

February 8, 2023

Dear Chair Virginia Lyons and Members of the Vermont Senate Health & Welfare Committee,

I am writing in support of S.37, an act relating to legally protected health care activity and regulation of health care providers.

We believe it is important to ensure that no individual is afraid to access health care for fear of how the data about their care may be used against them or their providers. In support of that, we would like to request that you consider expanding the language included in Section 14 so that all references to covered entities, which are included in Section 14 apply equally to business associates.

Business associates include entities that provide services to covered entities to achieve their business and operational needs. Examples of business associates can include billing providers, cloud storage services, data aggregators, practice management support, electronic health record vendors, and health information exchanges. This would include the Vermont Health Information Exchange, which VITL operates. Expanding the language to include business associates would ensure the data protections intended by S.37 are applied to organizations that receive and manage protected health information from a covered entity. It would also provide clarity to business associates about their responsibilities to protect that data as intended by S.37.

VITL is designated to operate the Vermont Health Information Exchange (VHIE), a secure, statewide data network that gives health care organizations in Vermont the ability to electronically exchange and access their patients' health information in order to improve the quality, safety, and cost of patient care. In support of this work, we serve as a business associate of many Vermont health care providers. This allows us to collect, match, and standardize patient data from health care organizations across the state, including hospitals, primary and specialty care providers, and Federally Qualified Health Centers. And further enables us to make that data available to stakeholders on behalf of those organizations to inform providers' point-of-care decisions; to improve and reform care; and to support public health efforts in service of all Vermonters.

Thank you for initiating this important legislation. Please contact me if you have any questions or would like additional information.

Sincerely,

Beth Anderson

Beth Anderson
President & CEO
banderson@vitl.net
802.861.1935