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May 21, 2007

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CLERK SUPREME COURT

Arizona Supreme Court
1501 West Washington
Phoenix, Arizona 85007

Dear Justices:

I have practiced law in Tucson since 1968. I am certified as a specialist in personal injury and wrongful death law by the State bar of Arizona. I write to oppose the proposed amendments to Rule 75(a), Arizona Rules of Civil Procedure, which would require in arbitration cases that personal injury plaintiffs voluntarily waive their rights to privacy and privilege as to medical records by requiring mandatory HIPAA-compliant medical authorizations to be signed by the plaintiff that would be used to reveal all of plaintiff's medical records.

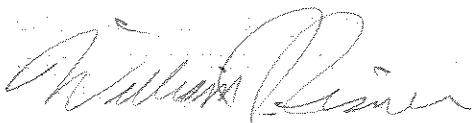
It is a practical reality that insurance companies regularly abuse existing rules in an effort to grind down plaintiffs in smaller cases. The proposed rule is doubly wrong by playing into the defense strategy of the insurance companies and forcing the claimant to give up important privacy rights protected by HIPAA.

The alleged "problem" to be remedied by this rule change is greatly overblown. The importance of privacy rights to medical records is not. This is analogous to the alleged "voting fraud" problem used by certain political operatives to justify the suppression of minority voting rights.

I urge you to resist this erosion of important rights of your citizens. The right to privacy is specifically set out in Arizona's Constitution of which you are sworn to protect.

Sincerely,

RISNER & GRAHAM



William J. Risner, Esq.

WJR/ml