

House File 2009 - Introduced

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A BILL FOR

1 An Act relating to the disclosure of personal identifying
2 information of prescribing practitioners contained in the
3 information program for drug prescribing and dispensing.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124.553, subsections 2 and 3, Code 2018,
2 are amended to read as follows:

3 2. The board shall maintain a record of each person that
4 requests information from the program. Pursuant to rules
5 adopted by the board and advisory council under section
6 124.554, the board may use the records to document and report
7 statistical information, and may provide program information
8 for statistical, public research, public policy, or educational
9 purposes, after removing personal identifying information of a
10 patient, ~~prescribing practitioner~~, dispenser, or other person
11 who is identified in the information, except that the fact of
12 a prescribing practitioner's registration to access program
13 information pursuant to board rules shall not be removed.

14 3. a. Information Except as otherwise provided in paragraph
15 "b", information contained in the program and any information
16 obtained from it, and information contained in the records
17 of requests for information from the program, is privileged
18 and strictly confidential information. Such information is a
19 confidential public record pursuant to section 22.7, and is
20 not subject to discovery, subpoena, or other means of legal
21 compulsion for release except as provided in this subchapter.
22 Information from the program shall not be released, shared with
23 an agency or institution, or made public except as provided in
24 this subchapter.

25 b. The fact of a prescribing practitioner's registration
26 to access program information pursuant to board rules is not
27 privileged or confidential and is not a confidential public
28 record pursuant to section 22.7. Such information shall be
29 subject to discovery, subpoena, and other means of legal
30 compulsion for release.

31 Sec. 2. Section 124.555, subsection 3, paragraph a, Code
32 2018, is amended to read as follows:

33 a. Ensuring the confidentiality of the patient, ~~prescribing~~
34 ~~practitioner~~, and dispensing pharmacist and pharmacy.

35

EXPLANATION

1 The inclusion of this explanation does not constitute agreement with
2 the explanation's substance by the members of the general assembly.

3 This bill allows the board of pharmacy to release the fact of
4 a prescribing practitioner's registration to access information
5 contained in the information program for prescribing and
6 dispensing, known as the prescription monitoring program, when
7 reporting program information for statistical, public research,
8 public policy, or educational purposes. The bill also excludes
9 the fact of a prescribing practitioner's registration from
10 the privilege and confidentiality protections provided to
11 other information in the program. The bill does not alter the
12 confidential nature of personal identifying information of
13 patients, dispensers, or others identified in the program.