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# PARTNERSHIP TO AMEND 42 CFR PART 2

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## Health Care Coalition Disappointed in Exclusion of Privacy & Confidentiality Provisions from Senate Opioid Package

Washington, DC (September 17, 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 disappointment that enhanced privacy and confidentiality provisions for substance use disorder records, Part 2, was excluded from the Opioid Crisis Response Act of 2018 passed by the U.S. Senate.

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 Overdose Prevention and Patient Safety (OPPS) Act, H.R. 6082, recently passed the House of Representatives by an overwhelming bi-partisan vote of 357-57. The OPPS Act 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.

Any final opioid agreement sent to the President's desk must include H.R. 6082 to ensure patients receive safe, effective, whole-person care.

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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 · 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

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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