

Nelson's Legislation Aims To Curb Prescription Push

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Tampa Tribune

Aug 27, 2002

ST. PETERSBURG - U.S. Sen. Bill Nelson has announced legislation that would stop drugstores from using customers' medical information without their consent to aid drug companies in marketing products.

Under a Bush administration rule, a pharmaceutical company could pay drugstores to send all their patients taking a certain drug a letter encouraging them to switch to or stay with the company's brand, Nelson said. The rule he is challenging also eliminates customers' ability to stop that unsolicited advertising.

Nelson said the rule creates ``a hole big enough to drive a Mack truck through" in medical privacy.

``And I intend to plug that hole," he said.

Nelson, D-Tallahassee, announced the legislation, which he said he will introduce in the Senate next week, at town hall-style meetings in Clearwater and St. Petersburg. Nelson is conducting a series of such meetings in small counties and mid-sized communities in the state.

Nelson's legislation would require consumers to give explicit consent before drugstores can market to them on behalf of drug companies based on consumers' medical records.

The Bush administration recently unveiled the rule Nelson intends to address, along with other medical privacy regulations.

They are touted as the first comprehensive federal standards for medical privacy and will affect virtually every doctor, patient, hospital, pharmacy, health insurance company and medical researcher in the United States.