

# CONNECTICUT ASSOCIATION OF COMMUNITY PHARMACIES, INC.

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### TESTIMONY OF CARRIE RAND-ANASTASIADES SB 208 AN ACT CONCERNING PHARMACY REWARDS PROGRAMS AND PROTECTED HEALTH INFORMATION

Good Morning Senator Doyle and Representative Baram. My name is Carrie Rand-Anastasiades and I am the Executive Director of the Connecticut Association of Community Pharmacies. We represent chain pharmacies around the State such as Walgreens, Rite-Aid, Stop & Shop, and PriceChopper to name a few. I am here today to testify on SB 208 An Act Concerning Pharmacy Rewards Programs and Protected Health Information.

Most chain stores do have rewards programs that offer benefits to individual consumers. Some are tied to the prescriptions they fill and others are rewards for dollars spent on other consumables in the store. We feel that the majority of this bill is already covered under HIPAA and unnecessary. We currently have to provide disclosures about about what HIPAA is as well as the specific uses or disclosures that the authorization allows. We are required under HIPAA to notify if personal health information will be disclosed to a 3rd party and which 3rd parties have access to that information. In addition there are currently instructions on how to revoke authorization and it is required that we supply the consumer a copy of the authorized form.

In reading the bill carefully, section (b) seems to state that once a HIPAA authorization is signed, personal health information may not always be protected by federal and state privacy laws. It is our understanding even though a HIPAA authorization is signed, personal health information is **always** protected by federal privacy laws.

If pharmacies are not complying with HIPAA, we feel that they should be dealt with individually. There are currently mechanisms to administer and enforce the law as it is currently on the books.

Pharmacies try their best to help patients and explain the programs they are about to enter into. Although we are not opposed to giving a plain language description of the program going forward, we do have some concerns regarding the penalties that could ensue if this step is somehow forgotten. We would like to work with the committee to construct a bill that would be beneficial for all parties involved. Thank you for your consideration.

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