

**Testimony in opposition of:  
House Bill 1358 Health - Protection of Personal Medical Information**

**Submitted by:  
Imani Pearson  
212 Washington Ave Apt 1314  
Towson, MD 21204**

Dear Delegate Grammer and the Distinguished Members of the Health and Government Operations Committee:

I strongly urge the support of House Bill 1358. This bill further reinforces the federal laws set out in the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Specifically, the Privacy rule in HIPAA coincides with the state provisions made in the bill as it addresses the use of private protected health information by covered entities which this bill identifies as all employers. Expanding the covered entities laid out in HIPAA to include employers that otherwise would be excluded in the federal Act, better promotes the health of the people.

This revision to HIPAA protects the well-being of the patient. The addition includes that an employer may not release health information in connection with hiring, promotion, demotion, retention, disciplinary action, or other related incidents. If this revision was not in place, then patients would be penalized for having health ailments. The introduction of a punishment related to a health behavior leads to negative reinforcement and an association of a negative consequence to the health behavior that needs to be promoted. The risk that their health could further affect other aspects of their health affects the trust that patients have toward the medical community. As a result, patients could avoid using health services altogether because of fear that any physical health issue found could cause issues in other aspects of their health and well-being. Because of the connection that would be established between consequences such as economic penalties to health behaviors such as visiting physicians, preventative measures will not be taken and the health of the population would then suffer. This scenario does not serve the health of the individual nor the public, therefore, the additional protection of health records better serves the community.

The HIPAA Privacy Rule merely establishes a federal floor for protecting confidential medical information and these additions provided by the State legislature further strengthen these privacy protections. I hope that this information is helpful for the Committee's consideration, and thank you for the opportunity to express my views.

Respectfully Submitted,  
Imani Pearson