will psychiatric records be handled?
4. Across the country, physicians are committing suicide and not going for treatment. Until we can truly provide and ensure private treatment, many people besides physicians will not seek treatment for a variety of illnesses, creating another kind of public health problem with increased costs due to the advanced treatments needed because of the delayed diagnoses.

As it is now, anyone in treatment (the whole staff), payment, operations (including tech support and quality control), research and certain Federal and State agencies can read any patient's record without patient consent or knowledge. Thus practically speaking, there is no privacy in an electronic record, just the hope that one of hundreds of authorized people does not leak it and that there are no hackers, etc. (not to mention your neighbor who might be working in the health care or State systems).

So at the very least, patients must be given the choice to be part of the electronic health system or not.

Thank you very much for your consideration of these matters.

3/12/2015