

# Digitizing Healthcare Plan Starts Patient Privacy Battle

*US lawmakers argue over how to balance the benefits of electronic medical records with privacy needs.*

By Alexandra Marks

The Christian Science Monitor

The economic stimulus package is certain to include billions of dollars to bring electronic record keeping to the healthcare industry, moving patients' records and doctors' prescriptions out of the era of carbon-paper triplicates and undecipherable handwriting.

It's an efficiency that's expected to bring down healthcare costs and add jobs. But it's also a way for researchers and others working to improve overall healthcare outcomes to gain access to millions of patients' medical records – and

therein lies the rub.

Lawmakers in the House and Senate are waging a battle over how to ensure that a patient's very private medical history is protected, even as they allot the money for an information technology (IT) system that makes widespread sharing of that history easier.

"The two overarching goals ... are to improve the privacy and security of health information, and at the same time, improve research using such information," says Bernard Lo, professor of medical ethics at the University of California at San Francisco at a press conference on

the current medical privacy law.

**Going electronic**

For President Obama, the need to spend at least \$20 billion over two years for an IT upgrade at clinics and hospitals is clear.

"We're still using paper. We're still filing things in triplicate. Nurses can't read prescriptions that doctors have written out," he said Tuesday,

February 10, during a prime-time televised press conference. "Why wouldn't we want to put that on an electronic medical record that will reduce error rates, reduce our long-term costs of healthcare, and create jobs right now?"

Few in the healthcare industry would defend the status quo. In 2001, the Institutes of Medicine called for all healthcare records to be electronic by 2010. Today, only 14% of medical practices use electronic health records.

The reasons are many: ranging from the high cost of computerizing thousands of offices to the need for staff training to the lack of standards that allow a computer in one office to talk to main frames in another.

"Health IT is an important enabler to having a better health care system, but in and of itself it will do very little," says Gail Wilensky, a senior fellow at Project Hope, an international health education foundation. "We also have to be ready to take on some of the very difficult issues with regard to standards, terminology, and ... interoperability."

The battle in Congress is over what kind of rules should guide that change – especially over ensuring privacy while striving for efficiency.

**Privacy vs. efficiency**

A patient's medical history is vital to a healthcare provider's ability to provide high quality, efficient care. But privacy advocates contend that individuals should be able to control who can see their medical record and when.

There is concern the information could be used by insurance companies or employers to discriminate, or that companies would mine the medical data for profit.

The need for patient confidentiality could conflict with the effort to improve overall outcomes. To

understand which medical interventions work best, researchers need access to large databases that include the outcomes of particular treatments for various diagnoses.

"The key depends in the long run on who owns and controls the patient record," says Marc Roberts, a professor of political economy and health policy at Harvard's School of Public Health. "Many healthcare systems are now intentionally building medical record systems that are nonstandardized and noncompatible so they can own and control the data."

That might be good for a chain of for-profit hospitals, but it doesn't help the overall healthcare system. That's why ensuring that all healthcare providers have systems that can share information is vital, says Professor Roberts.

There's already a law on the books designed to prevent unnecessary disclosure while allowing the use of nonidentifiable patient information for research. But a study released last week by the Institute of Medicine found that the Health Insurance Portability and Accountability Act isn't doing a good job of either protecting patient privacy or encouraging vital research.

Researchers are hoping Congress can remedy that.

The House version of the stimulus bill currently has stronger privacy provisions than the Senate version. It requires medical and insurance professionals to alert consumers of any unauthorized disclosure of their medical information.

That could cost billions of dollars, say many in the medical industry. By contrast, the Senate bill would leave disclosure to the discretion of the Secretary of Health and Human Services, who could take such costs into account when determining how to deal with security breaches.

The House bill also has stronger provisions to prevent healthcare institutions from selling information to third parties.

Some researchers worry that could also make it more difficult for them to access information.

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## Michigan Politics

By George Weeks



### State GOP Tries To Re-Group

The Republican brand has been in eclipse across the land.

That certainly includes Michigan, where Republicans last year lost state and U.S. House seats, and Supreme Court Chief Justice Cliff Taylor, and failed again to deliver the state for their presidential candidate as they have every four years since 1988.

But the Michigan GOP has a crowded and impressive field of 2010 gubernatorial prospects, joined last week by quietly effective and popular Secretary of State Terri Lynn Land.

I say "popular" advisedly. Those who hold this office quickly become well known. They have branch offices throughout the state, issue our driver's licenses, and sometimes get more votes than the winning gubernatorial candidates – as Land did in outpolling Governor Jennifer Granholm when both won in 2002 and 2006.

