

NEWS RELEASE

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***Citizens' Council for Health Freedom* Testifies on Three Ways to Protect Medical Privacy at House Committee Hearing**

ST. PAUL, Minn.—Twila Brase, president and co-founder of *Citizens' Council for Health Freedom (CCHF, www.cchffreedom.org)*, a Minnesota-based national organization dedicated to preserving patient-centered health care and protecting patient and privacy rights, testified Tuesday in front of the Minnesota House of Representatives Civil Law and Data Practices Committee, which held an informational hearing to learn more about protecting patients' health information in the state.

The morning's presentation, titled "Protecting Medical Privacy in Minnesota," included testimony by *CCHF* on protecting patients' rights and data and the threats to Minnesota's current privacy protections as a result of efforts to repeal the state's privacy law by requiring the state to conform to HIPAA.

"When it comes to privacy protection," Brase said in her testimony, "the best thing HIPAA does is allow state laws that offer greater privacy protections to pre-empt HIPAA. In other words, if a state requires consent where HIPAA does not, then the state law must be obeyed. And thus, here in Minnesota, we have more consent provisions than most other states. This means when you get care in Minnesota, the doctor, the clinic, the hospital and any other entity cannot share your data for payment, treatment or health care operations without your consent."

As *CCHF* has noted, far from protecting patient privacy, the federal HIPAA privacy rule allows potentially 2.2 million entities, plus government agencies, to have access to patients' personally identifiable medical record information without patient consent. As a result, *CCHF* has opposed efforts in Minnesota to make the state law conform to the HIPAA rule, which would result in the elimination of many current medical privacy rights in the state.

Brase added that *CCHF* encourages citizens to [refuse to sign the HIPAA form](#) at doctor's offices, clinic and hospitals. *CCHF* has also released a report, "[The HIPAA Privacy Deception](#)," which details personal stories from real people who legally refused to sign the so-called HIPAA privacy form—and what happened when they did.

Brase also noted that Minnesota is one of only two states to mandate that every health care professional without exception buy and use interoperable electronic health records. Minnesota's mandate also specifies that the electronic health record—the EHR—be connected to a government-approved health information organization.

"This means Minnesota has a mandate that requires every doctor, every dentist, every psychologist to hook up their patients' data to the grid," Brase said. "Under the Minnesota EHR mandate, which took effect on January 1 of this year, every patient is required to have their data in an EHR and every doctor and nurse is required to use the EHR no matter how much it distracts from patient care."

Mental health professionals are especially concerned about the EHR mandate, as their patients rely on complete privacy and anonymity due to the topics they discuss in therapy.

Testifying alongside Brase were **Dr. Stephen Huey**, a licensed psychologist who has practiced psychotherapy in the Twin Cities for 30 years, and **Dr. Laraine Kurisko**, a licensed Ph.D., clinical psychologist with 30 years of experience and a Jungian Psychoanalyst Candidate in private practice in Minnesota.

Said Huey, “Privacy is the foundation of the work we psychotherapists do. Suffering human beings bring us the things they can tell no one else. Our work cannot be done without the sanctuary of privacy.”

Huey added that a survey earlier this year found that 70 percent of Minnesota psychotherapists stated they would prefer the freedom to opt out of using electronic health records. Another 70 percent expressed concern or “extreme concern” about confidentiality in using EHRs. More than five percent said they plan to retire if forced to use them.

“Minnesotans should have the freedom to choose the level of privacy they want in their health care,” Huey said. “And health professionals should have the freedom to secure their patients’ privacy at the highest level, rather than being forced to make confidential information fair game for Internet criminals.”

Kurisko added, “The cornerstone of my practice and psychology as a profession, since its inception, has been the inviolate sanctity of the patient-therapist relationship. Breaches of confidentiality were, in the past, considered the most heinous of ethical, moral and legal breaches, resulting in loss of licensure. That was as it should be. There were, and still are, very important reasons for the high value placed on client privacy. This law would force therapists to systematically breach confidentiality.”

Brase concluded, “Protecting medical privacy in Minnesota means retaining our stronger state medical privacy laws. It means not conforming to the HIPAA no-privacy rule. Protecting medical privacy means undoing the Minnesota EHR mandate and sticking with the federal mandate that gives some freedom and some privacy to those who need it the most. And protecting medical privacy means prohibiting clinic and hospital consent forms that deprive patients of the legal privacy rights they were given by the state legislature.”

Citizens’ Council for Health Freedom is a patient-centered national health freedom organization based in St. Paul, Minn., that works to protect health care choices and patient privacy. CCHF sponsors the daily, 60-second radio feature, Health Freedom Minute, which airs on approximately 350 stations nationwide, including 200 on the American Family Radio Network and 100 on the Bott Radio Network. Listeners can learn more about the agenda behind health care initiatives and steps they can take to protect their health care choices, rights and privacy.

CCHF president and co-founder Twila Brase, R.N., has been called one of the “100 Most Powerful People in Health Care” and one of “Minnesota’s 100 Most Influential Health Care Leaders.” A public health nurse, Brase has been interviewed by CNN, Fox News, Minnesota Public Radio, NBC Nightly News, NBC’s Today Show, NPR, New York Public Radio, the Associated Press, Modern Healthcare, TIME, The Wall Street Journal, The Washington Post and The Washington Times, among others. She is at the forefront of informing the public of crucial health issues, such as intrusive wellness and prevention initiatives in Obamacare, patient privacy, informed consent, the dangers of “evidence-based medicine” and the implications of state and federal health care reform.

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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.