
**Health Care & Wellness
Committee**

HB 1850

Brief Description: Limiting the sale or use of prescription information.

Sponsors: Representatives Pedersen, Schual-Berke, Morrell, Cody, Hasegawa, Moeller, Rolfes, Lantz, Green, Hurst, Campbell and Ormsby.

Brief Summary of Bill

- Prohibits the sale or use of prescription information containing patient or prescriber identifiable information by pharmacy benefits managers, insurance companies, electronic transmission intermediary, retail, mail order, or internet pharmacy, or other similar entity for any commercial purpose.

Hearing Date: 2/19/07

Staff: Dave Knutson (786-7146).

Background:

Health care information companies purchase electronic records of prescriptions from pharmacies and other sources and link them with information about doctors that is licensed from the Physician Masterfile of the American Medical Association (AMA). The Physician Masterfile contains information on virtually every physician in the United States, including physicians who do not belong to the AMA. This information can then be sold to pharmaceutical companies who may use it to target individual physicians using their personal prescribing patterns. In 2005 the American Medical Association received \$44.5 million from sales of physician prescription information from the Masterfile. The AMA recently began a prescribing data restriction program which allows physicians to prevent their own prescribing data from being released to pharmaceutical companies through an opt-out process.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The sale or use of prescription information containing patient or prescriber identifiable information by pharmacy benefits managers, insurance companies, electronic transmission intermediary, retail, mail order, or internet pharmacy, or other similar entity for any commercial purpose is prohibited. Commercial purposes include: advertising, marketing, promotion, and any activities that can influence the sales or market share of a pharmaceutical product, the prescribing behavior of an individual prescriber, or evaluate the effectiveness of a pharmaceutical detailing sales force. A violation of this act will be considered a violation of chapter 19.86 RCW, the consumer protection act.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.