THE DAILY CALLER

Experts: Obamacare will lead to massive spying on U.S. health records

By: Sarah Hurtubise- July 24, 2013

The federal government may be one step closer to keeping tabs on consumers' health care information with a new data hub compiling personal information from a host of government agencies and newly collected health status information.

Some experts warn it could get even more invasive over time.

The Data Services Hub will be the primary computer program to verify eligibility for Obamacare exchanges. But the program will collect and compile such massive amounts of information that lawmakers and experts are increasingly fearful of privacy infringement.

Pennsylvania Republican Rep. Pat Meehan warned The Daily Caller News Foundation that the program is a "massive data grab" and will put citizens' private information at risk.

But the program, which has been receiving heat over the large amount of personal data it will connect from various government sources, will also add health status to the mix — an addition Meehan finds distrubing

Center for Medicare and Medicaid Services chief Marilyn Tavenner, whose department will oversee the Hub, told lawmakers last week that the limited health information required will be relevant to the type of coverage they receive under Obamacare exchanges.

"Well," Meehan asked TheDCNF, "other health circumstances might change coverage — will we have to be reporting to the government other health changes as well?"

Michael Cannon, the Cato Institute's director of health policy studies, warns it could. "The economics of Obamacare require that the federal government will have to do more to delve into people's medical care," Cannon told TheDCNF.

The government's problem lies in an Obamacare requirement for a certain level of coverage for a certain price, creating "huge incentives for insurers to avoid the sick," Cannon explained. "Insurers have to provide coverage to customers for $10,000 when the person uses $100,000 in medical care."

One attempt to alleviate price fixing problems is CMS's Risk Adjustment Program, which would give subsidies to insurance companies with the sickest patients. But Cannon argues that this system will inherently lead to more government snooping.

"Well, how do they know which insurance companies have the sickest patients? The only way they can do that and keep costs under control is to delve into the illnesses that people have and

the treatments they're receiving to verify if these people are actually sick," Cannon told TheDCNF. The adjustment will require more federal intrusion in the health of the masses.

And the Data Services Hub could be the means to that end. The hub is already set to collect what it calls "limited" personal health information, pertaining only to pregnancy status, blindness, and disability status.

On top of these disclosures, Meehan warned that more and more information could be wrangled out of consumers. "When CMS articulates what they're asking for now, they say 'including but not limited to' in all the descriptions," the congressman told TheDCNF, leaving a window open to adding more federal agencies to the sharing program or increasing the amount of health information to be included in the Hub.

Cannon warns, "There's a built-in need in Obamacare for the federal government to have more and more access to people's medical information." With such pressures on federal regulators it seems unlikely that the data sharing program, which two experts alleged in USA Today will be the "largest consolidation of personal information in the history of the republic," will be limited to just three categories of health information.

Along with the federal government's collection of ever-increasing amounts of personal health data comes increased security risks. Meehan told TheDCNF he is unsatisfied with CMS's cyber security protocols, after his questioning during a House hearing last week forced Tavenner to admit she'd never attended an FBI or Department of Homeland Security briefing on preventing cyber attacks against the data hub.

CMS has instead relied on "government security" to deal with privacy issues, but Meehan stressed to TheDCNF that "the best systems in the world are proving to be tremendously challenged in being able to prevent intrusion."

The data hub, which is not part of any legislation, "was created by people who are just trying to effect the Affordable Care Act. They're not addressing what's happening every day with cyber intrusions," Meehan said.

Cato Institute health care reform expert Michael Tanner is more concerned about who will have access to the data even without security problems.

"You have thousands of untrained people working with this data. There's an old military rule that says it's tough enough for two people to keep a secret, let alone three — and here we are and we're going to have thousands," Tanner told TheDCNF.

CMS documents list seemingly endless agents with access to the information. Federal and state government agencies, contractors, consultants, nonprofits, and vaguely-identified Navigators, Agents,and Brokers will all have access to the private information.