Access Health CT Testimony in Opposition to

Senate Bill 130: AN ACT CONCERNING PATIENT INFORMATION AND THE ALL-PAYER CLAIMS DATABASE

Before the Public Health Committee

On Wednesday, February 24, 2016

11:00 AM in Room 1D of the Legislative Office Building

Good morning Senator Gerratana, Representative Ritter, and distinguished members of the Public Health Committee.

Thank you for the opportunity to provide testimony today regarding Senate Bill 130: **AN ACT CONCERNING PATIENT INFORMATION AND THE ALL-PAYER CLAIMS DATABASE**. Access Health CT strongly opposes this bill.

The General Assembly established the All-Payer Claims Database (APCD) in 2012 and in 2013 gave the Connecticut Health Insurance Exchange d/b/a Access Health CT authority to administer the APCD. The APCD enabling legislation (Conn. Gen. Stat. § 38a-1091) requires Access Health CT to "*(A) Utilize data in the all-payer claims database to provide health care consumers in the state with information concerning the cost and quality of health care services that allows such consumers to make economically sound and medically appropriate health care decisions; and (B) make data in the all-payer claims database available to any state agency, insurer, employer, health care provider, consumer of health care services or researcher for the purpose of allowing such person or entity to review such data as it relates to health care utilization, costs or quality of health care services.*"

Senate Bill 130 would significantly limit Access Health CT's ability to fulfill this legislative mandate. This bill would allow individuals to prevent their health care claims data from being submitted, by the payer of their health care services, to the APCD. Such an "opt-out" provision would reduce the amount of data collected by the APCD for the purposes of providing comprehensive and accurate information on health care cost, quality, and utilization to consumers, policymakers, researchers, and others. If individuals are able withhold their data from the APCD, the information provided to these stakeholders will not present a complete picture of health care in Connecticut. Access Health CT, state agencies, and the General Assembly will make consequential health policy and spending decisions based on data from the APCD. Such decisions would be based on incomplete information if individuals' data are withheld.

Furthermore, the implementation of a process for individuals to withhold their data would be administratively burdensome, costly, and time-consuming. There are no Federal Funds to administer this system. Payers of health care services would need to develop complex systems in order to remove individuals' claims data from the files submitted to the APCD. Alternatively, if Access Health CT were to administer such a system, implementation costs could be up to one million dollars, which would far exceed the amount budgeted for the APCD, and may even necessitate additional vendor contracts. Regardless of which entities are charged with administration, this requirement would cause significant delays in APCD data submission, and would consequently delay the availability of information derived from the APCD to fulfill the legislative requirements.

Access Health CT has taken every possible precaution in protecting the privacy and security of personal information in the APCD. The APCD data management vendor has been subjected to

comprehensive security audits, and Access Health CT has required the vendor to remedy all issues identified by auditors. All data released by the APCD will be de-identified, and any individuals or groups requesting data sets will be required to complete a rigorous application process, pursuant to recently adopted policies and procedures. Requestors whose applications are approved must execute a data use agreement, which will govern the transmission, use, and destruction of data.

Connecticut is pursuing significant health care reform initiatives, and the APCD will be the most important repository of data to inform major policy decisions as well as consumer choices. Senate Bill 130 would limit the data on which such choices and decisions will be made. Access Health CT respectfully requests that the members of the Public Health Committee oppose Senate Bill 130.