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May 16, 2013 202-224-6244

**ICYMI: More Questions about IRS Involvement in ObamaCare**

**(Washington, D.C.) –** In the wake of the IRS scandal,[news reports continue to raise questions](http://www.forbes.com/fdc/welcome_mjx.shtml) about the IRS’ suitability to have a role in enforcing the government healthcare law. Reports that a California health care provider is suing the IRS for allegedly seizing 60 million personal medical records of 10 million Americans further highlight the agency’s abuse of power.

Yesterday, Senator Heller introduced the [IRS Accountability Act](http://www.heller.senate.gov/public/index.cfm/pressreleases?ID=234eb8c9-58a2-47a1-a40d-e9ccc91014d0), which would suspend IRS funding for new agents implementing ObamaCare until concerns about the IRS’ behavior are addressed.

**Forbes: Suit Alleges IRS Improperly Seized 60 Million Personal Medical Records** <http://onforb.es/12uUFBB>

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The Internal Revenue Service is facing a class action lawsuit alleging that more than 60 million personal medical records were improperly seized by agents from the embattled agency.

According to a [story by Courthousenews.com](http://www.courthousenews.com/2013/03/14/55707.htm), an unnamed healthcare provider in California is suing the IRS and 15 unnamed agents, alleging that they improperly seized some 60 million medical records of 10 million Americans, including medical records of all California state judges on March 11, 2011.

According to the complaint, the IRS agents had a search warrant for financial data pertaining to a former employee of the “John Doe Company,” however, “it did not authorize any seizure of any healthcare or medical record of any persons, least of all third parties completely unrelated to the matter.”

The medical records included information on psychological counseling, gynecological counseling, sexual and drug treatment, and other sensitive medical treatment data, the suit alleges. A copy of the legal complaint can be purchased [here](https://www.paypal.com/us/cgi-bin/webscr?cmd=_flow&SESSION=FyOEdZY2XEaDES8vEM9-wAYIIs_4XP8WPRC9Jh6TcOHpd9-Q84PxFQb6hWe&dispatch=50a222a57771920b6a3d7b606239e4d529b525e0b7e69bf0224adecfb0124e9b61f737ba21b081987dfed5c1e68334a2df49896030ab926d) for $35.

“This is an action involving the corruption and abuse of power by several Internal Revenue Service agents,” the complaint reads.

“No search warrant authorized the seizure of these records; no subpoena authorized the seizure of these records; none of the 10,000,000 Americans were under any kind of known criminal or civil investigation and their medical records had no relevance whatsoever to the IRS search. IT personnel at the scene, a HIPAA facility warning on the building and the IT portion of the searched premises, and the company executives each warned the IRS agents of these privileged records,” it continued.

The claim asserts that the IRS agents’ seizure of medical records violated the 4th Amendment.

“These medical records contained intimate and private information of more than 10,000,000 Americans, information that by its nature includes information about treatment for any kind of medical concern, including psychological counseling, gynecological counseling, sexual or drug treatment, and a wide range of medical matters covering the most intimate and private of concerns,” the complaint states.

“Despite knowing that these medical records were not within the scope of the warrant, defendants threatened to ‘rip’ the servers containing the medical data out of the building if IT personnel would not voluntarily hand them over,” the complaint reads.

“Moreover, even though defendants knew that the records they were seizing were not included within the scope of the search warrant, the defendants nonetheless searched and seized the records without making any attempt to segregate the files from those that could possibly be related to the search warrant. In fact, no effort was made at all to even try maintaining the illusion of legitimacy and legality.”

The IRS has not returned requests for comment.

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