Model Legislation

Resolution on Prescribing Data

WHEREAS, The American Medical Association (AMA) maintains a Physician Masterfile that includes current and historical data on individual physicians (whether or not the physicians are members of the AMA), but does not include physician prescribing data; and

WHEREAS, The AMA licenses Physician Masterfile data to health care information organizations, which in turn match physician prescribing data, obtained from pharmacies and other sources, to Physician Masterfile data; and

WHEREAS, Health care information organizations market the matched data to government agencies, academic institutions, and pharmaceutical manufacturers for a wide range of research and commercial purposes, which benefit patients, physicians, and other health care stakeholders by delivering reliable, evidence-based insights about drug safety issues as well as the quality and cost of care; and

WHEREAS, Some physicians have expressed a desire that their prescribing data not be released to pharmaceutical sales representatives, and the AMA has responded by instituting a Prescribing Data Restriction Program (PDRP) to enable such physicians to withhold such access to their prescribing data; and

WHEREAS, The PDRP appropriately accommodates the desire of individual physicians to withhold such access to their prescribing data while preserving the public benefits associated with use of the matched data marketed by healthcare information organizations and avoiding legislatively-mandated restrictions that could have unintended consequences.

THEREFORE BE IT RESOLVED THAT

The state of {insert state} commends the AMA for instituting the PDRP and urges the {insert name of state medical society} to inform all physicians licensed by the state about the PDRP.

Adopted by the Health and Human Services Task Force at the States and Nation Policy Summit on December 9, 2006. Approved by the ALEC Board of Directors January 8, 2007.

Related Files
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