

HB 1493 - DIGEST

(SEE ALSO PROPOSED 1ST SUB)

Finds that: (1) The state of Washington has clear and long-standing interests in maximizing the health and well-being of its residents, safeguarding the confidentiality and integrity of the doctor-patient relationship, combatting undue influence of marketing on health care choices, and containing health care costs;

(2) The state of Washington has shown a strong commitment to evidence-based care and cost-effective health purchasing. Washington state has been most active in this regard with respect to prescription drug purchasing focused on clinical and cost-effectiveness;

(3) Health care providers in Washington who write prescriptions for their patients have a strong interest in the integrity of the patient-provider relationship and a reasonable expectation that the information in their prescriptions will not be used for purposes other than the filling and processing of the payment for that prescription;

(4) It is estimated that the pharmaceutical industry spends between thirty billion dollars and fifty-four billion dollars annually on marketing pharmaceuticals in the United States. Marketing programs are designed to increase sales, income, and profit; and

(5) The use of patient identifiable prescription data to market prescription drugs to patients runs counter to Washington's strong commitment to both evidence-based care and cost-effective health purchasing.

Declares an intent to protect the confidentiality of prescribing information, safeguard the integrity of the doctor-patient relationship, and contain health care costs by prohibiting conduct involving the sale, disclosure, and use of individual patient prescription drug data for marketing purposes.

Prohibits health care providers, including pharmacies and entities licensed under chapter 18.64 RCW; health carriers; pharmacy benefit managers; or the business associates, subsidiaries, or affiliates of the aforementioned entities from intentionally sharing, selling, or otherwise using any health care information for the purpose of marketing prescription drugs to patients, notwithstanding allowable disclosures under RCW 70.02.050, and unless expressly authorized by the patient as provided in RCW 70.02.030.