February 10, 2022

The Honorable Senator Charles E. Schumer  
Office of the Majority Leader  
United States Senate  
322 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Senator Mitch McConnell  
Office of the Minority Leader  
United States Senate  
317 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Representative Nancy Pelosi  
Office of the Speaker of the House  
United States House of Representatives  
1236 Longworth House Office Building  
Washington, D.C. 20515

The Honorable Representative Kevin McCarthy  
Office of the Minority Leader  
United States House of Representatives  
2468 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Patrick Leahy  
Chair of the Appropriations Committee  
United States Senate  
437 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Richard Shelby  
Vice Chair of the Appropriations Committee  
United States Senate  
304 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Rosa DeLauro  
Chair of the Appropriations Committee  
United States House of Representatives  
2413 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Kay Granger  
Ranking Member of the Appropriations Committee  
United States House of Representatives  
1026 Longworth House Office Building  
Washington, D.C. 20515

Dear Majority Leader Schumer, Madame Speaker Pelosi, Minority Leaders McConnell and McCarthy,  
Chairman Leahy, Vice Chairman Shelby, Chairwoman DeLauro, and Congresswoman Granger:

On behalf of the undersigned individuals and organizations representing American citizens nationwide, we are writing to express our strong opposition to ending the longstanding prohibition on funding and development for the controversial, and very troubling, federal Unique Patient Identifier (UPI).

For more than 20 years, a ban on funding for the Unique Patient Identifier (aka National Patient ID) was maintained by U.S. Congressman Ron Paul (R-TX) and later U.S. Senator Rand Paul (R-KY). In 2019, U.S. Senator Rand Paul introduced S. 2538 to repeal the UPI from federal law. In a press release, Senator Paul stated:
As a physician, I know firsthand how the doctor-patient relationship relies on trust and privacy, which will be thrown into jeopardy by a National Patient ID. Considering how unfortunately familiar our world has become with devastating security breaches and the dangers of the growing surveillance state, it is simply unacceptable for government to centralize some of Americans’ most personal information.

We agree that a National Patient ID undermines the doctor-patient relationship and that a new government number to link a patient’s medical records from womb-to-tomb would centralize patient data into a national medical-records system, whether centralized in the U.S. government or gathered and disseminated through a distributed database (eHealth Exchange) with centrally controlled access to patient data around the nation, or perhaps even around the world. We greatly appreciate Senator Paul’s strong stand against this federal enumeration scheme that would be the final measure to create and implement a national health surveillance system.

Likewise, we are grateful to Congressman Chip Roy (R-TX) – as well as co-sponsors of his bill – for his legislation to repeal this intrusive system of centralized federal control over the private and confidential medical records of all Americans.

A National Patient ID would become a government-issued tracking number, identification number, and access-to-care number (i.e. “no card, no care”). After the UPI became law in the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Congressman Ron Paul stopped its development and funding by placing the following prohibition in the 1999 Appropriations bill:

None of the funds made available in the Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d–2(b)) providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual’s capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

This prohibition has been in place since 1999, but now the U.S. House of Representatives and the U.S. Senate have struck the funding prohibition out of the proposed appropriations bill to advance a government number that will identify and track every patient through the health care system. To reiterate, this unconstitutional federal number would be used not only to track patients, but to create a lifelong, fully linked cradle-to-grave medical record, conduct research using patient data without consent (as permitted by the permissive HIPAA data-sharing rule, which is considered a permissive data-sharing rule, not a privacy rule), and become the only way to access medical care in America. It would also mean the end of unbiased, fresh second opinions for patients.

The UPI would also create a rich target for hackers and others, including foreign governments, wishing to steal the identity and private medical and financial details of Americans in and outside of government. In short, it will make Americans more vulnerable, violate their rights, and threaten our national security.

National systems beget national systems: a national patient ID will create a national data system, facilitating the transition to a national health care system, where access to care is controlled by the federal government.
The UPI will also facilitate the creation of complete dossiers on Americans, particularly as the troubling collection of financial, social, and lifestyle “Social Determinants of Health” (SDOH) data in the electronic health record advances. Last, but not least, it will facilitate coercion, control, and interference in private medical decisions through profiling of patients, profiling of physicians, and the advance of value-based payments, with “value” defined by third parties far from the exam room.

Therefore, Senator Schumer, Madame Speaker, Senator McConnell, Senator McCarthy, Mr. Chairman, Mr. Vice Chairman, Madame Chairwoman, and Representative Granger, we are asking you to end the proposal that will violate patient privacy and consent rights and eliminate the patient’s personal control over their most sensitive data.

**Specific Requests:** For the sake of all Americans, and for the cause of patient-freedom and confidence in the health care system, we respectfully request that the U.S. Senate and U.S. House maintain the prohibition on funding and development of the Unique Patient ID. Instead, consider signing on to the repeal of the UPI, as introduced in H.R. **5812** by Congressman Chip Roy (and 8 co-authors) and S. **3124** by U.S. Senators Rand Paul and Marsha Blackburn.

Thank you for your attention to this important matter.

If you, or anyone on your committee should have questions, please do not hesitate to contact Twila Brase, president of Citizens’ Council for Health Freedom at 651-646-8935.

Sincerely,

Twila Brase, RN, PHN
President and Co-founder
Citizens’ Council for Health Freedom

Jake Hoffman
President and CEO
**Align for Freedom**

Bob Carlstrom
President
**AMAC Action**

Phil Kerpen
President
**American Commitment**

Tim Wildmon
President
**American Family Association**

Sandy Rios
Director of Governmental Affairs
**American Family Association**

Dean Clancy
Senior Health Policy Fellow
**Americans for Prosperity**
Jane M. Orient, M.D.
Executive Director
Association of American Physicians and Surgeons

Will Swaim
President
California Policy Center

David Williams, M.D.
Member of the Executive Committee
Concerned Doctors of Alabama

Eunie Smith
President Emeritus
Eagle Forum of Alabama

Lawrence W. Reed
President Emeritus
Foundation for Economic Education

Tarren Bragdon
CEO
Foundation for Government Accountability

Naomi Lopez-Bauman
Director of Healthcare Policy
Goldwater Institute

State Sen. Beverly Gossage (KS)
Director
HSA Benefits Consulting

Linda Gorman
Director, Health Care Policy Center
Independence Institute

Hadley Heath Manning
Director of Policy
Independent Women’s Voice

Merrill Matthews, Ph.D.
Resident Scholar
Institute for Policy Innovation

Brian Balfour
Senior Vice President of Research
John Locke Foundation

Seton Motley
President
Less Government

Penny Pullen
President
Life Advocacy Resource Project

Robert Fellner
Vice President and Policy Director
Nevada Policy Research Institute

Ted Baehr, Th.D., HHD, J.D.
Movieguide(r)
Producer’s Guild of America Member

David Williams
President
Taxpayers Protection Alliance

Jenny Beth Martin
Honorary Chairman
Tea Party Patriots Action

Roger Stark, M.D., FACS
Senior Fellow
Washington Policy Center