Three Republican secretaries of state were elected governor in the 20th century – Fred Warner, Frank D. Fitzgerald, and Harry F. Kelly.

In creating an exploratory committee one day before the weekend Republican State Convention in Lansing, Land said the state "is in dire need of strong leadership – and I am eager to join the discussion of how to get it back on track." She pledged a "fiscally conservative approach to all of state government."

In her Saturday remarks for the convention, Land contended she has had "positive feedback for our faster service, updated office locations, and increased online options." She said, "I'm ready now for the next step: To make Michigan work."

At this early stage, the high-profile prospect for the GOP nomination is Attorney General Mike Cox, whose crusades for consumers and against assorted evil-doers have been previously noted in this column.

Cox aides say that during the 2008 election cycle he raised \$500,000 for the state GOP, \$515,000 for the John McCain presidential campaign, and \$120,000 for GOP state House and local candidates in Michigan, and "only after the election did the AG begin to raise money for himself and he still raised more than anyone in the field for governor."

Land and Cox, like Granholm, are term-limited and cannot run a third time for their current offices.

Land's predecessor, now-U.S. Representative Candice Miller of pivotal Macomb County, is one of two Capitol Hill lawmakers considering a GOP gubernatorial run. (Representative Mike Rogers, an ex-state senator and FBI agent from Brighton, had been considering, but said Friday he would not run.)

The prospect of Representative Pete Hoekstra of Holland, former chairman and now ranking Republican on the House Intelligence Committee, running for governor became more likely when he announced he wouldn't seek reelection.

Also in the GOP wings: Oakland County Executive L. Brooks Patterson, who made a bid for the nomination in 1982, says he'll decide in a month or so about another try; ex-Congressman and state Senator Joe Schwarz of Battle Creek, who sought the gubernatorial nomination in 2002 and is mulling another try; state Senator Tom George of Kalamazoo, who has an exploratory committee; Oakland County Sheriff Michael Bouchard, and oft-mentioned David Brandon, boss of Domino's Pizza.

At this stage, there's less gubernatorial drama among Democrats, who held their state convention Saturday in Detroit. The early frontrunner is Lieutenant Governor John Cherry, who became Granholm's running mate after 20 years in the Legislature, concluding as Senate minority leader.

Cherry, especially on Great Lakes issues, has been able to carve a record beyond the shadow of Granholm, whose popularity

suffers along with the Michigan economy.

The Michigan GOP has made it clear that it will seek to make an issue of Cherry-Granholm link. Then-Chairman Saul Anuzis said February 3: "If he believes skyrocketing taxes and enacting a never-ending string of anti-business politics constitutes a strong record, then he's made a better case for change in this state than I could ever hope to."

Congressman Rogers said Friday: "It breaks my heart that the policies offered in Lansing over the past six years have been a catastrophic failure for Michigan families."

If they decide to run, House Speaker Andy Dillon of Redford Township and Wayne County Executive Robert Ficano could give Cherry a spirited race for the nomination. Publisher Bill Ballenger of *Inside Michigan Politics* newsletter told *Congressional Quarterly* of Dillon: "I personally think he would be a stronger nominee than Cherry."

Also considering is former state Representative John Freeman of Madison Heights.

Senator Alma Wheeler Smith of South Lyon says she'll seek the nomination, as do George Perles of East Lansing, a Michigan State University trustee and ex-football coach, and former Flint Mayor Don Williamson.

**The Granholm Imprint**

Through their appointees, governors make an impact long after they leave office. For example, Granholm last week named two Northern Michigan University Board of Control members for terms that expire December 31, 2016. They are L. Garnet Lewis of Freeland, associate director of professional education at Central Michigan University, and H. Sook Wilkinson of Bloomfield Hills, a psychologist in private practice.

Larry C. Inman of Williamsburg, Grand Traverse county commissioner, was appointed for a term expiring December 31, 2010.

**Camp Gives GOP Response**

Representative Dave Camp (R-Midland), the lead Republican on the House Ways and Means Committee, was picked by the national party to give its response Saturday to President Obama's weekly radio address (which is now also a YouTube event). He used the occasion to rail against the economic stimulus package that did not get a single Republican vote.

He said: "American families and small businesses are hurting, and Republicans know that we must act to help get our economy back on track, but we also know that we can't borrow and spend our way back to prosperity."

"Last week, Democratic leaders in Congress railroaded through a \$1.1 trillion spending bill. As soon as next week, they may bring up a bill that spends another half trillion dollars. And that is on top of the \$700 billion in TARP money – and perhaps untold billions more – we're spending to help banks and homeowners."

