

BILL NO: House Bill 694
TITLE: Hospitals - Financial Assistance - Medical Bill Reimbursement
COMMITTEE: Health and Government Operations
HEARING DATE: March 2, 2022
POSITION: **FAVORABLE WITH AMENDMENTS**

House Bill 694 would require the Office of the Comptroller, the Maryland Community Health Resources Commission, and the Department of Human Services to share information about patients that used health insurance for treatment at a hospital who may have qualified for free care based on certain eligibility criteria. The bill would then require a postcard be sent to a patient's home indicating the date and hospital where medical care was administered and that were eligible for free care.

While the intent of the bill is admirable and one that we support in concept, we have grave concerns regarding how this legislation would impact victims of violence, especially victims of domestic violence and sexual assault. Victims of domestic violence and sexual assault often seek care at a hospital without the knowledge of their abuser for fear of further harm and violence. The General Assembly recognized the privacy and confidentiality concerns of victims when using health insurance in 2014 with the passage of legislation. That legislation created a process by which those that thought they would be in danger if health information was sent to the insurance policyholder could request confidential communications from their health insurance carriers. MD INSURANCE § 15-141. The [form](#) to request that communication is found on the Maryland Insurance Administration website.

While House Bill 694 states that the coordinating agencies shall consider protecting personal information in their process to identify eligible patients, it does not account for the privacy needs of those that sought medical care at a hospital as the result of domestic violence or sexual assault without the offender's knowledge. This bill also does not contemplate how it will protect patient information for those victims that requested through the Maryland Insurance Administration that they receive confidential communications because they would be in danger if the information is disclosed to the insurance policyholder. Pursuant to HB 694, if otherwise eligible and despite requesting confidential communications a postcard about the medical treatment sought could be sent to a victim's home for their abuser to see. We are equally concerned about further harm that could be experienced by victims that seek treatment but were unaware of the confidentiality protections available and have the postcard this bill would create arrive in the mail that discloses treatment provided.

We therefore urge a favorable report with amendments that address the confidentiality and privacy needs of victims of domestic violence and sexual assault.

The Women's Law Center of Maryland, Inc.
The Maryland Coalition Against Sexual Assault
The Maryland Network Against Domestic Violence