

HMSA

LATE



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February 5, 2010

The Honorable David Ige, Chair
The Honorable Josh Green M.D., Vice Chair

Senate Committee on Health

Re: SB 2100 – Relating to Health Care Data

Dear Chair Ige, Vice Chair Green and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on SB 2100 which would allow clinical laboratories to provide access to lab data to HIPAA entities and business associates.

On the state level, Hawaii Revised Statutes do not directly oversee clinical laboratories and instead the Hawaii Department of Health regulates these entities under the Hawaii Administrative Rules (HAR). Current HAR only permit clinical laboratories to disclose lab results to “authorized persons” and their “designees.” Under the HAR definition, “authorized person” only includes medical providers licensed in the state. This current definition hinders the ability to meaningfully share clinical laboratory data to improve Hawaii’s health care system.

This issue is especially pressing since the state is on the cutting edge of health information technology implementation. This includes efforts of the Hawaii Health Information Exchange to draw down American Recovery and Reinvestment Act (ARRA) funding to create a statewide information exchange and HMSA’s own Online Care, the first of its kind in the nation. Unless HIPAA covered entities, such as health plans, are able to share this type of information, it is virtually impossible to utilize technology to promote a more efficient and higher quality health care system.

HMSA and other affected stakeholders are currently working together in order to ensure that an individual’s health information is protected. We would request the Committee pass this measure as drafted in order to continue the dialogue around this important issue.

Thank you for the opportunity to testify today.

Sincerely,

A handwritten signature in black ink, appearing to read "JD".

Jennifer Diesman
Vice President
Government Relations



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LATE

Friday, February 5, 2010, 2:55 p.m., Conference Room 016

To: COMMITTEE ON HEALTH
Senator David Y. Ige, Chair
Senator Josh Green, M.D., Vice Chair

From: Hawaii Medical Association
Gary A. Okamoto, MD, Legislative Co-Chair
Linda Rasmussen, MD, Legislative Co-Chair
April Donahue, Executive Director
Lauren Zirbel, Government Affairs
Dick Botti, Government Affairs

Re: SB2100 RELATING TO HEALTH CARE DATA

In Support

Chairs & Committee Members:

HMA supports the intent of SB2100 to authorize electronic access and exchange of patient-related lab data for the purposes of treatment and patient safety, within the scope of HIPAA. Although HMA recognizes the importance of the electronic health record for population disease surveillance, continuous quality improvement, and targeted public health initiatives, HMA has concerns with this legislation regarding the potential for unintended uses that may negatively affect the patient-physician relationship and jeopardize the confidentiality and privacy of sensitive health data.

Thank you for the opportunity to testify.

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