



## Oregon Prescription Drug Monitoring Program – Prescriber Access Restrictions December 26, 2013 – Version 2

The Oregon Prescription Drug Monitoring Program (PDMP) is a tool to help health care professionals and pharmacists provide patients better care in managing their prescriptions. It contains information provided by Oregon-licensed retail pharmacies. Registered prescribers may access patient controlled substance prescription information as a tool to improve the quality of care and assist with medication management. Information about the Oregon PDMP including registration information can be found at <http://www.orpdmp.com>.

The Oregon PDMP legislation included strong privacy and security language to protect patients' confidentiality and to protect against unauthorized access of patient prescription information. This included a requirement that only registered prescribers are permitted to access patient information stored in Oregon's PDMP database. Registered prescribers are not mandated to use prescription information available through the Oregon PDMP for patient care.

Prescribers are prohibited from sharing user names and passwords with other medical staff such as medical assistants and non-prescribing nurses who have not been designated as delegates, though. Prescribers are permitted to delegate access to their patients' PDMP record. Delegates will be assigned unique user IDs and will be responsible for maintaining a secure password. As with prescribers, delegates are prohibited from sharing user names and passwords with other medical staff. Violation result in a civil and not a criminal penalty.

### Potential Consequences of User ID & Password Sharing:

1. Only prescribers are entitled to access PDMP data. This does not include medical assistants, prescribing nurses, etc. (ORS 431.966(2)(a)(A))
2. Prescribers who violate this section and demonstrate "willful intent," or the disclosure resulting from sharing of the prescriber's user ID and password by the prescriber with someone who is not authorized access to the PDMP is no longer immune to civil action on the part of the patient. Patients may file suit for damages up to \$1,000. (ORS 431.966(6)(a) and (b))
3. Violations may also result in civil penalties levied by the State of Oregon up to \$10,000. (ORS 431.992(1))

Again, the purpose of these restrictions is to protect patient confidentiality. Sharing passwords and user names may be seen as a violation of the HIPAA Security Rule. (45 CFR 164.308(a)(4)) Also, it is considered poor security practice. Full information about the Oregon PDMP can be found at the Oregon PDMP web site.