



Maryland
Hospital Association

March 20, 2019

To: The Honorable Chair Delores Kelley
Sponsor Senator Hayes
Senate Finance Committee

From: Jennifer Witten, Vice President of Government Affairs
Maryland Hospital Association

Re: Letter of Concern – Senate Bill 903: Health Information – Commercial Sale

Dear Chair Kelley:

On behalf of the Maryland Hospital Association's (MHA) 62-member hospitals and health systems, we appreciate the opportunity to comment on SB 903. Maryland's hospitals are committed to protecting patients' sensitive medical and personal information. Hospitals want patients to know where their data is sent, who it is shared with, and to be the ones to make those decisions. However, MHA would like to better understand the full implications of the bill on hospitals and determine whether patients' private data already are protected under existing laws and practices.

Most health care providers fall under the federal Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule. This law includes strict standards for the protection of patients' data and private health information. MHA is concerned that the motive of the legislation is to preserve a certain business revenue model through information blocking. Information technology companies are adding unnecessary requirements or charges to take advantage of the desire and ability to share information more easily. The Federal Office of the National Coordinator has stated their concerns about these practices, as they will stifle progress toward easier information sharing among providers who need to coordinate patients' care.

Maryland also has a highly valued statewide Health Information Exchange (HIE) — Chesapeake Regional Information System for our Patients (CRISP) — that allows health care providers to transfer data securely through electronic networks among health information systems. The exchange allows care providers to deliver the right health information to the right place at the right time — providing safer, timelier, efficient, patient-centered care. CRISP gives patients the ability to interact with the HIE to determine how their information is shared — a key goal under SB 903.

MHA would like more time to fully explore the potential impact of this bill on Maryland's hospitals that perform research and clinical trials given the vast amount of data collected. The state's hospitals remain committed to safeguarding patients' personal and medical data and respectfully request more time to study the effects of SB 903 on those efforts. We thank you for your careful consideration of this issue.