

THE VERMONT PRESCRIBER DATA-SHARING PROGRAM: FACT SHEET FOR PRESCRIBERS

Beginning January 1, 2008, Vermont licensed or certified health professionals with authority to prescribe and administer prescription drugs in the course of their professional practice (“prescribers”) may consent to the use of their identifiable data for marketing or promoting prescription drugs as permitted by a new Vermont law known as Act 80. Prescribers may indicate their consent by signing the appropriate part of their professional license or certification application or renewal application form. The applicable professional licensing board will transmit the prescriber’s consent to the Prescriber Data-Sharing Program administered by the Vermont Department of Health.

The text of the law is found at 18 V.S.A. § 4631. It also may be found online at:
<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/acts/ACT080.HTM>
(See Section 17, Prescription Drug Data Confidentiality).

PLEASE NOTE: The Office of the Attorney General has determined that the law will not be enforced until at least September 1, 2008. The Prescriber Data-Sharing Program will accept and process consent forms submitted with new or renewal license or certification applications beginning January 1, 2008. However, the Attorney General’s decision to defer enforcement means that a prescriber’s identifiable data in prescription drug records may continue to be used for marketing or promoting prescription drugs until September 1, 2008, even though the prescriber has not consented to that use.

The delay in enforcement is necessary because license renewal schedules will not permit full implementation for some time. In the meantime, any prescriber who signs the consent as part of an initial or renewal license or certification application will be registered by the Prescriber Data-Sharing Program and that information will be available on the date the Office of the Attorney General determines the law should be enforced.

Further information and updates on the implementation of the Prescriber Data-Sharing Program are available online at: <http://www.atg.state.vt.us/display.php?smod=151> under the heading “Prescription Drug Data Confidentiality Law.”