



NEWS RELEASE

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Don't Sign: HIPAA Shares Patient Data with 2.2 Million Organizations

*Twila Brase of Citizens' Council for Health Freedom
Says Citizens Are Bullied Into Signing HIPAA Forms*

St. Paul, Minn.— It happens to all of us each time we go to the doctor. A piece of paper is pushed across the desk for us to sign, acknowledging our receipt of the “privacy practices” of the hospital, doctor’s office or clinic.

But did you know you are not required to sign that form? In fact, according to one patient advocate, signing the form could actually jeopardize your patient freedoms in the future.

“By federal law, you are not required to sign the clinic or hospital HIPAA ‘privacy’ form, even if the clinic or hospital tries to insist that you must,” says Twila Brase, president and co-founder of Citizens’ Council for Health Freedom, a patient-centered national health policy organization based in St. Paul, Minn. “The form has nothing to do with consent or health privacy. The form is actually just an acknowledgment that you have received and understood the clinic or hospital’s ‘Notice of Privacy Practices,’ which given the permissive access allowed, could better be described as a Notice of Data Disclosure Practices.

“Federal law only requires that the clinic or hospital make a good faith effort to obtain your signature on the form,” Brase continues. “Contrary to popular belief, signing this 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 point to your signature and tell you that you knew that your private data was going to be shared broadly.”

The Administrative Simplification section of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) eliminated longstanding legal written informed patient consent requirements for the sharing of private medical data. Thus, the U.S. Department of Health and Human Services notes in the final rule that approximately 2.2 million business associates may now be given access to your private medical data without consent. Thus, the “privacy” notice simply informs you about the purposes for which your health data can be shared without your consent and the types of entities with whom it may be shared.

So, what can you do? *Brase* offers these actions to help protect the privacy of your health data:

1. Resist conforming state law to HIPAA. Any and all state legislative attempts to conform state law with the federal HIPAA law, or specifically, the HIPAA “privacy” rule should be strenuously resisted and avoided. Such laws may void current state privacy laws or eliminate the possibility of enacting strong truly protective state health privacy laws in the future.

2. Take a stand at your clinic. To assert your right to refuse signing the notice, you may simply refuse to sign the “Notice of Privacy Practices” section on the consent form by crossing it out and refusing to sign. You may refuse to sign it even if medical personnel specifically ask for your signature on the form. You may also file a complaint with the Office of Civil Rights at the U.S. Department of Health and Human Services if you believe your rights have been violated.

3. Share what you know. Some clinics are now incorporating the notice within their consent for treatment forms. You may choose to cross out the lines related to the “Notice of Privacy Practices.” Keep in mind that most clinic staff believe the document actually protects privacy. This is your opportunity to educate them. Copy and share the federal language in the documents accessible at www.cchfreedom.org.

4. Notify CCHF. If your clinic refuses to treat you because you refuse to sign the form (a pregnant woman has already contacted *Brase* saying her clinic refused to perform a c-section if she didn’t sign the form), please notify *Citizens Council for Health Freedom* in writing with the details of your encounter by emailing info@cchfreedom.org.

Twila Brase shares health care-related news with the American public in her daily, 60-second radio feature, *Health Freedom Minute*. *Health Freedom Minute* airs on 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 and policies and what they can do to protect their health care choices, rights and privacy.**

Brase, a public health nurse and health care freedom advocate, informs listeners of crucial health issues, such as the intrusive wellness and prevention initiatives in Obamacare, patient privacy and the need for informed consent requirements, the dangers of “evidence-based medicine” and the implications of state and federal health care reform.

Health Freedom Minute is sponsored by the *Citizens’ Council for Health Freedom*, a freedom-focused, patient-centered national health care 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.

For more information about *Citizens’ Council for Health Freedom* or to sign up for the weekly *CCHF Health eNews*, visit www.cchfreedom.org.

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