



Office of The Attorney General  
**State of Connecticut**

*TESTIMONY OF  
ATTORNEY GENERAL RICHARD BLUMENTHAL  
BEFORE THE PUBLIC HEALTH COMMITTEE  
MARCH 2, 2009*

I appreciate the opportunity to support Senate Bill 1046, An Act Concerning Restricted Access to Prescription Drug Information.

This legislation would prohibit disclosure of pharmaceutical drug prescription information identifying the patient or the health care provider unless there is a clear public health interest, such as providing information to physicians or patients who use or prescribe a drug that is being recalled. This legislation is modeled after similar laws in Vermont, New Hampshire and Maine. The constitutionality of the New Hampshire law was recently upheld by the First Circuit Court of Appeals.

The pharmaceutical industry buys information from third party companies that collect it from pharmacies and other sources. It typically identifies the physician through certain prescriber codes that are correlated with other information allowing the company to link prescription information to the specific doctor that issued the prescription. Pharmaceutical companies purchase this information from the third party collectors and use it to target their marketing and outreach efforts.

For example, a pharmaceutical drug company may conduct a review of all doctors that are prescribing a competitor's high blood pressure medication and target those doctors with their marketing and advertising. Several months later, they can review such information to determine whether the doctors have responded to their marketing, rewarding the ones who do.

This activity, known as data mining, does not serve any public health purpose. Rather, it serves the pecuniary interests of multi-billion pharmaceutical companies.

To the extent that there are legitimate reasons for such information, Senate Bill 1046 provides for exceptions including transmission of prescription information between the health care provider and a pharmacy, the transfer of records when ownership of a pharmacy is purchased, and the sharing of information for health insurance reimbursement purposes.

I urge the committee's favorable consideration of Senate Bill 1046.