



Arizona will soon prohibit warrantless police searching of painkiller medical records

Gov. Doug Ducey signed bill into law requiring law enforcement and criminal justice agencies to provide a valid search warrant.

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Arizona law will limit police access to Controlled Substances Prescription Monitoring Program (CSPMP) data.

Gov. Doug Ducey signed a bill into law that will require law enforcement and criminal justice agencies to provide a valid search warrant to access Controlled Substances Prescription Monitoring Program (CSPMP) data from the State Board of Pharmacy (Board).

Signed on June 8, Senate Bill 1469 goes into effect 90 days after the end of the Fifty-Fifth Legislature, Second Regular Session concludes.

The bill passed unanimously in the Arizona House of Representatives and Senate; Nancy Barto, R-Phoenix, was the bill's sponsor.

The bill had wide-ranging support, including the Republican Liberty Caucus of Arizona, Arizona Chronic Care Together Coalition, Arizona Psychiatric Society, Republican Liberty Caucus of Arizona, and ACLU of Arizona.

No one registered their opposition to the bill as it was heard in committees.

Dr. Jeffrey Singer of the Cato Institute remained neutral on the measure in committee hearings but voiced his support for the bill in a press release.

“Law enforcement should not be able to go on a fishing expedition through patients’ medical records without a warrant signed by a judge showing there is probable cause of a crime,” he said.

The new law allows the Board to release CSPMP data to a local, state, or federal law enforcement or criminal justice agency only under certain instances. The Board must have a suspicion of illegal conduct, or the agency must prove in writing that access to the data is needed as part of an open investigation or complaint.

Singer said, “This new law will restore Fourth Amendment rights and due process, and will hopefully allay many doctors’ fears that they risk arrest for adequately treating their patients’ pain.”

Additionally, the bill prevents an investigator from pursuing the arrest of a prescriber solely based on suspicion of inappropriately prescribing controlled substances.