"Congressional Democratic leaders' track record on spending taxpayers' money wisely this year is already lousy. House Republicans offered a plan to help our economy using fast-acting tax relief that would have created 6.2 million jobs – twice the jobs at half the cost of the Democrats' trillion-dollar government spending bill. Instead, the Democrats' bill included money for electric golf carts, billions that could go to scandal-plagued groups like ACORN, and millions more just to renovate government office buildings. Despite promises of openness and transparency, it was written in a backroom and rushed through Congress so quickly that few – if any – members of Congress read it."

George Weeks retired in 2006 after 22 years as political columnist for *The Detroit News*. His weekly *Michigan Politics* column is syndicated by *Superior Features*.

## LETTER TO THE EDITOR

### Charter Dictates and Council Complies

To the Editor:

Before we were introduced to Archie Bunker on "All in the Family," and before the first test tube baby, mood rings, lava lamps, smiley faces, hot pants, platform shoes, when this nation was involved in a police conflict in southeast Asia, here in St. Ignace, a group of citizens met to study and prepare a revised City Charter.

That charter reveals in its pages their love for our beautiful city and their concern for good government. Past abuses, such as the hiring of family members for lucrative city employment, were addressed by specifically outlawing that unfair employment practice.

The 1970s version of municipal duties and restrictions was meant to ensure the city's smooth sail into the future.

Sometime between the time when a majority of city voters and Governor William Milliken approved this charter, and now, city government stopped using that charter as a guideline for its civic responsibilities.

No one can quite tell when that happened.

Now, the mayor, city council, and others have spent considerable time and tax dollars to read and study this document.

The city manager identified the final four areas on concern to the council at February's meeting within city limits. He was heard to say that the city can comply with each area with a minimum of disruption.

The mayor echoed the city manager's assertions.

Then, one of the members of Council distributed to everyone – with the exception of members of the public in attendance at that meeting – that council member's proposed resolutions.

One man wants to change the City Charter to comply with the way things are done at City Hall. It seems that this council member does not quite grasp that the charter dictates and City Hall complies.

What we have here is a perfectly viable version of the rules that have largely been ignored for the past 39 years and now one enterprising elected council member wants to develop plans to have his (largely private!) changes to the city's charter on November's ballot.

All this despite the agreement that the existing charter can be followed by City Hall with a minimum of consideration for the advancements of almost four decades of technological advances.

Read the City Charter for yourself. Copies are available at the clerk's office for \$3.25.

Then, you'll know what you think needs revision in November. Contact the members of City Council and the mayor with your opinion

It's no mystery that after my review of this all-important document, I think that the charter is fine as it is, and my only recommendation is that the city's administration exercise full compliance, as the 1970 version has never really been tested.

Mary Nichols  
St. Ignace

## Vintage Snowmobile Race Planned at Cedarville Saturday, March 21

A single-cylinder engine snowmobile race will be held in Cedarville Saturday, March 21, at 9:30 a.m.

Racers in the "one lugger" race will make 200 laps around a half-mile track at Taylor's Pit, about one mile north of town on M-129, and will only be allowed to use snowmobiles older than 1975. The course will consist of hills, straightaways, tight corners, bumps, and jumps. Between 20 and 50 racing teams are expected to enter into the

race.

Admission will be \$8 for adults and \$4 for children 12 and younger. A portion of the admission proceeds will be donated to the Fund the Future campaign at Les Cheneaux Community Schools.

Food and refreshments will be available at the race, which is sponsored by the Les Cheneaux Chamber of Commerce.

For more information, contact the Les Cheneaux Welcome Center at 484-3935.

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**Letters:**

All responsible letters will be considered for publication and may be edited. They must be signed and a telephone number must be included for verification. Personal thank-you notes, personal attacks against other people, form letters, and letters promoting political candidates are not accepted, although letters for or against ballot proposals are welcome.

**Obituaries:**

The St. Ignace News maintains a policy of not charging for obituaries and we do often add information or rewrite them for clarity and reader interest. Obituaries that the family wants published exactly as submitted can be placed in the newspaper for \$75. Photographs are welcome at no charge.

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Weddings with photographs are published without charge within 45 days of the ceremony. After 45 days, a photograph can be included for \$35.00.

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The quotation under the flag of *The St. Ignace News* on Page 1 is from the 10 triads written by Dr. Fred Newton Scott, creator and teacher of the first continuous course in journalism in the United States at the University of Michigan in 1890. The 10 triads are chiseled on the parapet of the Detroit News Building at 615 Lafayette Boulevard, Detroit. They were headed "Ideals of the Press" or "The Newspaper in a Free Society," and serve as a reminder of what a free press means to us.