



NEWS RELEASE

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Health Care Surveillance: HIPAA—The Grand Deception

Part 1 in a Series on How Private Health Information is No Longer Private

ST. PAUL, Minn.— *Citizens' Council for Health Freedom* (CCHF, www.cchfreedom.org) wants Americans to know of yet another government intrusion into their private health information.

It's the [HIPAA](#) privacy rule—and there's a grand deception behind it.

"People think that the HIPAA privacy rule protects privacy, but it's just the opposite," says Twila Brase, president and co-founder of CCHF. "The rule allows millions of people and organizations to access your private health information. Before HIPAA was implemented, doctors couldn't share patients' medical information without a specific law, a court order or written consent. That would have been illegal. But today, because of HIPAA, your personal medical information can be broadly shared without your consent. And it's only gotten worse with the enactment of HITECH in the stimulus bill and Obamacare."

The HIPAA law (Health Insurance Portability and Accountability Act of 1996) was enacted in 1996 and the HIPAA Privacy Rule became effective April 14, 2003. In 2009, the Health Information Technology for Economic and Clinical Health Act (HITECH) was enacted with the American Recovery and Reinvestment Act. As a direct result of HIPAA and HITECH:

- 2.2 million entities can access your personal medical records
- Patient control of information has been all but eliminated
- The government now has broad access to private medical records
- Interoperable computerized medical records are essentially mandated, allowing data to be shared by insurance companies and the government
- State Health Insurance Exchanges (HIEs) are created to share personal medical records statewide
- HIEs are becoming interconnected to share health information nationally through "eHealth Exchanges," and there are now 40 partners nationwide in this system.

"Contrary to popular belief," Brase continued, "signing the HIPAA form does not provide you with any privacy or consent rights, and it could be used against you if you ever declare that your privacy rights have been violated. If signed, the clinic or hospital could simply point to your

signature and tell you that you knew that your private data was going to be broadly shared. It's just another way that the government and our flawed health care system are deceiving patients.

“Many people don't know that we are not required to sign a HIPAA ‘Privacy Form’ at hospitals or clinics, even if the clinics insist,” Brase said. “The form has nothing to do with consent or health privacy. It is actually just an acknowledgment that you have received and understood the clinic or hospital's ‘Notice of Privacy Practices,’ and that you understand how broadly your data can be shared. It shouldn't be called a privacy notice. We call it a ‘Notice of Disclosure Practices.’”

To protect your privacy, **Brase** suggests that patients:

- Ask state legislators to act. Under HIPAA, state legislatures are allowed write true privacy protection laws which must be followed. Legislatures must also resist and avoid state laws conforming to HIPAA.
- Take a stand at your clinic. Assert your right to refuse to sign the HIPAA notice. You may also cross out the Notice of Privacy Practices section and refuse to sign it or, if coerced, file a complaint with the Office of Civil Rights at the U.S. Department of Health and Human Services. Online HHS documents informing patients of their right not to sign can be found at the bottom of CCHF's home page (cchfreedom.org).
- Talk to **CCHF**. If a clinic or hospital refuses to treat you because you refuse to sign the form, [please notify CCHF](#) in writing with the details of your encounter. **CCHF** is collecting stories from patients on their attempts to assert their right to refuse. Stories include patients whose clinics won't provide treatment or sent in insurance claims if the patient refuses to sign the form.

CCHF has previously issued [“National Patient ID,”](#) a report on the ongoing attempts by government officials and corporate executives to create a unique national tracking number to link and access an individual's entire lifetime of medical records without the individual's consent and despite a long-standing statutory prohibition from Congress.

In addition, **CCHF** offers a list of the [“Top Ten Terribles of Health Insurance Exchanges,”](#) which include higher costs, privacy intrusions, more red tape, and poor care and coverage.

Twila Brase, a public health nurse and health freedom advocate, has been called one of the “100 Most Powerful People in Health Care” and one of “Minnesota's 100 Most Influential Health Care Leaders.” She shares health care-related news and commentary with the American public in her daily, 60-second radio feature, Health Freedom Minute. The Minute airs on nearly 350 stations daily, including the entire American Family Radio Network, with more than 150 stations nationwide, in addition to Bott Radio Network with over 80 stations nationwide. During the daily features, listeners can learn more about the agenda behind proposed health care initiatives, the ramifications of proposed policies and actions that can be taken to protect their health care choices, rights and privacy. **Health Freedom Minute is sponsored by the Citizens' Council for Health Freedom**, a patient-centered national health freedom organization based in St. Paul, Minn. **CCHF** supports patient and doctor freedom, medical innovation and the right of citizens to a confidential patient-doctor relationship.

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For more information or to interview Twila Brase, president and co-founder of Citizens’ Council for Health Freedom, contact Deborah Hamilton, Hamilton Strategies, 215.815.7716, 610.584.1096, DHamilton@HamiltonStrategies.com.