



Advancing Health Care Policy
for Mental Health and Addiction

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ABHW Commends Reintroduction of the Legacy Act
Senators Capito and Manchin work to combat the opioid epidemic

Washington, DC (March 3, 2020) – The Association for Behavioral Health and Wellness (ABHW), the national voice for payers that manage behavioral health insurance benefits for over 200 million people, today issued a statement in response to the re-introduction of the Protecting Jessica Grubb’s Legacy Act (Legacy Act) by Senators Shelley Moore Capito (R-WV) and Joe Manchin (D-WV).

The following statement is attributed to Pamela Greenberg, MPP, President and CEO, Association for Behavioral Health and Wellness:

“ABHW and our member companies thank Senators Capito and Manchin for their diligent efforts in combatting the opioid epidemic. This bill would align 42 CFR Part 2 (Part 2) with the Health Insurance Portability and Accountability Act (HIPAA) for treatment, payment, and health care operations (TPO) and help to facilitate integrated care for individuals with an opioid or other substance use disorder (SUD).

“Harmonizing Part 2 with HIPAA would facilitate appropriate sharing of SUD records which would promote integrated care and enhance patient safety. This bill amplifies current consumer protections by incorporating antidiscrimination language, significantly enhanced penalties for any breach of a patient’s substance use record, and breach notification requirements.

“ABHW members have long advocated for changes to the existing Part 2 regulations so that care can be coordinated, and providers can have appropriate access to all of a patient’s medical record. Clinicians need access to a patient’s full medical history to assess risks and adequately care for a patient. Our members contend that Part 2 is one of the biggest – if not the biggest – barrier to fighting the opioid crisis.”

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[ABHW](#) is the leading health plan association working to improve access and quality of care for mental health and substance use disorders. ABHW's members include national and regional health plans who care for more than 200 million people. Together we work to reduce stigma and advance federal policy on mental health and addiction care. Member companies - Aetna Behavioral Health, AmeriHealth Caritas, Anthem, Beacon Health Options, Centene Corporation, Cigna, Kaiser Permanente, Magellan Health, New Directions Behavioral Health, and Optum.