



FOR IMMEDIATE RELEASE
March 17, 2005

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**DEPARTMENT OF MANAGED HEALTH CARE
ORDERS BAY AREA BLOGGER
TO REMOVE KAISER PATIENT INFORMATION FROM WEB**
HMO regulator takes action against an individual for the first time

(Sacramento) -- For the first time since the California Department of Managed Health Care (DMHC) was formed in 2000 to protect HMO patient rights, Director Cindy Ehnes has taken action against an individual, not a health plan, for causing irreparable harm to consumers. The order was issued to force Bay Area resident Elisa D. Cooper to immediately stop posting and remove the confidential medical information from the Internet of approximately 140 Kaiser Permanente patients.

“We must protect confidential medical information at all costs and its unauthorized use is one of the greatest fears of any patient,” said Cindy Ehnes, director of the DMHC. “Even though taking action against an individual is not commonplace for the DMHC, in this instance it is extremely appropriate.”

DMHC authorities have determined that in July 2004, Ms. Cooper, a former Kaiser Permanente employee, posted unauthorized personal and confidential patient information including names, lab orders, medical record numbers and other unique and identifiable information on a publicly accessible Web site. On March 9, 2005, she again indicated her intention to continually post the information. DMHC authorities are also examining Ms. Cooper’s claims that Kaiser Permanente’s computer systems previously allowed public access to the same patient information.

Under state law, the DMHC director is authorized to take action against an individual if it

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Department of Managed Health Care

Mar. 17, 2005

Page 2 of 2

is determined that he or she has engaged in an act that is considered injurious to patients.

Although Kaiser Permanente is currently attempting to gain a court order for Ms. Cooper to stop her unauthorized activities, the matter will not be considered again until March 23.

“Based on what we have learned from this person’s disregard for the privacy rights of these patients, there are no guarantees that she will not continue to post this information to other Web sites, until someone tells her to stop,” said Director Ehnes. “Today, the DMHC is saying ‘stop’, as I will not hesitate to take strong action to protect the rights of HMO enrollees.”

Under the DMHC order, Ms. Cooper has 15 days to request an administrative hearing or the order becomes final. Violating the order could result in other civil court actions.

The California Department of Managed Health Care is the only stand-alone watchdog agency in the nation, touching the lives of more than 21 million enrollees. The Department has assisted more than 633,000 Californians through its 24-hour Help Center to resolve their HMO problems, educate consumers on health care rights and responsibilities, and work closely with HMO plans to ensure a solvent and stable managed health care system.

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