



**TESTIMONY
OF THE
CONNECTICUT HOSPITAL ASSOCIATION
GENERAL LAW COMMITTEE**

Tuesday, February 19, 2002

SB 187, An Act Concerning Electronic Monitoring Of Controlled Substance Prescriptions

CHA appreciates the opportunity to submit testimony on **SB 187, An Act Concerning Electronic Monitoring Of Controlled Substance Prescriptions**. While CHA supports the intent of the bill, to facilitate the monitoring of prescriptions to detect abuse problems, CHA has serious concerns relating to its implementation as it applies to hospitals.

First, CHA is concerned about the additional costs hospitals will have to absorb in order to implement this proposal. Many hospitals will not be able to comply with the electronic reporting without incurring significant expense. In addition, the operational complexity of complying with the mandatory reporting requirements contained in the bill prevent CHA from supporting an effective date of January 1, 2003. Instead, should the committee decide to favorably report out this bill, CHA proposes that the effective date be changed to July 1, 2004. Second, CHA is concerned about patient privacy issues implicated by the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA). The pending federal regulations under HIPAA impose stringent restrictions on the disclosure of patient information, and it is unclear whether this bill permits disclosures that could potentially run afoul of HIPAA. Third, CHA requests that should this bill be favorably reported, the provision requiring the adoption of regulations be amended to require that the regulations be adopted prior to the implementation of the Act. This will permit the hospitals to be fully informed and provide adequate comment as to the specific reporting, evaluation, management and storage requirements of electronic controlled drug prescription information contained in this proposal. Finally, CHA is concerned that this bill creates a potential implication that physicians and pharmacists should routinely request the information available to them under Section 21a-254(j)(4) of the bill and that a failure to do so might be inappropriate.

Thank you for your consideration of our position.

AVB:pas