

CONSUMER ALERT

Providing consumers with knowledge to make informed decisions

A Publication of the South Carolina Department of Consumer Affairs

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Medical Records and Your Privacy

One could easily assume that medical records are one of the most confidential parts of their life. This may not be an accurate assumption, however.

A medical record consists of any document that identifies a patient and the health care service provided to him or her. Medical records originate when an individual visits anyone in the health care profession, whether it a family physician, nurse, dentist, chiropractor, psychiatrist, etc. These records generally include your medical history, lifestyle history (i.e. smoker, athlete, etc.), laboratory test results, prescription medications, and relevant dates to operations and medical procedures. An individual and his/her medical professional have access to their medical records. However, your medical information may be shared with a wide range of people, regardless of whether or not they are in the health care profession. Others may have access to your medical records, if perhaps you agreed to let others see them. Often times, your medical records can be viewed because you signed a general consent form or a

blanket waiver when you attained medical care. After one has signed such a consent form, all sorts of organizations, such as insurance agencies, government agencies, the Medical Information Bureau, etc. may have access to your personal information.

There are some beneficial reasons for medical information to be shared. Information technology, for example, promises many health care benefits for people. As well, medical records can be used to aid medical research.

There are both national and state laws that offer limited protection to the consumer when it comes to medical privacy.

Unfortunately, these laws are limited and there is not a way to completely protect your medical record information. There are tips, however, that can help you to protect the privacy of your medical records.

Consumers currently do not fully understand their rights within the realms of privacy and they should know that there are avenues for seeking redress of alleged violations of privacy.

Tips To Protect Your Medical Privacy

***Limit the amount of information released:** When you are asked to sign a waiver for the release of your medical records, rather than signing a "blanket waiver" cross it out and write in more specific terms.

***A written request will revoke your consent to release medical information to the insurance company and/or to your employer for a particular visit, as well, you must also pay for the visit yourself rather than obtain reimbursement from the insurance company.**

***Medical records may be subpoenaed for legal proceedings. In such a case, they would become a public record. An individual can ask the court to allow only a specific portion of their medical record to be seen or not seen at all. A judge reserves the right to decide what parts, if any of your medical records should be considered private. After the court case is decided, you can ask the judge to "seal" the court records containing your medical information.**

CONTENTS:

Medical Records and Your Privacy.....	1
Consumer Education.....	2
Did You Know That.....	2
Television Special on Privacy.....	2
Consumer Crusader.....	2
Scams.....	2

Coming Soon

**Television Special
Privacy Issues**

Details on Page 2

Consumer Education

The South Carolina Department of Consumer Affairs and the Direct Selling Education Foundation are hosting the 2001 Summer Consumer Institute for Teachers, beginning June 18th. The program will consist of a rigorous three-day professional development session that highlights consumer issues and provides instruction on how to transform this information into educational lessons for students. Educators and the public have come to recognize that consumer education is an important and useful subject for all students. With its real life problems, consumer education has been found to be a practical way of arousing interest in subjects in English, Math, Social Studies, and Science. Instructional lessons are stressing buying techniques and money management, but in today's consumer market emphasis must be placed on the problems of credit issues and students, buying automobiles, telemarketing and other retail sales.

Did You Know That...

South Carolina passed a law that requires automobile dealers, charging closing costs (fees on the sale of an automobile), to register with the Department of Consumer Affairs annually. Closing costs, also known as documentation fees, administrative fees, or processing fees, if charged by the automobile dealer, must be displayed at the business in a conspicuous place. The fee must also be disclosed on all sales contracts and if the vehicle is advertised must be included in the advertised price.

SCDCA and SCETV Produce Television Special On Privacy Issues

Do you know who has access to privileged and personal information about you and your family? Do you know how you can reduce unwelcome intrusion into your privacy? If you do not have the answers to these questions watch **PERSONAL AND CONFIDENTIAL: A MATTER OF PRIVACY**, airing statewide on your local SCETV channel, on **Tuesday, June 26th at 8pm.**

Program participants will include **State Consumer Advocate Philip S. Porter, South Carolina Senator Linda Short, House Speaker Pro Tempore Douglas Smith, United States Attorney Scott School, Executive Director of the Department of Health and Human Services William Prince, and members of the South Carolina General Assembly.**

Discussion will focus on credit files, financial and government records and how consumers can safeguard their personal privacy. Viewers will be able to call-in and transmit questions via e-mail.

CONSUMER CRUSADER SAYS:



**The bottom line:
*It is your responsibility to
take every necessary
precaution to protect your
medical privacy.***

SCAMS

Online Investment Newsletters

Hundreds of online investment newsletters have appeared on the Internet in recent years. Many offer investors seemingly unbiased information free of charge about featured companies or recommending "stock picks of the month." While legitimate online newsletters can help investors gather valuable information, some online newsletters are tools for fraud.

Some companies pay the people who write online newsletters cash or securities to "tout" or recommend their stocks. While this isn't illegal, the federal securities laws require the newsletters to disclose who paid them, the amount, and the type of payment. But many fraudsters fail to do so. Instead, they'll lie about the payments they received, their independence, their so-called research, and their track records. Their newsletters masquerade as sources of unbiased information, when in fact they stand to profit handsomely if they convince investors to buy or sell particular stocks.

Some online newsletters falsely claim to independently research the stocks they profile. Others spread false information or promote worthless stocks. The most notorious sometimes "scalp" the stocks they hype, driving up the price of the stock with their baseless recommendations and then selling their own holdings at high prices and high profits

[Source: U.S. Securities and Exchange Commission](#)

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