

Executive Summary: Health Impact Review of SSB 5889

Concerning insurance communications confidentiality (2019 Legislative Session)

Evidence indicates that SSB 5889 has the potential to improve confidentiality for protected individuals, which will improve access to and use of healthcare services and decrease inequities by age, gender identity and sexual orientation, and for victims/survivors of violence.

BILL INFORMATION

Sponsor: Dhingra

Summary of Bill:

- Requires health carriers to direct all communication regarding a protected individual's receipt of sensitive healthcare services directly to the protected individual receiving care.
- Prohibits health carriers from requiring protected individuals to obtain authorization from the primary policyholder to receive healthcare services if the individual has the right to consent to care.
- Allows protected individuals to request a health carrier limit disclosure of any information, including personal health information, to the protected individual or to an email address or telephone number specified by the protected individual regardless of whether the information relates to sensitive services.
- Prohibits health carriers and insurers from requiring a policyholder or primary subscriber to pay for charges for healthcare services if the policyholder has not authorized the receipt of healthcare services for a protected individual who has limited disclosure.
- Directs Office of the Insurance Commissioner to:
 - Develop a process to ensure compliance and to regularly collect information from carriers on requests for confidential communications in order to monitor the effectiveness of the process and education and outreach activities conducted by carriers to inform enrollees about their right to confidential communication.
 - Develop and make available a standardized form for protected individuals to request confidential communication.
 - Develop rules to implement this act.

HEALTH IMPACT REVIEW

Summary of Findings:

This Health Impact Review found the following evidence regarding the provisions in SSB 5889:

This review makes the **informed assumption** that some protected individuals will use the standardized process to limit disclosure of all personal health information, not just information related to sensitive healthcare services. This informed assumption is based on discussions with staff at the Oregon State Department of Consumer and Business Services.

- **A fair amount of evidence** that health carriers directing all communications regarding a protected individual's receipt of sensitive healthcare services directly to the protected individual receiving care; health carriers not requiring protected individuals to obtain

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authorization from the policyholder to receive healthcare services; and protected individuals using the standardized process to limit disclosure of all personal health information will improve access to and use of healthcare services for those protected individuals.

- **Very strong evidence** that increasing access to and use of healthcare services will improve health outcomes for protected individuals.
- **Strong evidence** that improved health outcomes will decrease inequities by age, gender identity and sexual orientation, and for victims/survivors of violence.

FULL REVIEW

For review methods, logic model, strength-of-evidence analyses, and citations of empirical evidence refer to the full Health Impact Review at:

<https://sboh.wa.gov/Portals/7/Doc/HealthImpactReviews/HIR-2019-18-SB5889.pdf>

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