



Susan L. King
State Representative
District 71

COUNTIES: TAYLOR, NOLAN & JONES

June 30, 2014

Senator Jane Nelson, Chair
Representative Four Price, Vice Chair
Members of the Sunset Advisory Commission

Re: DSHS Sunset Issue #7. Continue the health care information collection program, but evaluate how its functions fit within the broader health and human services system as part of the later Sunset review.

Dear Madam Chair Nelson, Vice Chair Price and Members:

As the author of House Bill 1394 (83R), this law directed the Sunset review of THCIC. I want to personally thank you for your thorough and robust dialogue on this topic in last weeks hearings. The state's handling of our constituents' personal medical and most private identity information prompts an immediate concern for privacy. Alternatively to the findings of the staff report, you have a keen opportunity under this recommendation to redirect with a lasting and positive solution to impact knowledge of the cost and quality of healthcare including but not limited to:

- Removing cumbersome data collection requirements that decrease time spent with patients and increase time spent on state requirements
- Preventing a potential extensive breach of private health information similar in scope to the 2011 breach of data by the Comptroller's office
- Ending the sale of private health information by the state to private industry.
- Prohibiting the practice of collecting patient private health information without the knowledge of that consumer
- Stopping an unfunded mandate on health care providers that requires a quarterly expenditure of resources via data input and subsequent certification processes by the provider
- Exploring a new and coordinated initiative under HHSC to collect meaningful quality healthcare data that is not redundant of federal requirements as well as cost information for consumers.
- Creating a new environment of cooperation between consenting patients, healthcare providers and the state, based upon full disclosure to the patient.

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HB 1394 sought to bring light to a program within a large state agency that could be characterized by lack of organizational purpose, direction and not fulfilling the original legislative intent. THCIC has almost a 20 year history within state government but with no results other than a venue to sell patient data to interested parties. Despite legislative efforts, such as SB 1731, (80R) by Senator Robert Duncan to bring information to the taxpayer for their individual use, no user friendly data has been produced. Seven more years have passed and millions of dollars later and the Sunset staff still concluded the following:

“A key goal of the health care information collection program is to provide consumers with information about healthcare quality and costs to encourage informed decision making, but DSHS has not yet met this challenge.”¹

In sum, the fact remains that the statutory goals of the program have not been met and some may argue that this is not a core function of government. We owe the taxpayers a duty to do our best to ensure prudent use of their dollars. The THCIC program under DSHS has, since 1995 collected and sold what reasonably would be considered as confidential medical information. With the rural facilities roll out planned for 2015; it is illogical to expand a strategy that has not demonstrated its justification other than extensive sale of the patient information collected. I ask for your favorable consideration to close this chapter in the history of the state’s data collection efforts and allow THCIC to sunset. With a decision to end the program, sunset staff and the Legislature can move forward in a new and collaborative direction towards a comprehensive program within HHSC characterized by transparency and appropriate data points collected.

Thank you for your attention to this vital matter. I look forward to working with you to craft a better solution in the arena of our state’s need to measure health care metrics and quality.

Most Sincerely,



Susan L. King
State Representative
House District 71

¹ DSHS Sunset Staff Report, Issue 7, Findings, pg. 82, June 2014