

# MN Business Groups Want to Control Your Doctor

**COMMITTEE HEARING – Wednesday, Feb. 20<sup>th</sup> at 2:30pm**

House Committee on Health and Human Services Policy  
Room 200 State Office Building

**HF 831 – Rep. Halverson (D-51B) - Chief Author**

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## Bill to Repeal Consent Rights:

**HF 831** eliminates patient-consent requirements for data sharing Minnesotans currently have in the MN Health Records Act (MHRA) – the nation’s strongest patient consent law. (*M.S. 144.291 - 144.298*). The business community, health data industry and the MN Dept. of Health (MDH) are pushing to allow broad sharing of personally identifiable patient data without consent — as permitted by the federal HIPAA rule. As David Brailer, the former National Coordinator of Health IT remarked about health information sharing under HIPAA: **“You can’t force a covered entity to give your data to someone you choose, and you can’t stop them from giving it to someone they choose.”**<sup>1</sup>

## Patient/Doctor Impact:

1. 2.2 MILLION ENTITIES – The number that could gain access to patient data without patient consent if enacted.<sup>2</sup>
2. CORPORATE CONTROL OF THE EXAM ROOM – Health plans and government officials want to use patient data to develop and impose harmful “one-size-fits-all” treatment protocols, and penalize doctors who refuse to comply.
3. LIFELONG REAL-TIME HEALTH SURVEILLANCE – Tracks, records, and links ALL diagnoses, treatments, patient and physician comments, behaviors, medications, genetic codes, family structure and more (**also eliminates the right to an unbiased, second opinion**).

## Facts:

1. MINNESOTANS SUPPORT CONSENT – Responding to MDH report on repeal options, **73 out of 74 Minnesotans oppose** ending MHRA consent requirements.<sup>3</sup> – 2017 MDH report
2. ENDS PRIVACY PROTECTIONS – **“Removes certain privacy protections for MN patients, especially related to sensitive information such as mental health, HIV/STD, and genetic information.”**<sup>3</sup> – 2017 MDH report
3. BROAD SHARING OF PATIENT-IDENTIFIABLE DATA – **“[Repeal] may raise privacy concerns because of the broad scope of health care operations** [a nearly 400-word list of non-clinical activities]”<sup>3</sup> – 2017 MDH report

## **Take Action:**

Join us at the hearing if you can! And ask committee members and your MN state legislators to **oppose HF 831** and any legislation that circumvents, partially repeals, or fully repeals the current, longstanding patient-consent requirements for sharing, using, analyzing or selling your medical information. Also, sign our petition by going to this link: **[bit.ly/ConsentPetition](http://bit.ly/ConsentPetition)**

### Sources:

1. <https://www.wsj.com/articles/theyre-your-vital-signs-not-your-medical-records-1430436971>
2. <http://forhealthfreedom.org/Newsletter/September2010.html#Article3>
3. <http://www.cchfreedom.org/pdfs/Public-comment-responses-combined.pdf>