

MedChi

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TO: The Honorable Shane E. Pendergrass, Chair
Members, House Health and Government Operations Committee
The Honorable Sid Saab

FROM: Gene M. Ransom, III

DATE: February 28, 2019

RE: **SUPPORT** – House Bill 892 – *Health Information – Commercial Sale*

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, **supports** House Bill 892.

MedChi has been a leader in protecting the privacy of patients, and therefore we support House Bill 892 Health Information – Commercial Sale. This bill would require a covered entity, business associate, or subcontractor to obtain authorization from an individual before engaging in the commercial sale of certain of that individual's health information, and to inform an individual that they may elect to receive a share of any payment received for the commercial sale of that information.

MedChi has submitted various resolutions to the American Medical Association aimed at ensuring the protection of private data and has long supported a patient's right to their data. MedChi strongly believes that health information needs to be protected because the release of private information without permission can undermine the willingness of patients to confide in their physician and thus the physician-patient relationship.

The opposition to this legislation points out the importance of de-identified data to research. MedChi agrees with this point and would be fine with amendments to clarify that de-identified data is not the issue. However, it is our understanding some entities re-identify data and that data should be protected. The recent well publicized crisis with a large national credit entity releasing private consumers data clearly displays the need for this type of protection for consumer health data.

For these reasons, MedChi urges a favorable report on this legislation.

For more information call:

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