

## Insurance and Real Estate Committee JOINT FAVORABLE REPORT

**Bill No.:** HB-6389

**Title:** AN ACT CONCERNING EXPLANATIONS OF BENEFITS.

**Vote Date:** 3/22/2021

**Vote Action:** Joint Favorable

**PH Date:** 2/9/2021

**File No.:**

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### SPONSORS OF BILL:

Rep. Kate Farrar, 20<sup>th</sup> Dist.

Rep. Lucy Dathan, 142<sup>nd</sup> Dist.

### REASONS FOR BILL:

The proposed bill requires transparency among health insurance providers in the explanation of benefits, coverage exclusions, copays. The bill allows individuals to request and be granted the omission of explanations of benefits with no questions. The proposed bill helps correct an issue with the unintended consequences of the law that can accidentally expose dependents' private health information to their health insurance policyholders. This can be revealed through EOB's (explanation of benefits) which come through the mail or email. EOB's reveal private information about what services were provided, who provided them, a brief procedural code, or other abbreviated descriptions of procedures. This bill makes it easy for individuals to request and be granted with no questions asked or statements needed that the EOB excludes procedural information or be sent to a different address. This bill ensures that dependents of health insurance policyholders are put in control of who can see their private health information. It also ensures that policyholders can anticipate copays and medical expenses are clearly established by health insurance companies.

### RESPONSE FROM ADMINISTRATION/AGENCY:

**Ted Doolittle, Healthcare Advocate, Office of the Healthcare Advocate:** testified this bill gives dependents who are covered members under another's health insurance policy more security and privacy in obtaining healthcare services that could be of highly sensitive information. Testifies that this bill will safeguard dependents personal health information.

### NATURE AND SOURCES OF SUPPORT:

**Kathleen Flaherty, Executive Director, CT Legal Rights Project:** stated the privacy it would ensure young adults who may want to access mental health care without fear of exposure to family members.

**Ashely Frechette, Director of Coalition Against Domestic Violence:** expressed the bill is for its addressment of the barriers for health care access for domestic violence survivors. One in four women, and one in seven men have experienced severe physical violence by an intimate partner at some point in their lives, which leads to notable health consequences that require treatment (traumatic brain injury, depression, pregnancy complications). Survivors are 4x more likely to utilize domestic violence services after speaking with a healthcare provider. This bill ensures domestic violence survivors are able to access treatment without fear of their potential abuser finding out.

**Representative Jill Gilchrest, CT House of Representatives, 18<sup>th</sup> Assembly District:** the bill will promote transparency and ensures privacy. Transparency will help protect people from surprise health insurance fees. Supports because privacy will be ensured in this bill because the suppression of an EOB can be requested and granted.

**Liz Gustafson, State Director, NARAL Pro-Choice Connecticut:** stated this bill will ensure privacy in individuals seeking care related to sexual and reproductive health, domestic violence, sexual assault, and mental health, without fear of their medical information being disclosed to family members. Testifies to the success of the PATCH Act which was signed into place in 2018 in Massachusetts the with the same premise.

**Amanda Kallen, American College of Obstetricians and Gynecologists Connecticut Chapter (CT ACOG):** expressed this bill will address the timely confidential care and coverage. Testifies in support of HB 6389 ensuring patients feel comfortable obtaining reproductive health services.

**Polly Moran, Certified Nurse-Midwife, Legislative Liaison of the CT-Affiliate of American College of Nurse-Midwives:** feels this bill will protect Connecticut residents of any age who are in violent domestic situations and need to seek medical services while ensuring privacy. Moran has been a Nurse-Midwife for over 30 years in CT and wants HIPPA to be in full compliance in CT.

**Lucy Nolan, Directory of Policy and Public Relations, CT Alliance to End Sexual Violence:** stated this bill protects sexual assault survivors from disclosure of medical records. She gives an example of a sexual assault victim who did not receive a rape kit or a prescription for HIV prophylactics because she feared her father would find out through the insurance. 69% of assaults occur between the ages of 12-34 and many individuals are on their parent's health insurance until the age of 26. HB 6398 passage will help victims access necessary medical treatment after sexual assault.

**Gretchen Raffa, Senior Director of Public Policy, Advocacy & Organizing, Planned Parenthood of Southern New England:** expressed this bill will ensure confidentiality in reproductive health when there are multiple people on an insurance plan.

**Nicole Sanclemente, Policy and Program Associate, Connecticut Women's Education and Legal Fund:** stated its protection of the privacy of survivors of domestic violence, young

adults who are dependents on their parents' plans, and minors independently accessing certain confidential health care services. CWEALF provides access to low-income women who often experience domestic or family violence and see confidentiality as a barrier to those seeking treatment.

**Jay E. Sicklick, Deputy Director, Center for Children Advocacy:** expressed that this bill will ensure privacy in healthcare services for vulnerable youth. It also allows youth to access certain areas of reproductive health in a safe and confidential manner, who may not feel comfortable accessing it without confidentiality. HB 6389 will follow in line with the spirit and purpose of HIPAA.

**Universal Health Care Foundation of Connecticut:** the bill is protection for anyone who wants information about their medical care private. Testified that they would like the word "consumer" in the legislation changed to "enrollee" to make it clearer that each individual enrollee is entitled to protect their privacy in medical care.

**Susan Yolen, New Haven Resident:** the bill is a protection of privacy about medical information especially for young adolescents. She suggests the addition of language allotting state funds for training health providers and administrative staff to offer the option of a redirected EOB to any patient.

#### **NATURE AND SOURCES OF OPPOSITION:**

None Expressed

**Reported by: Leslie Angus**

**Date: April 7, 2021**