



NATIONAL ASSOCIATION OF  
CHAIN DRUG STORES

October 24, 2018

Mr. David J. Redl  
National Telecommunications and Information Administration  
U.S. Department of Commerce  
1401 Constitution Avenue NW, Room 4725  
Attn: Privacy RFC  
Washington, DC 20230

Re: NTIA Request for Comments on Consumer Privacy – Docket No. 180821780-8780-01

*[Submitted online]*

Dear Mr. Redl:

On behalf of the National Association of Chain Drug Stores (NACDS), we appreciate the National Telecommunications and Information Administration (NTIA) soliciting comments on ways to advance consumer privacy while encouraging prosperity and innovation in today's complicated landscape.

NACDS represents traditional drug stores and supermarkets and mass merchants with pharmacies. Chains operate over 40,000 pharmacies, and NACDS' nearly 100 chain member companies include regional chains, with a minimum of four stores, and national companies. Chains employ nearly 3 million individuals, including 152,000 pharmacists. They fill over 3 billion prescriptions yearly, and help patients use medicines correctly and safely, while offering innovative services that improve patient health and healthcare affordability. NACDS members also include more than 900 supplier partners and over 70 international members representing 20 countries. For more information, visit [www.NACDS.org](http://www.NACDS.org).

Our members intersect with consumer privacy heavily in the realm of the Health Information Portability and Accountability Act (HIPAA) Privacy Rule, which establishes national standards to protect individuals' medical records and other personal health information and applies to health plans, health care clearinghouses, and those health care providers that conduct certain health care transactions electronically. It also requires appropriate safeguards to protect the privacy of personal health information and sets limits and conditions on the uses and disclosures that may be made of such information without patient authorization. Under the HIPAA Privacy Rule, patients have certain rights over their health information, including rights to examine and obtain a copy of their health records, and to request corrections. Our members fully support the spirit of the outcomes and goals

enumerated by NTIA as they are centered on consumer privacy. However, we would like to bring the following to your attention in response to specific questions in the RFC:

***Are there any risks that accompany the list of outcomes (or goals), or the general approach taken in the list of outcomes (or goals)?***

Chain pharmacy has a long-standing commitment to protecting patient information. NACDS members have developed extensive policies and procedures to ensure that their patients' sensitive information remains private and secure. Our patients' health and well-being are our highest priorities, and chief among these are the integrity of their information and their confidence in our ability to safeguard that information.

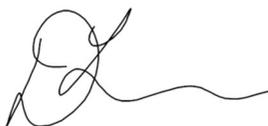
In the process of determining how the outcomes and goals identified in the RFC can be achieved, we encourage NTIA to consider the parameters of the HIPAA Privacy Rule and not create policy or take action that would run counter to or make the enforcement of the HIPAA Privacy Rule more complicated.

***Should the Department convene people and organizations to further explore additional commercial data privacy-related issues?***

We believe this would be a prudent next step. Each sector and business are affected differently by issues surrounding consumer privacy and a meeting that convenes a broad spectrum of organizations would be helpful in identifying where there is overlap of these issues. The focus of the meeting can be to identify that overlap and focus on potential policy solutions for those areas.

We thank you for the opportunity to share our perspectives and look forward to working with you on these important issues.

Sincerely,



Deepti A. Loharikar, J.D.  
Director, Federal and State Public Policy  
National Association of Chain Drug Stores