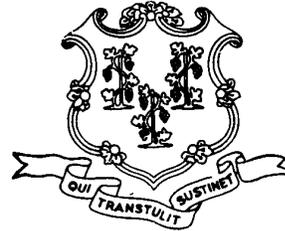


Department of Consumer Protection



Testimony of Jonathan A. Harris Commissioner of Consumer Protection

Program Review and Investigations Committee Public Hearing, February 29, 2016

H.B. 5346 “AN ACT CONCERNING STATE AGENCY CONFIDENTIALITY BASED ON A PROGRAM REVIEW AND INVESTIGATIONS STUDY”

Senator Fonfara, Representative Carpino and Honorable Members of the Program Review and Investigations Committee (PRIC), thank you for the opportunity to offer testimony regarding House Bill 5346, “An Act Concerning State Agency Confidentiality Based on a Program Review and Investigations Committee Study.”

I’m Jonathan Harris, Commissioner of Consumer Protection. I’m pleased to comment on this proposal as well as actions the Department has already taken, separate from PRIC’s investigation, which happen to address Section 2 of this bill.

But first, I want to assure this committee, as well as the public, that the Department takes the issue of health information privacy, as we do all confidential information we handle, very seriously and has implemented every security measure possible within the available means of our budget to ensure confidential information is protected. In fact, the Connecticut Prescription Monitoring Program (PMP), which was the focus of the PRIC investigation, closely follows the Health Insurance Portability and Accountability Act (“HIPAA”) guidelines.

Section 2 of this bill requires the Department of Consumer Protection to develop and implement the use of a confidentiality pledge for its employees and to develop and implement internal policies to protect confidential information obtained or generated.

While the Department does not have an official department-wide confidentiality pledge, very few members of DCP’s staff have access to the PMP, and those who do, are well versed on and fully comply with HIPAA requirements. However, we are in agreement about the need to implement the use of a confidentiality pledge and are in the process of executing such a system now.

The Department is also in the process of developing official internal policies to protect confidential information. Once complete, the Department will gladly submit a copy to this committee. It should be noted that while official policies have not been adopted, there are already processes in place to identify computer system vulnerabilities and the occurrence of any confidential information breach. The Department has worked closely with the State’s Business Enterprise System Technology (BEST) to ensure top-level security of confidential information. This is evidenced by the fact that there has never been an information breach of any kind.

Based upon the policies and procedures already implemented by the Department and our ongoing efforts, Section 2 of this bill seems unnecessary.

Thank you again for the opportunity to appear before you. Please feel free to contact me, or our Legislative Director, Leslie O'Brien, if you have any questions you may have.