



STATE OF VERMONT
GENERAL ASSEMBLY

March 8, 2019

Kevin Mullin, Chair
Green Mountain Care Board
144 State Street
Montpelier, VT 05602

Dear Chair Mullin:

We reviewed with interest the Department of Vermont Health Access's (DVHA) recommendations regarding the consent policy for sharing patient health data through the Vermont Health Information Exchange (VHIE). We agree that switching to an opt-out consent policy, in which patient health data is included in the VHIE unless a patient expressly chooses not to participate, will provide for more robust sharing of health information in Vermont.

While we understand DVHA determined that legislative action was not necessary to modify the current opt-in consent policy, we believe that a decision affecting the privacy interests of Vermonters is more appropriately addressed by the General Assembly. On behalf of our respective committees, we therefore respectfully request that the Green Mountain Care Board refrain from taking action to modify the consent policy on its own initiative and instead allow us time to address the issue legislatively during the 2019-2020 biennium.

Thank you for your consideration, and we look forward to discussing this issue with the Green Mountain Care Board and other interested stakeholders in the near future.

Sincerely,

/s/ *Ginny Lyons*

/s/ *Bill Lippert*

Senator Ginny Lyons, Chair
Senate Committee on Health & Welfare

Representative Bill Lippert, Chair
House Committee on Health Care

Cc: Representative Mitzi Johnson, Speaker of the Vermont House of Representatives
Senator Tim Ashe, President Pro Tempore of the Vermont Senate