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March 6, 2020

To: The Honorable Delores G. Kelley  
Chair, Finance Committee

From: Patricia F. O'Connor, Health Education and Advocacy Unit

Re: Senate Bill 752 (Public Health – Non-Controlled Substance Prescription Record System Program): Letter of Concern

The Office of the Attorney General's Health Education and Advocacy Unit (HEAU) has concerns about Senate Bill 752. The bill would create a non-controlled substance prescription database linked to CRISP, the state health information exchange of medical records. We are not sure how increased transmission and collection of drug dispensing information reduces costs or increases patient safety, the stated purposes. We believe consumers should opt-in to such a system; the bill provides that consumers would have to opt-out, using a separate website. The Advisory Committee would have only one consumer member. We believe additional consumer representatives would be required to adequately provide consumer input to the proposed systems. There is no requirement for members with privacy rights experience, and we submit more than one would be required to address the privacy implications of the proposed system.

Thank you for providing us an opportunity to share our concerns with the committee.

cc: Members of the Finance Committee