

November 16, 2018

The Honorable Lamar Alexander  
Chairman  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, DC 20510

The Honorable Patty Murray  
Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, DC 20510

Dear Chairman Alexander and Ranking Member Murray:

Thank you for your leadership in combatting the opioid epidemic. The undersigned organizations represent a diverse group of stakeholders across the health care spectrum 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). The SUPPORT for Patients and Communities Act, H.R. 6, represents critical steps in addressing the crisis; however, a critical provision was omitted. The Overdose Prevention and Patient Safety (OPPS) Act, H.R. 6082, will bolster the effectiveness of other key provisions in the package that promote coordinated care and expand access to treatment. We urge you to consider H.R. 6082 and to encourage Senate leadership to bring this bill to the Senate floor for a vote during the lame-duck session.

Part 2, federal regulations that govern confidentiality of drug and alcohol treatment and prevention records, sets requirements limiting the use and disclosure of patients' substance use records from certain substance use programs. Patients are required to give multiple consents, creating a barrier for integration and coordination of health care. A lack of access to the full scope of medical information for each patient can result in the inability of providers and organizations to deliver safe, high-quality treatment and care coordination. The barriers presented by Part 2 can result in the failure to integrate services and can lead to potentially dangerous medical situations for patients.

H.R. 6082, which passed the House of Representatives by a bipartisan vote of 357-57, would align Part 2 with HIPAA for 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.

Modifying Part 2 to ensure that HIPAA-covered entities have access to a patient's entire medical record will improve patient safety, treatment, and outcomes across the care delivery spectrum, enhancing the entire opioid package passed by the House and Senate. H.R. 6 contains a number of key initiatives designed to attain the goal of treating and coordinating care for persons with substance use disorder. However, the success of some of these new initiatives, 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. As we build out an addiction treatment infrastructure, it is imperative for it to integrate substance use disorder, mental health, and primary care services in order to produce the best patient outcomes and establish the most effective approach to caring for people with complex health care needs.

Alignment of Part 2 with HIPAA will allow appropriate access to patient information that is essential for providing safe, effective, whole-person care, while protecting this information with enhanced penalties for unlawful disclosure and use. We strongly believe that the modernization of privacy regulations and medical records for persons with substance use disorders is a critical component for tackling the opioid crisis and will improve the overall coordination of care in the United States. As a result, we urge you to consider H.R. 6082.

Sincerely,

Academy of Managed Care Pharmacy  
Adventist Health System  
Advocate Aurora Health  
Aetna  
Alabama Association of Health Information Management  
Alabama Psychiatric Physicians Association  
Alaska Dental Society  
Alaska Health Information Management Association  
Alaska Society of Addiction Medicine  
Alliance of Community Health Plans  
America's Essential Hospitals  
America's Health Insurance Plans  
America's Physician Groups  
American Association of Neurological Surgeons  
American Association on Health and Disability  
American College of Clinical Pharmacy  
American Health Information Management Association  
American Hospital Association  
American Osteopathic Academy of Addiction Medicine  
American Psychiatric Association  
American Society of Addiction Medicine  
American Society of Anesthesiologists  
AmeriHealth Caritas  
AMGA  
Anthem  
Arizona Health Information Management Association  
Arizona Psychiatric Society  
Arkansas Society of Addiction Medicine  
Ascension  
Association for Behavioral Health and Wellness  
Association for Community Affiliated Plans  
Avera Health  
Baptist Healthcare System  
Beacon Health Options  
Better Medicare Alliance  
Blue Cross Blue Shield Association  
Bon Secours Mercy Health  
California Health Collaborative  
California Health Information Association  
California Hepatitis C Task Force  
California Orthopaedic Association  
California Society of Addiction Medicine  
CareSource  
The Catholic Health Association of the United States  
Centene Corporation  
Centerstone

The Chamber of Commerce of the Santa Barbara Region  
Change Healthcare  
Christiana Care Health System  
Cigna  
College of Healthcare Information Management Executives (CHIME)  
Colorado Cross-Disability Coalition  
Colorado Foot & Ankle Society  
Colorado Health Information Management Association  
Colorado Nurses Association  
Colorado Society of Addiction Medicine  
Community Health Charities of Nebraska  
Confidentiality Coalition  
Congress of Neurological Surgeons  
Connecticut Health Information Management Association  
Delaware Ecumenical Council on Children and Families  
Delaware Health Information Management Association  
Employee Assistance Professionals Association  
Florida Health Information Management Association  
Geisinger Health System  
Georgia Health Information Management Association  
Georgia Psychiatric Physicians Association, Inc.  
Georgia Society of Addiction Medicine  
Global Alliance for Behavioral Health and Social Justice  
Greater New York Hospital Association  
Hawaii Society of Addiction Medicine  
Hazelden Betty Ford Foundation  
Health Information Management Association of Hawaii  
Health IT Now  
Healthcare Leadership Council  
Henry Ford Health System  
Hospice and Palliative Nurses Association  
Idaho Health Information Management Association  
Idaho Medical Group Management Association  
Idaho Podiatric Medical Association  
Idaho Psychiatric Association  
Illinois Health Information Management Association  
Illinois Psychiatric Society  
Indiana Health Information Management Association  
Indiana Psychiatric Society  
Indiana Society of Addiction Medicine  
InfoMC, Inc.  
International Association of Hepatitis Task Forces  
International Cancer Advocacy Network.  
Iowa Health Information Management Association  
Iowa Psychiatric Society  
The Joint Commission  
Kansas Health Information Management Association  
The Kennedy Forum

