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January 31, 2024

Re: Support of S.173 amendment to explicitly exempt VITL

Dear Chair Lyons and members of the Senate Committee on Health and Welfare:

We strongly support the committee's work to protect Vermont consumers, generally, and the via S.173, in particular. We also recognize the value to Vermonters of the Vermont Health Information Exchange (VHIE) and the substantial improvements to VHIE-related consumer education and record matching that VITL has implemented in recent years.

The Office of the Health Care Advocate (HCA) wishes to state its support of amending S.173 to explicitly exempt VITL. We believe such an exemption would "future proof" the legislation by dealing with the potential direct submission of personal health information to VITL for inclusion in the patient's VHIE records. The exemption would substantially decrease the cost and complications of incorporating direct submission health data into the VHIE and Vermonters would still be able to choose to submit direct data to the VHIE in the first place and they would retain the right to opt-out of the VHIE altogether. As such, we believe that amending S.173 to explicitly exempt VITL is warranted and that such an exemption poses minimal to no risk to Vermonters. Thank you for considering this comment.

Sincerely,

s\ Mike Fisher, Chief Health Care Advocate

s\ Eric Schultheis, Staff Attorney