



1250 Eye Street, NW • Suite 700 • Washington, DC 20005-3930

Tel: (Office) 202/289-4926 • (Cell) 202/528-2721 • Fax: 202/289-1915 • E-mail: rmalson@dcha.org • Web: www.dcha.org

Robert A. Malson

President

June 18, 2010

The Honorable Muriel Bowser
Chair
Committee on Public Services and Consumer Affairs
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Madam Chair:

I am writing on behalf of the District of Columbia Hospital Association (DCHA) to provide comments relative to Monday's hearing on the Equal Access to Employment for All Act of 2010. DCHA is a non-profit organization with 17 member hospitals and 36 Associate Members whose mission is to provide leadership in improving health care in the District of Columbia. DCHA members employ approximately 30,000 people who are on the front lines for delivering quality health care and for responding to any medical emergency in the District of Columbia. We provide over 720,000 days of patient care annually with an annualized occupancy rate of approximately 75 percent. The emergency room visits exceed 410,000 and, collectively, we provide over \$220 million in unsponsored care annually. Clearly, we play a critical role in the District's health care delivery system.

DCHA is pleased to see that the Committee is working to remove barriers to employment for District residents during these difficult economic times. However, we are extremely concerned that the bill does not allow an exemption for private employers who are seeking to hire employees for financial, accounting and fiduciary positions within their institutions. The bill acknowledges that such positions are sensitive, in general, by providing an exception for supervisory positions within financial institutions, but neglects to consider that other private employers, such as hospitals, who are intimately involved with patient's personal financial information and social security numbers through billing and collection actions also have a vested interest in assessing the financial responsibility and motivations of potential employees. Hospitals help people in vulnerable situations and, at all levels, must be able to ensure the stability of their employees. Our institutions simply cannot afford to allow persons with unstable financial backgrounds to have access to patients' personal financial information.

The legislation also fails to specify which types of credit information an employer can use in assessing the fitness of a potential employee. The legislation is unclear as to whether employers are only precluded from using credit report scores, or are precluded from using any credit information at all, which might be construed to include liens, judgments, et cetera, that may be reported in other consumer investigative reports. Knowledge of these particularly egregious types of credit violations is crucial to institutions that manage a large amount of financial information. If potential employees have these types of debt issues,

The Honorable Muriel Bowser

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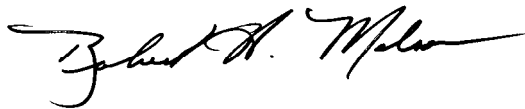
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private institutions that have access to personal financial information must be allowed to know so that such potential employee's access to personal financial information can be restricted and patients protected.

The Equal Access to Employment for All Act of 2010 is a bill with laudable goals, but its scope is too wide to ensure the adequate protection of the financial information of District residents and District businesses. The bill's language should be clarified to specify what types of credit information can be used in a consumer investigative report and should allow an exemption for private employers seeking to hire or promote an employee who may serve in a cash management or accounting role in an institution, manage a patient's or customer's private financial information or has a fiduciary responsibility.

Thank you for the opportunity to provide comments regarding the Equal Access to Employment for All Act of 2010. Please feel free to contact me or Stefanie Jones, Government Relations Analyst, at DCHA at (202) 289-6212 if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert A. Malson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert A. Malson
President