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**COMMENTS IN OPPOSITION TO 16-H 7518 – UNIFORM CONTROLLED
SUBSTANCES ACT
March 23, 2016**

Just three years ago, the Rhode Island General Assembly took a tremendous step toward protecting Rhode Islanders' privacy by overhauling the rules regarding access to the state's prescription drug monitoring database. This included requiring law enforcement have a warrant before accessing records in the state's prescription drug monitoring program. This legislation undoes that progress, and leaves the prescription information of thousands of Rhode Islanders open for scrutiny by law enforcement without judicial oversight.

It does not diminish the seriousness of the prescription drug epidemic to require that law enforcement have judicial confirmation that an individual's medical records are a valid and necessary portion of an investigation. Indeed, the medical records of any Rhode Islander prescribed a controlled substance, including anti-anxiety medication, painkillers, and asthma inhalers are currently contained within the database. Yet each of these records would, under this legislation, be available to law enforcement at the mere suggestion that they are necessary for a drug-related investigation.

Individuals with chronic pain conditions do not need to be investigated by law enforcement viewing these records without context, nor do doctors need to be scrutinized without a judicial confirmation that an investigation is valid. Rhode Islanders visiting their doctors do not need to be concerned that the medication their doctor prescribes will mean a police officer at their door. A warrant serves only as a check on the validity of the investigation, ensuring that law enforcement has enough information to justify intruding on an individual's private records.

The ACLU of Rhode Island respectfully urges the committee not to compromise the privacy of thousands of Rhode Island's patients, and to keep the warrant requirement intact.