

# PRESS ADVISORY



## Groups oppose Senate bill opening Rhode Islanders' medicine cabinets to warrantless search by law enforcement; urge Senate to defeat S-0656A

June 27, 2017

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The Rhode Island Medical Society and numerous other organizations (list attached) dedicated to the care and protection of patients in Rhode Island have written to the members of the Rhode Island Senate in strong opposition to a bill on the Senate Calendar today, June 27<sup>th</sup>.

The legislation would allow law enforcement to gain access to confidential healthcare information contained in the state's Prescription Drug Monitoring Program (PDMP) without a warrant.

The PDMP contains every prescription for a controlled substance dispensed in Rhode Island pharmacies, not just opioid pain medications.

"Requiring law enforcement to obtain a warrant before accessing the prescription history of tens of thousands of Rhode Islanders simply provides a judicial check to ensure that investigations are legitimate and evidence-based. Judicial review should remain the standard by which law enforcement is able to access such sensitive information," said Sarah J. Fessler, MD, President of the RI Medical Society.

Health officials already have the power to report suspicious prescribing to law enforcement agencies.

"We see no middle ground when it comes to protecting Rhode Islander's confidential healthcare information. This bill is fatally flawed in that regard and no measure that results in warrantless access to this information is acceptable. Our efforts to treat our opioid crisis must remain an evidence-based medical approach. We would hope law enforcement would remain supportive of our efforts and focus their concerns on the massive influx of fentanyl which has caused so many deaths in our state," concluded Fessler.

*Copy of letter and list of supporting groups attached*



## RHODE ISLAND MEDICAL SOCIETY

June 27, 2017

Dear Senator:

Re: 17S-0656 Substitute A  
#24 on today's Senate Calendar

The Rhode Island Medical Society and the organizations listed on the reverse strongly urge you and your colleagues to once again reject warrantless access to confidential patient health care information contained in our state's Prescription Drug Monitoring Program, PDMP.

This bill, although amended, contains the same flaw as the bill you did not pass last year: it allows law enforcement agencies to access confidential patient health care information without a duly authorized search warrant.

Rhode Island has a long history of strong patient confidentiality laws that protect patients and health care professionals from speculative law enforcement investigations.

Requiring law enforcement to obtain a warrant before accessing the prescription history of tens of thousands of Rhode Islanders simply provides a judicial check to ensure that investigations are legitimate and evidence-based. Judicial review should remain the standard by which law enforcement is able to access such sensitive information.

Sincerely,

Sarah J. Fessler, MD  
President

# Opposed to warrantless search of Prescription Drug Monitoring Program

## 17S-656 Sub A

Rhode Island Medical Society

RI Chapter, American College of Physicians

Rhode Island Health Center Association

Rhode Island Academy of Physician Assistants

Rhode Island Dental Association

RI Society of Anesthesiology

Substance Use and Mental Health Leadership Council of Rhode Island

RI Radiological Society

Hospital Association of Rhode Island

Rhode Island Association of Oral and Maxillofacial Surgeons

Rhode Island Optometric Association

Opioid Treatment Association of Rhode Island

Mental Health Recovery Coalition of Rhode Island

Mental Health Consumer Advocates of Rhode Island

Mental Health Association of Rhode Island

National Alliance on Mental Illness of Rhode Island

Office of the Mental Health Advocate