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Testimony of the Maine Center for Disease Control and Prevention
Department of Health and Human Services

Before the Joint Standing Committee on Health and Human Services

Neither For Nor Against LD 982

An Act to Allow the Disclosure of Death Certificate Data to Hospitals and Health Care Practitioners

Sponsored by: Senator Joseph Baldacci
Hearing Date: Wednesday, March 22, 2023

Senator Baldacci, Representative Meyer, and Members of the Joint Standing Committee on Health and Human Services, my name is Kim Haggan and I am the State Registrar at Maine CDC's Data, Research, and Vital Statistics office. I am here today to provide testimony on behalf of the Maine Center for Disease Control and Prevention and will be speaking neither for nor against LD 982, *An Act to Allow the Disclosure of Death Certificate Data to Hospitals and Health Care Practitioners*.

LD 982 requires the Department to provide death certificate data, upon request, to a hospital or health care practitioner. While Maine CDC had significant concerns related to the bill as drafted, we appreciate the willingness of Hospitals to come to the table and, we believe, identify a solution that addresses our concerns and meets their needs.

There are legal and regulatory restrictions as to who, when, and how vital records data are disclosed in the State of Maine. Current law provides Maine CDC - Data, Research, and Vital Statistics (DRVS) some discretion when in receipt of a request for vital record data; however, the broad language of this bill as drafted would remove this discretion.

Given our concerns and our statutory responsibility to be good stewards of this confidential information, we propose that this bill be amended to direct the Department to draft rules for the disclosure of this data, with discretion, an application process, and a disclosure agreement, as well as the ability of DHHS to deny or limit the scope of a request. We have discussed this with stakeholders and understand that they are amenable to this amendment.

DRVS recognizes that these death data will be helpful in purging patient records and updating provider files; however, there should be an opportunity for Department to limit the data items shared to a minimal amount necessary and/or to deny a request. Existing laws and Department protocols are in place to protect the confidentiality and direct record disclosure.

Thank you for your consideration of this matter. The Maine CDC is available to provide additional details for the Committee's consideration.