

February 17, 2025

Testimony in Support of Senate Bill SB0977:

State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act)

To the Honorable Members of the Senate Judicial Proceedings Committees,

My name is Anna Preston, and I am writing to express my strong support for Senate Bill 0977. I am a medical doctor currently in residency here in Maryland. In my clinical work, I have the privilege of treating and getting to know patients of all ages, from all walks of life. Through all my clinical encounters, the ability to guarantee the privacy and security of the clinical space has been paramount to my ability to earn patient trust and practice good medicine.

The right to privacy is a foundational principle of our democracy and of healthcare. Health records are among the most personal and sensitive documents a person can possess, containing detailed information about an individual's physical and mental health, medical history, and treatment. The laws and regulations that protect this information, including the Health Insurance Portability and Accountability Act (HIPAA), ensure individuals can seek medical care without the fear that their private information will be used against them.

However, in the current political climate, the threat of data privacy violations looms large, as does growing public concern that immigration agents may use health records to target, detain, or deport individuals based on their immigration status. This creates a chilling effect on individuals seeking necessary care, leading to delays in treatment, refusal of care, or avoidance of healthcare facilities altogether. It undermines the trust between patients and healthcare providers, which is essential to the provision of effective medical care.

The promise of privacy emboldens my patients to share sensitive symptoms that lead to a lifesaving diagnostic workup, to disclose social needs that then be acted upon, or even just to share stigmatized health information, such as alcohol use, that helps me better understand their health risks and overall wellness. This bill is a crucial step in protecting the privacy and dignity of all residents, particularly immigrant communities, who have the right to seek healthcare without fear of discrimination, detention, or deportation.

In a world of exploding data generation and access, it is imperative to have checks and regulations in place regarding the use of that data by individuals in power. This bill would ensure that sensitive health records are only accessible by law enforcement officers with a valid, specific warrant, providing essential safeguards against abuse. By preventing immigration agents from accessing these records without clear legal cause, this bill upholds the rights of individuals to

receive healthcare in an environment free from the fear of government overreach. It affirms that healthcare access should not be compromised by concerns about one's immigration status.

This bill is not only a matter of privacy; it is a matter of public health. Fear of deportation or detention should never deter individuals from seeking the medical care they need. When people avoid healthcare, it not only harms them but also jeopardizes the health of entire communities. Preventing immigration agents from accessing health records without proper legal procedures ensures that all individuals can seek medical care without fear, improving public health and fostering trust between healthcare providers and the communities they serve.

I urge you to support Senate Bill 0977 and stand in defense of privacy, fairness, and public health. By doing so, you will set a precedent of data security for all Marylanders and send a strong message that our state values the dignity of every person and prioritizes the health and safety of all its residents.

Thank you for your time and consideration.

Sincerely,

Anna Preston, MD, MPH
(860) 707-0867
annapreston49@gmail.com