

Audit Logging and Data Accountability

**This is not a one size fits all, but rather “ALL”
accommodate some kind of fit within their own
State’s system**



Utah law “UCA §§ 58-37f” governs Utah’s PDMP, its operation and usage

58-37f-203 Submission, collection, and maintenance of data.

(7) The division shall ensure that the *database system records and maintains for reference*:

- (a) the **identification of each individual who requests or receives** information from the database;
- (b) the information provided to each individual; and
- (c) the date and time that the information is requested or provided.

58-37f-301 Access to database.

(2) The division shall make information in the database and information obtained from **other state or federal prescription monitoring programs by means of the database available only to the following individuals**, in accordance with the requirements of this chapter and division rules:

(q) an individual who is the recipient of a controlled substance prescription entered into the database, upon providing evidence satisfactory to the division that the individual requesting the information is in fact the individual about whom the data entry was made;

(r) an individual under Subsection (2)(q) **for the purpose of obtaining a list of the persons and entities that have requested or received any information from the database regarding the individual**, except if the individual’s record is subject to a pending or current investigation as authorized under this Subsection (2);



Each state has its own set of laws and rules governing data management within the state's respective PDMP, and each state has certain controls, application access and system configuration, some internally, and some externally.

- With the growing demand for use and access to PDMP data, each state has an obligation for accountability of its data management, both ethically and legally.
- Who are the stake holders of your data and what do they value?



Stakeholders

- ❖ Data submitted to your PDMP, who is involved and what is their role? Is it logged and recorded?
 - Utah receives data through a 3rd party sFTP
- ❖ Storage and maintenance of data, is there a policy in place for management of it? What security measures are guarding it? Is there an annual review or audit of the management?
 - Utah data is stored and maintained on State own servers. Note: Utah is navigating toward cloud storage for the future.
- ❖ The all-important, user request and access to the data.
 - Healthcare, non-healthcare (LEO), Regulatory, 3rd party vendors, etc. etc...
 - In Utah there is a potential of 21 distinct entities for data requests and access.

WHY

- Ethical:

1. Preserving the “right to know “who and/or what entity” has asked for, and received information about your personal data in a PDMP database.
2. the enforcement of unauthorized access to data of high profile individual(s), and the prevention of malicious access.
3. Data quality assurance.
4. Health Information Exchange (HIE) and Electronic Health Records (HER)
5. HIPAA – while it may not be technically HIPAA, it doesn’t hurt to treat it as such.

- Legal:

1. Laws and rules governing data searches and request for data.
2. Prescriber/Practitioner duty to utilize data prior to issuance of a controlled substance.
3. Patient right to know
4. Criminal use of a patients data



The challenges:

- ❖ Legislative
- ❖ PDMP system limitation (Technical and/or Financial)
- ❖ Interstate data sharing
- ❖ Health Information Exchanges
- ❖ Electronic Medical Record Systems

