

**From:** [Kirsten Dunne](#)  
**To:** [Amy Bowne](#)  
**Subject:** Proposed Amendment to SCR 218  
**Date:** Wednesday, May 22, 2019 11:29:44 AM

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Dear Ms. Bowne,

I am writing to express my strong opposition to the proposed amendment to Illinois Supreme Court Rule 218 (proposal no. 18-01).

Persons injured through the negligence of others should not have to make a choice between their constitutional right to privacy and their equally important constitutional right to access the courts to seek compensation for their injuries. It is especially concerning that the proposed changes would require the disclosure of *all* health information – even that which is clearly unrelated to the litigation – and that such information would be permanently logged for the insurance industry’s future unfettered use. In addition to being fundamentally unfair, the proposed changes – despite using terminology rooted in the Health Insurance Portability and Accountability Act (“HIPAA”), 45 C.F.R. §§160-64 – would blatantly violate HIPAA’s letter and spirit.

For these reasons, I urge the Committee to reject the proposed amendment. I thank you for considering my comments in rendering a decision on an issue that is of paramount importance.

Kirsten Dunne



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