Health Care Coalition Submits HIPAA Rules Comments To Improve Coordinated Care

Washington, DC (February 12, 2019) – The Partnership to Amend 42 CFR Part 2 (Partnership), a coalition of nearly 50 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 submitted comments for the Request for Information on Modifying HIPAA Rules to Improve Coordinated Care to the U.S. Department of Health and Human Services (HHS).

In its comments, the Partnership thanked HHS for recognizing the need to improve coordinated care, particularly regarding addressing the opioid crisis and serious mental illness. As the RFI asks several questions in this area, such as, “What changes can be made to the Privacy Rule to help address the opioid epidemic,” the Partnership was clear in its position that modifying HIPAA is not sufficient for improving coordinated care. And that Part 2 is the barrier to integrating care for persons with opioid and other substance use disorders (SUDs).

The Partnership recommends that new guidance changes current regulations so that Part 2 is aligned with HIPAA to allow for the transmission of Part 2 records without written consent, specifically for the purposes of treatment, payment, and health care operations. This will promote integrated care and enhance patient safety. Additionally, it will provide health care professionals with one privacy standard for all of medicine.

Part 2, Federal Confidentiality of Substance Use Disorder Patient Records, requires multiple consents from the patient are creates challenges and creates barriers to whole-person, integrated approaches to care, which are part of our current health care framework. In situations where the patient does not give consent, Part 2 regulations may lead a doctor to unknowingly write a prescription for opioid pain medication for an individual that has opioid use disorder.

Part 2 was created to reduce stigma associated with SUDs and encourage people to seek treatment without fear of prosecution by law enforcement, and should be modernized to be compatible with the way health care is delivered in the 21st Century.

Full Partnership comments: HERE
HHS request for comments: Request for Information on Modifying HIPAA Rules To Improve Coordinated Care

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http://www.helpendopioidcrisis.org/

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