

657—8.16(124,155A) Confidential information.

8.16(1) *Release of confidential information.* Confidential information may be released only as follows:

- a. Pursuant to the express written authorization of the patient or the order or direction of a court.
- b. To the patient or the patient's authorized representative.
- c. To the prescriber or other licensed practitioner then caring for the patient.
- d. To another licensed pharmacist when the best interests of the patient require such release.
- e. To the board or its representative or to such other persons or governmental agencies duly authorized by law to receive such information.

A pharmacist shall utilize the resources available to determine, in the professional judgment of the pharmacist, that any persons requesting confidential patient information pursuant to this rule are entitled to receive that information.

8.16(2) *Exceptions.* Nothing in this rule shall prohibit a pharmacist from releasing confidential patient information as follows:

- a. Transferring a prescription to another pharmacy upon the request of the patient or the patient's authorized representative or pursuant to subrule 8.35(7) when the pharmacy is discontinuing operations.
- b. Providing the patient with a copy of a nonrefillable prescription that is clearly marked as a copy and not to be filled.
- c. Providing drug therapy information to authorized practitioners for their patients.
- d. Disclosing information necessary for the processing of third-party payer claims on behalf of the patient.

8.16(3) *Record disposal.* Disposal of any materials containing or including patient-specific or confidential information shall be conducted in a manner to preserve patient confidentiality.

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