
PARTNERSHIP TO AMEND 42 CFR PART 2

September 26, 2018

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Health Care Coalition Disappointed in Omission of Enhanced Access and Privacy Provisions from Senate Opioid Package

Washington, DC (September 26, 2018) – The [Partnership to Amend 42 CFR Part 2](#) (Partnership), a coalition of over 40 health care organizations committed to aligning 42 CFR Part 2 (Part 2) with the Health Insurance Portability and Accountability Act (HIPAA) for the purposes of treatment, payment, and health care operations (TPO), today expressed extreme disappointment that enhanced privacy, care coordination, and expanded access provisions for substance use disorder records, Part 2, was omitted from H.R. 6, the SUPPORT for Patients and Communities Act.

The Partnership, in conjunction with over 170 [patient, health care provider, physician, addiction treatment, municipal, and other organizations](#), as well as the [nation's governors, state Medicaid directors](#) and the [Department of Health and Human Services](#) have called for Part 2 reform to combat opioid misuse.

Modernizing Part 2, federal regulations that govern confidentiality of drug and alcohol treatment and prevention records, is essential for providing safe, high-quality treatment and care coordination. Aligning Part 2 with HIPAA will bolster the effectiveness of other key provisions in the opioid package that promote coordinated care and expand access to treatment. The success of many of the lifesaving and essential provisions of H.R. 6, such as Comprehensive Opioid Recovery Centers and expanding Medicare coverage of certain services furnished by opioid treatment programs, will be hampered without harmonizing Part 2 with HIPAA.

The Overdose Prevention and Patient Safety (OPPS) Act, H.R. 6082, which recently passed the House of Representatives by an overwhelming bi-partisan vote of 357-57, would align Part 2 with HIPAA for the purposes of TPO and strengthen protections against the use of addiction records in criminal, civil, or administrative proceedings. The bill further amplifies consumer protections by incorporating antidiscrimination language, significantly enhanced penalties for any breach of a patient's substance use record, and breach notification requirements.

We urge the Senate to hold a separate vote on the OPPS Act to ensure enhanced patient safety, care coordination, and consumer protections become law.

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<http://www.helpendopioicrisis.org/>

Members of The Partnership to Amend 42 CFR Part 2 include:

Academy of Managed Care Pharmacy · Alliance of Community Health Plans · American Association on Health and Disability · American Dance Therapy Association · American Health Information Management Association · American Hospital Association · American Psychiatric Association · American Society of Addiction Medicine · American Society of Anesthesiologists · America's Essential Hospitals · America's Health Insurance Plans · AMGA · Association for Ambulatory Behavioral Healthcare · Association for Behavioral Health and Wellness ·

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Association for Community Affiliated Plans · Blue Cross Blue Shield Association · The Catholic Health Association of the United States · Centerstone · Confidentiality Coalition · Corporation for Supportive Housing · Employee Assistance Professionals Association · Global Alliance for Behavioral Health and Social Justice · Hazelden Betty Ford Foundation · Health IT Now · Healthcare Leadership Council · InfoMC · The Joint Commission · The Kennedy Forum · Medicaid Health Plans of America · Mental Health America · National Alliance on Mental Illness · National Association for Behavioral Healthcare · National Association for Rural Mental Health · National Association of ACOs · National Association of Addiction Treatment Providers · National Association of Counties · National Association of County Behavioral Health and Development Disability Directors · National Association of State Mental Health Program Directors · National Rural Health Association · Netsmart · OCHIN · Otsuka America Pharmaceutical, Inc. · Pharmaceutical Care Management Association · Premier Healthcare Alliance · Smiths Medical