CITIZEN Petition to 2007 MN Legislature

Opposing Legislation that Gives Government Access to All Medical Records; Requires Online Electronic Medical Records System

I, the undersigned citizen, oppose legislation (eg. SF2/SF857/HF297/SF888/HF842) that requires all doctors, hospitals and other health care providers and facilities to place private medical record data online and in electronic medical records—because the legislation:

• **Gives MN Government Access to All Medical Records:** In 2002, Minnesotans got wind of a proposed MN Dept. of Health (MDH) rule that would have required insurers and hospitals to regularly send vast amounts of patient-identifiable medical data to MDH without consent. A public outcry forced the Pawlenty Administration to withdraw the RULE in 2003. However, the LAW allowing government access remains in effect (M.S. 62J.301). By requiring all medical records to electronic and online, MDH can initiate ongoing 24/7 electronic data exchanges with health plans and hospitals to access medical data – without patient consent.

• **Violates Patient Privacy and Consent Rights:** SF2 and HF297 mandate the establishment of a statewide online electronic medical record (EMR) system for the purpose of “sharing and synchronizing patient data across systems.” A Harris Poll (2006) finds that 42% of the public rates privacy risks of a nationwide EMR system greater than expected benefits, and 21% of the public wants a right to not be in the system.

• **Permits Bureaucratic Control of Medical Decisions:** Requiring electronic medical records and online placement enables health plan and government bureaucrats to track patients, monitor prescribing behaviors, profile doctors and patients, influence medical decisions, and pay doctors more who follow the directives of people outside the exam room (eg. bonuses paid if follow computerized government and insurer treatment directives).

• **Reduces Time for Patient Care:** A British Medical Journal study found EMRs increase documentation time for doctors by about 17%. The MN e-Health Advisory Committee notes, “Keyboarding and extra work is a problem [for doctors]...an extra two hours to their day.”

• **Imposes a Costly Mandate:** The initial EMR system costs doctors $44,000 with annual costs of $8,500 (Health Affairs). Data breaches cost $182 per compromised record (CSO, 2006) and 68% of organizations experience six losses of sensitive data annually (Symantec, 2007). The VA may spend $500M for loss of 26.5 million records. England’s National Health Service budgeted $12 billion for a national EMR system, but the price is now more than $24 billion. The U.S. has spent $900M thus far. HF842 uses $18.5 million in Health Care Access Funds (provider taxes) to fund the proposed EMR grants.

*Please deliver this signed CITIZEN petition to Governor Pawlenty and the legislative leadership.*

Signature __________________________________________ Date ______________________
Name (PLEASE PRINT) __________________________________________
Address __________________________________________ City___________ State____ Zip________
Phone____________________ Email ___________________________________