

Hon. Paul Krekorian
State Capitol
Sacramento, CA 95814

Re: AB 952 (Krekorian)
OPPOSE UNLESS AMEND

Dear Assemblyman Krekorian:

Kaiser Permanente opposes AB 952 unless it is amended to limit disclosures of individually identifiable medical information to those currently permitted for payment purposes in Section 56.10(c)(2), and to expressly provide that no further use or disclosure of the information may be made. As written, the bill puts health plans like Kaiser Permanente between competing statutory directions--on the one hand to disclose protected health information with third party administrators, and on the other to comply with the strict dictates of the Confidentiality of Medical Information Act, which permits only very limited disclosures of medical information without the express written authorization of the individuals affected.

We have met with the proponents and committee staff about the bill. We understand the need of certain third party administrators, including Taft-Hartley trusts to secure limited medical information for paying claims and other payment-related purposes. We would therefore remove our opposition if AB 952 is amended: 1) to incorporate changes to the existing CMIA payment exception that expressly incorporate the HIPAA definition of "health plan" that includes Taft-Hartley trusts and other entities involved in payment of health care claims; and 2) to expressly provide that no further use or disclosure of the medical information received for payment purposes may be used or disclosed for other purposes.

Sincerely,



Bill Wehrle
Senior Legislative Representative

cc: Hon. Dave Jones
Deborah Kelch, Chief Consultant, Assembly Health Committee