

April 14, 2008

The Honorable John Kerry  
304 Russell Senate Office Building  
Washington D.C. 20510

The Honorable Allyson Schwartz  
423 Cannon House Office Building  
Washington, D.C. 20515

Dear Sen. Kerry and Rep. Schwartz:

As organizations committed to fostering improvement in the quality, safety and efficiency of the American health care system, we strongly support your electronic prescribing legislation, the Medicare Electronic Medication and Safety Protection (E-MEDS) Act of 2007. E-prescribing technology is a critical tool that empowers patients, physicians, pharmacists and payers to reduce medication errors, enhance informed decision-making, reduce costs and, most importantly, save lives.

In July of 2006, the Institute of Medicine (IoM) estimated that preventable medication errors kill an estimated 7,000 Americans each year and injure nearly 1.5 million more. For this reason, the IoM has called on all physicians to adopt electronic prescribing (e-prescribing) by 2010 to address this problem. Unfortunately, nearly two years later, fewer than one in ten physicians are using this vital technology.

Encouraging, and then requiring, broader physician adoption of e-prescribing through Medicare will help physicians avoid 1.9 million adverse drug events over the next ten years. The life-saving benefits of e-prescribing clearly outweigh the steep cost of doing nothing.

We believe that efforts to realize the safety and savings benefits of comprehensive health information technology (HIT) must move forward within a framework of privacy and security protections. For example, many consumers have concerns about the data mining of prescription drug information, and the success of efforts to promote widespread adoption of HIT ultimately will depend on the willingness of consumers to accept the technology.

In the absence of a national privacy and security framework for the exchange of health data, we feel strongly that obtaining more definitive information about how prescription data are currently being used is a key step to addressing privacy concerns. Thus, we strongly support including in any e-prescribing legislation a requirement that the General Accounting Office (GAO) investigate the prescription data mining industry and publish a report to Congress. The report should define clearly from whom data miners are getting data, whether it is fully de-identified, how easy it is to re-identify, what the policies/procedures are for ensuring that it is de-identified (or not re-identified), and to whom they are selling data.

We appreciate your willingness to include such a GAO report in e-prescribing legislation as it moves forward this Congress, and thank you for your commitment to improve the safety and efficiency of our health care system. We look forward to working with you to pass this important legislation.

Sincerely,

AARP

AFL-CIO

American Federation of State, County, and Municipal Employees

Center for Medical Consumers

Childbirth Connection

Consumers Union

Health Care For All

National Consumers League

National Family Caregivers Association

National Partnership for Women & Families

SEIU

Cc:

The Honorable Harry Reid

The Honorable Max Baucus

The Honorable Charles Grassley

The Honorable Debbie Stabenow

The Honorable John Ensign

The Honorable Mel Martinez

The Honorable Nancy Pelosi

The Honorable John Boehner

The Honorable Charles Rangel

The Honorable Fortney Pete Stark

The Honorable John Dingell

The Honorable Mitch McConnell

The Honorable Lois Capps

The Honorable Jon C. Porter