

MAINE STATE LEGISLATURE

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No. 4

H.P. 5

House of Representatives, December 15, 2006

An Act To Amend the Prescription Privacy Law

Received by the Clerk of the House on December 13, 2006. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FAIRCLOTH of Bangor.
Cosponsored by Senator: MARRACHÉ of Kennebec.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §1711-E, sub-§2**, as enacted by PL 2005, c. 589, §1, is
3 amended to read:

4 **2. Confidentiality of health care information.** A prescription drug information
5 intermediary may not sell or exchange for value prescription drug information that
6 identifies directly or indirectly the individual or health care practitioner who ordered the
7 prescription drug except if expressly permitted under section 1711-C, Title 24, Title 24-A
8 or the federal Health Insurance Portability and Accountability Act of 1996, Public Law
9 104-191, as amended.

10

SUMMARY

11 This bill amends the current law that prohibits the sale by prescription drug
12 intermediaries of prescription drug information that identifies directly or indirectly the
13 patient and designates such a sale or exchange as a violation of the Maine Unfair Trade
14 Practices Act. This bill extends the prohibition in current law to the sale of information
15 that identifies directly or indirectly the health care practitioner who ordered the
16 prescription drug.