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Insurers Plan To Give Patients Personal Health Records Is “Wolf in Sheep’s Clothing”

Austin, Texas - Patient Privacy Rights denounced a plan by America’s leading insurers to provide Personal Health Records (PHRs) to American patients. America’s Health Insurance Plans (AHIP) and the Blue Cross and Blue Shield Association (BCBSA) recently announced a plan to provide free PHRs to their plan enrollees. The PHRs will be pre-populated with information based on insurance claims data. Then, patients and healthcare providers will be encouraged to add additional information not included in the claims data. Together, the two groups cover over 200 million people.

“This is a wolf in sheep’s clothing,” Peel said. “Insurer-provided electronic personal health records held in a data bank that the insurers control will be used primarily to benefit insurers, not patients.”

Research shows that consumers do not want their insurers to have their complete electronic medical records:

- 65% of Americans will not give insurance plan providers sensitive information. (Harris- Westin 2005)
- 53% of Americans are very concerned about health insurers gaining access to their electronic health records. (Lake Research Partners for Markle Foundation, Nov. 11-15, 2006)
- 59% of healthcare consumers do not trust their health insurer. (Harris/WSJ 2004)
- Three quarters of Americans want the government to establish rules to protect the privacy and confidentiality of online health information and two-thirds want the government to set rules to control secondary use of information. (Lake Research Partners for Markle Foundation, Nov. 11-15, 2006)
- 77% of Americans fear that their data in electronic records

will be used for purposes other than their healthcare, like marketing. (Lake Research Partners for Markle Foundation, Nov. 11-15, 2006)

- 42% of Americans feel privacy risks outweigh the expected benefits of electronic health records. (Harris-Westin 2006)
- 82% of Americans object to insurance companies gaining access without permission. (Gallup 2000)

What insurers will get:

- An immensely lucrative data base they control completely.
- A rich compilation of patient data with no state or federal laws to prevent them from using the information any way they please.
- The opportunity to data mine the new information consumers add to their PHRs for medical underwriting.
- A great new business opportunity they can sell the PHR data of millions of enrollees to employers, drug companies, and data brokers.

What consumers will get:

- No control over who can use and access their PHRs in these databases.
- No way to know how many other corporations will have access to their PHRs.
- No legal way to stop their PHRs in this database from being accessed, used, and sold.
- The misleading impression that medical underwriting will stop. Consumers are led to believe that their PHRs in this database will not be used for underwriting, but insurers ALWAYS share enrollees' health data with the Medical Information Bureau, which in turn gives every other insurance company access to the diagnoses, claims, and costs the patient and his/her family have incurred over their lifetimes.
- The only "right" they get is to approve the transfer of their PHR to another insurer if they change jobs.

"The last place on Earth where patients want to keep their complete medical records is in the hands of their insurers. But that is exactly what AHIP and BCBSA are proposing," said Deborah Peel, MD, founder and chair of Patient Privacy Rights.

"By giving plan enrollees a PHR and asking them to fill in the blanks, we're basically being asked to spy on ourselves for the financial benefit of the insurance industry," Dr. Peel said.

"Patients' sensitive medical records will be held in an insurer-controlled database. Will these companies guarantee that patients' personal health information will never be used against them or disclosed without informed consent?"

"We have trusted and depended on our physicians to keep our medical records private since the beginning of time; we must continue to have that same confidence as we move into electronic medical records," Peel said.

Patient Privacy Rights strongly advises all Americans not to participate in any personal health record databases or data banks until Congress passes a law saying that consumers own their health records and gives them the right to control who can access their health records.

"Electronic health records are essentially a good idea. They can save time, money and lives. But, American health consumers have said repeatedly that they do not want their insurers to have access to their records," Dr. Peel said. "Before these PHRs are built, the government needs to set strong privacy policies and standards. Once the protections are in place giving patients control of access to their data, we can reap the benefits of PHRs and other interoperable electronic medical records."

Web site: www.patientprivacyrights.org

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