Congress of the United States
Washington, DC 20515

October 12, 2011

The Honorable Hal Rogers
Chairman, Committee on Appropriations
H-307 The Capitol
Washington, D.C. 20515

The Honorable Denny Rehberg
Chairman, Subcommittee on Labor, HHS, Education and Related Agencies
2358-B Rayburn House Office Building
Washington, D.C. 20515
Dear Chairman Rogers and Chairman Rehberg,

As you may know, the Department of Health and Human Services has issued a proposed rule (Patient Protection and Affordable Care Act; Standards Related to Reinsurance, Risk Corridors and Risk Adjustment, HHS-OS-2011-0022) regarding implementation of the risk adjustment program required by last year's health reform law.

In this proposed rule, HHS has laid out three possible options for data collection. Two of the options laid out by the proposed rule require the submission of extremely sensitive private health care data (such as the type of care received, the amount paid for services, demographics, etc.) and private insurer actuarial risk model calculations to a centralized health care database, either at the state or federal level. The third option requires insurers to calculate individual risk scores on their own and submit those scores to the federal government. In order to verify the accuracy of insurer risk score calculations the federal government would likely need to access raw claims data.

The creation of a centralized health care database and potential government access to raw claims data constitute government overreach, impinge on patients' rights to privacy and potentially jeopardize fair competition in the health care market. Therefore, I ask that you insert language prohibiting funding for the implementation of such a database or the access of private health care records into any omnibus appropriations bill. Possible language could read, "None of the funds in this act or any other act may be used for the preparation, creation, implementation or maintenance of a centralized database of private health care data or for providing or potentially allowing access to private health care data."

This database issue is another classic example of the bureaucratic, big government nightmare created by ObamaCare, and I urge you to move immediately to defund any attempt to create a national database of private health information.

Sincerely,

Tim Huelskamp
Member of Congress

Tom Graves
Members of Congress

Cc: Speaker Boehner, Leader Cantor

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