



Donald A. Neel  
Board Chair

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March 7, 2016

Testimony before the Government Administration and Elections Committee regarding:

**H.B. No. 5499 – AN ACT CONCERNING THE PRESERVATION OF HISTORICAL RECORDS AND ACCESS TO RESTRICTED RECORDS IN THE STATE ARCHIVES**

Senator Cassano, Representative Jutila, and members of the Government Administration and Elections Committee, my name is Suzi Craig and I am the Senior Director of Advocacy at Mental Health Connecticut. As an advocacy organization, direct service provider and educator, Mental Health Connecticut is on a mission to improve the mental health for all Connecticut residents.

I am here today to express our opposition to Section 2(c) of HB 5499, "AN ACT CONCERNING THE PRESERVATION OF HISTORICAL RECORDS AND ACCESS TO RESTRICTED RECORDS IN THE STATE ARCHIVES."

According to this bill, the records being made public ". . . relates to the past, present, or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present, or future payment for the provision of health care to an individual . . ."

Historical research is a worthy endeavor. Yet, in this instance, in the name of preserving information, we lose something much greater: the violation of privacy rights and the trust of our fellow residents. In particular, we ask that you question the need to disclose private information which would not be disclosed for others receiving mental health services through private sources.

This bill would put any public records into the custody of the state archives, and grant access to medical records after 75 years or 50 years after the person's death. These confidentiality protections appear to mirror HIPAA laws. Yet, medical professionals in the private sector are only required to retain records for 7 years. This means that people who receive treatment in the private sector will not have to worry about their personal private records being exposed following their death because by the time the confidentiality protections expire, the records will have already been destroyed.

People who receive medical treatment from the state deserve the same level of protection. Language in this bill regarding medical records would affect individuals in low-income situations who receive state assistance. We ask that language in this bill is revised to remove Section 2(c) and any current or future references related to the access of medical records of our fellow residents.

Thank you for your time and for your service.

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