



## RIGHTS FOR PARTIES TO PRE – TRIAL CONFERENCE(PTC)

### Right of confidentiality:

Confidentiality relates to disclosure or nondisclosure of information. Historically a duty to honor confidentiality has arisen with respect to information disclosed in the context of a confidential relationship, such as that between an individual and his or her physician, attorney, or priest. In such relationships, the confidante is under an obligation not to redisclose the information learned in the course of the relationship. Now the law applies such duties to some holders of information who do not have a confidential relationship to a patient. In the health sector, this includes such holders as utilization management firms in many states and local, state, or federal health agencies that receive reports of communicable diseases.

When one is concerned about data disclosure, whether or not any relationship exists between a data subject and a data holder, an essential construct is that of *data confidentiality*. [Data confidentiality](#) is the status accorded data indicating that they are protected and must be treated as such. In the federal Freedom of Information Act (FOIA, 5 U.S.C., Section 552), certain categories of data are specified as confidential and thus not disclosable; for instance, Exemption 6 states that FOIA is not applicable to "personnel and medical files and similar files, the disclosure of which would constitute clearly unwarranted invasion of personal privacy." Data confidentiality is discussed in more detail in a later section.