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March 22, 2007
Testimony SB 326

Chairman Rice and Members of the Committee,

For the record, my name is Scott Crichton. I serve as Executive Director for the American Civil Liberties Union of Montana. We are a growing membership organization comprised of more than 2,500 Montana households concerned with defending the Constitution and the Bill of Rights.

I am here today as an informational witness. When this bill was first heard in February before the Senate Health and Human Services Committee, I rose to voice concerns over SB 236 as written. The federal Health Information Portability and Access Act, or HIPPA, ushered in a new era on how we must deal with issues relating to privacy and medical records in this digital information age.

We heard the good intentions behind this proposed legislation from the sponsor, as a privacy advocate I am concerned about potential unintended consequences or possible abuse of this data base. After the committee heard proponent and opponents, we were queried about whether we would work with the sponsor to improve the bill. We consented to do so and worked closely with the Pharmacist Association and the Department of Labor to make amendments to the bill. These amendments were then adopted by the full committee and the bill made its way through the Senate for your consideration today.

If you assume the federal efforts to make such databases a reality in every state are an inevitability, then we have done our best to improve this bill.

Regardless, ACLU would urge your due diligence to consider the many ramifications of creating yet another government database with highly sensitive and private information.