Supreme Court Case on Rx Data Mining Requires Nuanced Understanding of Privacy

by Deven McGraw [1]
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If the Supreme Court were to accept some of the privacy claims, it actually could do damage to privacy by discouraging use of de-identified data. Further, claims that doctors have a privacy right in their prescribing practices could upset a host of policy goals associated with improving the efficiency and safety of the health care system.
Deven McGraw, Health Privacy Project Director, CDT

On April 26, the U.S. Supreme Court will hear arguments in a case that could have significant implications for patient privacy. Sorrell v. IMS Health, Inc., et al. *[3]* challenges the constitutionality of a Vermont statute that prohibits the use of drug prescribing information for the purpose of marketing drugs to physicians and other prescribers, without the consent of the prescriber. The case has the potential to do real damage to privacy protections, but understanding the various risks posed by the case requires some careful unpacking of the ways in which "privacy" is -- and is not -- at issue.

-- Read the full text of as Supreme Court Case on Rx Data Mining Requires Nuanced Understanding of Privacy [2] in iHealthBeat

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- Sorrell v. IMS Health
- Health Privacy

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