

**HOUSE . . . . . No. 110**

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Nine**  
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An Act to prevent the sharing of prescription data..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 112, section 30 of the General Laws, as appearing in the 2006  
2 Official Edition, is hereby amended by the addition of the following new section:

3 "No pharmacist shall exhibit, discuss, or reveal any part of the contents of any  
4 prescription, including the medication prescribed, the name of the prescriber, the therapeutic  
5 effect of the medication, the nature, extent, or degree of illness suffered by any patient or any  
6 medical information furnished by the prescriber with any person other than the patient or his or  
7 her authorized representative, the prescriber or other licensed practitioner then caring for the  
8 patient, another licensed pharmacist serving the patient, or a person duly authorized by law to  
9 receive such information. This section shall not be interpreted to interfere with legitimate peer  
10 review conducted by a hospital, physician group practice, health maintenance organization or  
11 other entity which is engaged in the review of one of its licensed or credentialed providers. This  
12 section shall also not be interpreted to prevent the sharing of prescribing information by a  
13 pharmacist with a patient's insurer."

14 SECTION 2. Chapter 176 A of the General Laws is hereby amended by the addition of  
15 the following new section:

16 “No hospital service corporation shall permit its employees or consultants to exhibit,  
17 discuss, or reveal any part of the contents of any prescription with any person other than the  
18 patient or his or her authorized representative, the prescriber or other licensed practitioner then  
19 caring for the patient, another licensed pharmacist serving the patient, or a person duly  
20 authorized by law to receive such information. This section shall not be interpreted to interfere  
21 with legitimate peer review conducted by a hospital, physician group practice, health  
22 maintenance organization or other entity which is engaged in the review of one of its licensed or  
23 credentialed providers. This section shall also not be interpreted to prevent the internal review of  
24 prescribing information by an insurer for quality assurance or payment purposes.”

25 SECTION 3. Chapter 176 B of the General Laws is hereby amended by the addition of  
26 the following new section:

27 “No medical service corporation shall exhibit, discuss, or reveal any part of the contents  
28 of any prescription with any person other than the patient or his or her authorized representative,  
29 the prescriber or other licensed practitioner then caring for the patient, another licensed  
30 pharmacist serving the patient, or a person duly authorized by law to receive such information.  
31 This section shall not be interpreted to interfere with legitimate peer review conducted by a  
32 hospital, physician group practice, health maintenance organization or other entity which is  
33 engaged in the review of one of its licensed or credentialed providers. This section shall also not  
34 be interpreted to prevent the internal review of prescribing information by an insurer for quality  
35 assurance or payment purposes.”

36 SECTION 4. Chapter 176 G of the General Laws is hereby amended by the addition of  
37 the following new section:

38 “No health maintenance organization shall permit its employees or consultants to exhibit,  
39 discuss, or reveal any part of the contents of any prescription with any person other than the  
40 patient or his or her authorized representative, the prescriber or other licensed practitioner then  
41 caring for the patient, another licensed pharmacist serving the patient, or a person duly  
42 authorized by law to receive such information. This section shall not be interpreted to interfere  
43 with legitimate peer review conducted by a hospital, physician group practice, health  
44 maintenance organization or other entity which is engaged in the review of one of its licensed or  
45 credentialed providers. This section shall also not be interpreted to prevent the internal review of  
46 prescribing information by an insurer for quality assurance or payment purposes.”

47 SECTION 5. Chapter 176I of the General Laws is hereby amended by the addition of the  
48 following new section:

49 “No preferred provider arrangement licensed under the provisions of this section shall  
50 permit its employees or consultants to exhibit, discuss, or reveal any part of the contents of any  
51 prescription with any person other than the patient or his or her authorized representative, the  
52 prescriber or other licensed practitioner then caring for the patient, another licensed pharmacist  
53 serving the patient, or a person duly authorized by law to receive such information. This section  
54 shall not be interpreted to interfere with legitimate peer review conducted by a hospital,  
55 physician group practice, health maintenance organization or other entity which is engaged in the  
56 review of one of its licensed or credentialed providers. This section shall also not be interpreted

57 to prevent the internal review of prescribing information by an insurer for quality assurance or  
58 payment purposes.”

59 SECTION 6. Chapter 118 E of the General Laws is hereby amended by the addition of  
60 the following new section:

61 “No employee or consultant of the Division of Medical Assistance or its agents in the  
62 provision of care under this section shall exhibit, discuss, or reveal any part of the contents of  
63 any prescription with any person other than the patient or his or her authorized representative, the  
64 prescriber or other licensed practitioner then caring for the patient, another licensed pharmacist  
65 serving the patient, or a person duly authorized by law to receive such information. This section  
66 shall not be interpreted to interfere with legitimate peer review conducted by a hospital,  
67 physician group practice, health maintenance organization or other entity which is engaged in the  
68 review of one of its licensed or credentialed providers. This section shall also not be interpreted  
69 to prevent the internal review of prescribing information by an insurer for quality assurance or  
70 payment purposes.”