



Legislative Testimony
765 Asylum Avenue, First Floor
Hartford, CT 06105
860-523-9146
www.acluct.org

**Written Testimony Supporting
Senate Bill 977, An Act Concerning Explanation of Benefits**

Senator Lesser, Representative Scanlon, and distinguished members of the Insurance and Real Estate Committee:

My name is David McGuire, and I am executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in support of Senate Bill 977, An Act Concerning Explanation of Benefits.

The ACLU-CT supports the right to health care privacy. This bill would take steps to protect that privacy by allowing people who share a health insurance plan with others and who are authorized to consent to their own health care to keep the details of their health care private. The bill would require a health insurance carrier to suppress an explanation of benefits or send an explanation of benefits to an alternate address if a person insured by the carrier so requests. Explanations of benefits contain confidential health care information, including information about medical care that people seek and receive. This is often information that people want to keep private, and people who can consent to their own health care should have the option to protect the details of that health care. By allowing people to suppress their explanations of benefits or direct that insurance carriers send them to alternate addresses, rather than directly to policyholders, people can maintain their health care privacy.

While health care confidentiality is important for everyone, it is particularly important for minors who can legally consent to medical procedures, young adults, and people in abusive or coercive relationships. Today, adults up to the age of 26 are able to remain on their parents' health insurance plans. People who are able to consent to medical procedures who share health insurance policies with their parents should be able to access medical care without the threat of their parents receiving the details of their doctor visit. This is especially important in the area of reproductive health care, as minors and young adults may wish to keep private the fact that they are seeking birth control, testing for sexually transmitted

infections, or the termination of a pregnancy. Not every minor or young adult can safely share their personal health care information with their family. Victims of domestic violence who share a health insurance plan with their partner also should have the right to privately and safely seek and receive health care. Keeping their explanation of benefits private and out of the hands of abusive and coercive partners may enable them to stay safe.

Importantly, this bill would require health insurance carriers to act quickly after receiving a request from an insured person to suppress or redirect transmission of an explanation of benefits. The bill also prohibits insurers from requiring an insured person to explain their request and prohibits insurers from requiring a person to waive their right to limit disclosure.

Last year, nearby Massachusetts enacted a similar law, signed by Republican Governor Charlie Baker, to protect patients' privacy by allowing patients to choose how and if their explanation of benefits is shared with another insurance policyholder. Connecticut can and should be the next state to protect patients' privacy rights.

We strongly encourage the committee to support Senate Bill 977.