



**FOR IMMEDIATE RELEASE**  
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**THE ASSOCIATION FOR BEHAVIORAL HEALTH AND WELLNESS  
WELCOMES THE RELEASE OF THE LONG-AWAITED  
42 CFR PART 2 PROPOSED RULE**

**Washington, DC (November 28, 2022)** - 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 the following statement upon the release of the 42 CFR Part 2 (Part 2) proposed rule.

ABHW is pleased that the U.S Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) and Substance Abuse and Mental Health Services Administration (SAMHSA) released the 42 CFR Part 2 proposed rule, updating Part 2 so that it complies with the provisions in the Protecting Jessica Grubb's Legacy Act (Legacy Act), legislation that was included in the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The Legacy Act is intended to help ensure that individuals with a substance use disorder (SUD) receive safe, effective, whole-person care.

"This proposed rule is a step toward modernizing privacy regulations for persons with substance use disorders and ensuring patients receive improved coordinated care said Maeghan Gilmore, Vice President, Government Affairs, ABHW and Chairperson, Partnership to Amend 42 CFR Part 2."

This proposed rule comes at a critical time, our nation continues to face an opioid epidemic, and the Centers for Disease Control and Prevention (CDC) estimated there were 107,622 drug overdose deaths in 2021. This rule will allow for the proper sharing of SUD records for treatment, payment, and health care operations while strengthening enforcement and creating stronger patient protections.

"We are thrilled to see the issuance of this long-awaited rule. By aligning Part 2 more closely with the privacy provisions in the Health Insurance Portability and Accountability Act (HIPAA), this proposed rule moves us closer to our goal of treating substance use disorder records on par with medical and mental health records, said Pamela Greenberg, President and CEO, ABHW."

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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. ABHW member companies - Aetna Behavioral Health, AmeriHealth Caritas, Elevance, Centene Corporation/Magellan Health, Evernorth, a Cigna company, Kaiser Permanente, Molina Healthcare, New Directions Behavioral Health, and Optum.