

At VUMC, we are committed to upholding the highest ethical standards. Pursuant to that commitment, we endeavor to exercise transparency and accountability in our communications with patients and colleagues.

In November 2022, VUMC received a Civil Investigative Demand or “CID” from the Tennessee Attorney General. Two additional CIDs were received by VUMC in March 2023. The CIDs requested information for an investigation into VUMC’s billing practices for people enrolled in state sponsored insurance plans who received gender-affirming health care at VUMC.

The Tennessee Attorney General has legal authority to require that VUMC provide medical records that are relevant to a billing investigation of this nature. It is common for health systems to receive requests for patient records related to billing investigations and audits by government agencies, and Federal and State law (including HIPAA) permits law enforcement agencies to obtain patient medical records in an investigation without the patient’s prior consent. All health systems are obligated to comply with these requests in law enforcement investigations, and VUMC did so. The State has told VUMC multiple times that the investigation is not focused on any patient and that the State will maintain records obtained in strict confidence.

The CIDs also requested further information related to VUMC’s transgender services. Our legal counsel are in on-going discussions with the Attorney General’s office about what information is relevant to their investigation and will be provided by VUMC.

Finally, the decision by VUMC to notify our patients of the request for their healthcare information resulted from events in an ongoing lawsuit filed by the American Civil Liberties Union against the State in which lawyers for the plaintiffs filed the CIDs as part of the public court record. This lawsuit has been covered extensively in the media and challenges the constitutionality of Tennessee’s new law banning care of transgender minors. While VUMC is not a party to this lawsuit, and even though patient names and birthdates were removed from the information filed by the plaintiffs, the filings made clear that individual patient medical and billing records had been requested by the Attorney General. Because this information was now available to the public, we felt it would be best for our patients to be notified of these developments from us rather than through media reports or other means.

VUMC places paramount importance on securing patient privacy and confidentiality, as permitted by state and federal laws. By providing this information, we hope to reassure our patients and our employees that the decision to release patient records for any purpose is never taken lightly, even in situations such as this where VUMC was legally compelled to produce the patient records.