

Oppose HB 1654 – Protect the Privacy of Granite Staters’ Health Care Decisions

Bill Summary: HB 1654 would require the department of health and human services to publish an annual report consisting of an aggregate statistical summary of all abortions performed in New Hampshire.

This legislation arbitrary targets abortion records. The Secretary of State's Division of Vital Records Administration (DVRA) collects data and copies of birth, marriage, civil union, divorce, civil union dissolution, and death certificates.ⁱ Despite the fact “that abortions that are provided in the United States are safe and effective,” according to a landmark study published in the National Academies of Sciences, Engineering and Medicine,ⁱⁱ this legislation would single out abortion as the only medical procedure designated for data collection by the DVRA. This legislation is yet another attempt to place politicians between Granite Staters and their decision on whether or not to end a pregnancy.

This legislation threatens patient privacy. Under this proposal, healthcare providers must submit detailed individualized (as opposed to aggregate) reports on each patient’s medical procedure. Despite assigning patients and providers designated identification numbers, collecting this data as individualized—as opposed to aggregated—makes it possible to re-identify patients, in violation of their right to privacy. In addition, as we all know, successful cyber-attacks on highly secure government agencies are all too common.ⁱⁱⁱ This leaves some Granite Staters’ personal medical decisions unnecessarily at risk of disclosure.

This political interference would cost Granite State taxpayers around \$135,000 reach year. According to the bill’s fiscal note, Granite State taxpayers would be on the hook for \$139,300 in FY23, \$133,400 in FY24, and \$137,300 in FY25.^{iv} At a time when “nearly 100,000 Granite Staters live in poverty,” according to the NH Fiscal Policy Network,^v it is unconscionable that legislators would consider spending nearly half a million dollars over the next three years on a politically motivated government database.

The New Hampshire Legislature should focus on the pressing health care needs of Granite Staters. The number of new COVID cases and hospitalizations in New Hampshire are at an all-time high.^{vi} In the past 12 months, the number of ICU beds being used by COVID-19 patients has increased by 135 percent.^{vii} New Hampshire is one of four states that has less than 10% remaining capacity in their ICUs.^{viii} Nearly one in four New Hampshire hospitals are experiencing a critical staffing shortage.^{ix} Instead of expanding the government’s control of private health care decisions, legislators should be focused on the acute needs of medical providers in New Hampshire to combat COVID-19.

The vast majority of Granite Staters support safe, legal abortion. Sixty-six percent of Granite Staters support keeping abortion legal in all/most cases, rejecting the idea that bodies are public property to be regulated by government officials.^x In fact, only three states have a higher percentage of residents who support safe, legal abortion access.^{xi} As this polling makes clear, Granite Staters don’t appreciate government intervention into their private health care decisions.

Oppose HB 1654 – Don’t Play Politics with Granite Staters’ Healthcare Decisions

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- ⁱ See, New Hampshire Vital Records Information Network, https://nhvrinplus.sos.nh.gov/nhvrinplus/main_portal_land.html.
- ⁱⁱ Alison Kodjak, *Landmark Report Concludes Abortion In U.S. Is Safe*, NPR, March 16, 2018, available at <https://www.npr.org/sections/health-shots/2018/03/16/593447727/landmark-report-concludes-abortion-is-safe>.
- ⁱⁱⁱ See, e.g., Center for Strategic and International Studies, *Significant Cyber Incidents Since 2006*, available at https://csis-website-prod.s3.amazonaws.com/s3fs-public/220104_Significant_Cyber_Events.pdf?dLSQUtb9qiFpttFI7FcBmA9IKZaNPUib.
- ^{iv} See, HB 1654, As Introduced, Fiscal Note, available at https://www.gencourt.state.nh.us/bill_status/billinfo.aspx?id=1756&inflect=2.
- ^v New Hampshire Fiscal Policy Institute, *Income & Poverty*, available at <https://nhfpi.org/topic/income-poverty/>.
- ^{vi} Johnny Bassett, *New Hampshire Covid-19 numbers again hit all-time highs: Cases surge across the state as Omicron takes hold*, Granite State News Collaborative, Jan. 13, 2022, available at <https://www.nhbr.com/new-hampshire-covid-19-numbers-again-hit-all-time-highs/>.
- ^{vii} Todd Bookman & Casey McDermott, *"A constant tsunami": N.H.'s health care workers at the epicenter of COVID surge*, New Hampshire Public Radio, Dec. 14, 2021, available at <https://www.nhpr.org/nh-news/2021-12-13/nh-catholic-medical-center-manchester-covid>.
- ^{viii} Travis Caldwell & Jason Hanna, *19 states have fewer than 15% of ICU beds left as health care staffing shortages complicate care*, CNN, Jan. 14, 2022, available at <https://www.cnn.com/2022/01/13/health/us-coronavirus-thursday/index.html>.
- ^{ix} Todd Bookman & Casey McDermott, *"A constant tsunami": N.H.'s health care workers at the epicenter of COVID surge*, New Hampshire Public Radio, Dec. 14, 2021, available at <https://www.nhpr.org/nh-news/2021-12-13/nh-catholic-medical-center-manchester-covid>.
- ^x Jeff Diamant & Aleksandra, *Do state laws on abortion reflect public opinion?*, Pew Research Center, Jan. 21, 2020, available at <https://www.pewresearch.org/fact-tank/2020/01/21/do-state-laws-on-abortion-reflect-public-opinion/>.
- ^{xi} Jeff Diamant & Aleksandra, *Do state laws on abortion reflect public opinion?*, Pew Research Center, Jan. 21, 2020, available at <https://www.pewresearch.org/fact-tank/2020/01/21/do-state-laws-on-abortion-reflect-public-opinion/>.