

RESOLUTION 30-08A

Title: Prescription Confidentiality Act
Introduced by: Domenic R. Federico, MD, for the Kent County Delegation
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Referred to: Reference Committee B
House Action: Referred to the Board for Study

Whereas, health care information organization (HIOs) collect, analyze, and sell data regarding individual physicians and physician extenders' prescribing patterns to, among others, drug makers, and

Whereas, the users of this information, including drug makers, use this information to influence and manipulate prescribing habits of those physicians, and

Whereas, the use of the data is to influence physicians and others to prescribe the more expensive medications, and

Whereas, the AMA has a hard-to-use "opt out" program rather than an "opt in" program regarding the collection and use of this information, and

Whereas, other states, including New Hampshire, have passed laws regarding the collection and use of such prescribing patterns; therefore be it

RESOLVED: That MSMS work to enact legislation for a "Prescription Confidentially Act" that will prevent the commercial use of any of the collected information regarding individual physician's or physician extenders' prescribing patterns.

WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE