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ACLU OF RI POSITION: SUPPORT

TESTIMONY IN SUPPORT OF 21-H 5370, AN ACT RELATING TO BUSINESSES AND PROFESSIONS – CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS AND INFORMATION ACT March 1, 2021

The ACLU of Rhode Island strongly supports H 5370, which would provide that individuals who are covered by health insurance may request that all communications from their health insurer be sent confidentially and in a manner as designated by the patient.

The ability for patients to confidently and confidentially seek out medical treatment is critical for the health of the patient. Particularly for patients who are, for example, between ages 18 to 26 and are on their parent's health insurance plans, under 18 but accessing medical services which they can legally independently consent to, or of adult age but on an abusive spouse's plan, ensuring that a patient can access care without worrying that their privacy will be violated is crucial.

Consent to care should not mean consenting to the dispersion of medical information to other members on the same health insurance policy. In some instances, the knowledge that medical information may be shared with other members of the plan could actually deter patients from seeking out necessary medical care. A teenager who can legally consent to STD testing might avoid it out of fear that a parent may find out, and consequently avoid the care altogether, or a spouse seeking substance abuse treatment may refrain because they are afraid that a summary of treatment could be sent to their partner.

Having a deliberate method for sending individualized summaries of payment forms, using generic descriptions for sensitive services, and guaranteeing autonomy over medical decisions are all necessary for each covered individual to access safe and comprehensive health care. For these reasons, we urge passage of this bill.

Thank you for your consideration.

Submitted by: Hannah Stern, Policy Associate