



ObamaCare Requires Doctors to Ask About Patients' Sex History



As ObamaCare moves closer to full implementation, glaring privacy concerns are coming to light, as new rules, regulations, and penalties invade Americans' personal lives. The latest controversy to haunt President Obama's healthcare reform law is a requirement that physicians ask intimate questions about patients' sexual history.

"Are you sexually active? If so, with one partner, multiple partners or same-sex partners?" These are only a few of the questions that doctors will be forced to ask patients, [says](#) New York cardiologist Dr. Adam Budzikowski. And the type of professional service Americans may seek is of no consequence; indeed, even cardiologists will be required to ask patients about their social history and other potentially sensitive information.

"This is nasty business," says Dr. Budzikowski. These mandated inquiries are "insensitive, stupid and very intrusive." He added that he couldn't think of any reason why a cardiologist or many other physicians would need such information to perform a competent examination of a patient.

While Americans often disclose sensitive information to their doctors, largely thanks to doctor-patient confidentiality, government intervention in the matter makes it completely different, critics say. "The president's 'reforms' aim to turn doctors into government agents, pressuring them financially to ask questions they consider inappropriate and unnecessary, and to violate their Hippocratic Oath to keep patients' records confidential," writes *New York Post* columnist Betsy McCaughey. "Embarrassing though it may be, you confide things to a doctor you wouldn't tell anyone else. But this is entirely different."

Physicians who refuse to comply with the electronic health-records rules will forgo incentive payments, and effective 2015, they will be hit with financial penalties from Medicare and Medicaid; the federal government has already paid out more than \$12.7 billion for these incentives.

Lack of confidentiality is of great concern to Americans who do not want their medical records documented in a system that could be so widely accessible. While proponents of electronic medical records tout the "enormous benefits" of the system, one click of the mouse can transmit every piece of information (including social history) in a patient's health record.

Professor and nephrologist Richard Amerling says Americans' medical records should be "a story created by you and your doctor solely for your treatment and benefit." But the government is turning it "into an interrogation, and the data will not be confidential."

This social-history "interrogation" also includes questions about whether patients have ever used drugs, along with a host of others that patients might be uncomfortable answering. ObamaCare's collection of personal information has certainly drawn ire from privacy advocates, who were especially vocal after an employee of Minnesota's new ObamaCare exchange inadvertently [leaked sensitive data](#) by e-mail.

The error occurred last Thursday when a staffer transmitted an e-mail file containing the names, Social Security numbers, and other personal information for more than 2,400 insurance agents to one broker's office. When the miscue was identified, the exchange notified the broker, Jim Koester, advising him on how to delete the file from the company's computer hard drives.



Written by [Brian Koenig](#) on September 17, 2013

Koester acknowledged that he complied, but was greatly disturbed by the data leak. “The more I thought about it, the more troubled I was,” he [said](#). “What if this had fallen into the wrong hands? It’s scary. If this is happening now, how can clients of MNSure [Minnesota Health Insurance Exchange] be confident their data is safe?”

Responding to the error, Rep. Pat Meehan (R-Pa.), who heads the House Homeland Security subcommittee on cybersecurity, requested a delay of ObamaCare’s data hub. “ObamaCare’s data hub hasn’t even gone live yet, and already there are massive data breaches,” Meehan noted in a statement Friday. “What more has to happen to convince this administration that the data hub is not ready for prime time?”

If that’s not enough, con-artists are already taking advantage of the general confusion about the healthcare law, with scammers masquerading as government representatives duping consumers into providing personal information over the phone. According to a [recent article](#) by ABC News,

Hackers of all stripes are licking their chops in anticipation of a treasure trove of high value information ripe for the picking. The burning question: Are the data conduits secure? And what’s at stake if your information is stolen? Best case: your financial well-being, if new accounts are opened in your name. Worst case: your life, if medical treatment is obtained in your name and your medical files are co-mingled — leading to incorrect diagnosis and treatment.

The federal government spent \$67 million to hire “navigators” — who would help educate consumers and dispel myths about the program — to help enroll potential ObamaCare applicants. Of course, privacy advocates are concerned that navigators will have access to sensitive personal data, including Social Security numbers, without sufficient training and oversight to prevent theft or data errors.

Last month, 13 attorneys general expressed this very concern in a [letter](#) to Health and Human Services Secretary Kathleen Sebelius, writing, “As it now stands, it is inevitable that HHS’s vague ‘standards’ will result in improperly screened or inadequately trained personnel.”

On a more catastrophic scale is the concern of a program-wide data leak. Think government-security safeguards are enough to protect your medical records? Ask Edward Snowden.



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