Kentucky Society of Addiction Medicine  
Leidos  
Living Hope for Mental Health  
Louisiana Health Information Management Association  
Louisiana Psychiatric Medical Association  
Louisiana Society of Addiction Medicine  
Magellan Health  
Maine Association of Psychiatric Physicians  
Maryland Health Information Management Association  
Maryland Psychiatric Society, Inc  
Maryland-DC Society of Addiction Medicine  
Massachusetts Society of Addiction Medicine  
Medicaid Health Plans of America  
Medical Oncology Association of Southern California, Inc.  
Mental Health America  
Mental Health America of California  
Mental Health America of Los Angeles  
Mental Health America of Montana  
MetroHealth  
Michigan Health Information Management Association  
Michigan Psychiatric Society  
Michigan Society of Addiction Medicine  
Midwest Society of Addiction Medicine (representing Kansas, Nebraska, and Missouri)  
Minnesota Health Information Management Association  
Mississippi Health Information Management Association  
Mississippi Psychiatric Association, Inc.  
Missouri Health Information Management Association  
Missouri Psychiatric Physicians Association  
Montana Health Information Management Association  
Montana Medical Association  
Montana Primary Care Association  
National Alliance on Mental Illness (NAMI)  
NAMI Idaho  
NAMI Juneau  
NAMI Keystone Pennsylvania  
NAMI Minnesota  
NAMI Montana  
NAMI Multnomah  
NAMI Nevada  
NAMI Ohio  
NAMI Tennessee  
NAMI Texas  
NAMI Washington  
NAMI Wood River Valley  
NAMI-NYS  
National Association for Behavioral Healthcare  
National Association of ACOs (NAACOS)  
National Association of Addiction Treatment Providers

National Association of Counties  
National Association of State Mental Health Program Directors  
Nebraska Health Information Management Association  
Nebraska Medical Association  
Nebraska State Grange  
Netsmart  
Nevada Health Information Management Association  
Nevada Psychiatric Association  
New Directions Behavioral Health  
New Hampshire Health Information Management Association  
New Jersey Health Information Management Association  
New Jersey Society of Addiction Medicine  
New Mexico Health Information Management Association  
New York County Psychiatric Society  
New York Health Information Management Association  
New York Society of Addiction Medicine  
NOCD  
North Carolina Health Information Management Association  
North Carolina Psychiatric Association  
North Carolina Society of Addiction Medicine  
North Dakota Health Information Management Association  
North Dakota Psychiatric Society  
Northern California Psychiatric Society  
Northwest Society of Addiction Medicine (representing Montana, North Dakota, and Wyoming)  
OCHIN  
Ohio Health Information Management Association  
Ohio Psychiatric Physicians Association  
Ohio Society of Addiction Medicine  
Oklahoma Health Information Management Association  
Oklahoma Psychiatric Physicians Association  
OPEN MINDS  
Oregon Academy of Family Physicians  
Oregon Health Information Management Association  
Oregon Podiatric Medical Association  
Oregon Society of Anesthesiologists  
Oregon Urological Society  
Otsuka America Pharmaceutical, Inc.  
Pennsylvania Health Information Management Association  
Pennsylvania Psychiatric Society  
Pennsylvania Society of Addiction Medicine  
PerformCare  
Physicians for Responsible Opioid Prescribing  
Premier Healthcare Alliance  
Providence St. Joseph Health  
Psychiatric Society of Virginia, Inc.  
Rhode Island Health Information Management Association  
Rhode Island Psychiatric Society  
Rhode Island Society of Addiction Medicine

Rio Grande Foundation  
Robert Wood Johnson Barnabas Health  
SCAN Health Plan  
Shatterproof  
Sjögren's and Lupus Foundation of Hawaii  
South Carolina Health Information Management Association  
South Carolina Society of Addiction Medicine  
Strategic Health Information Exchange Collaborative  
Tennessee Health Information Management Association  
Texas Health Information Management Association  
Texas Society of Addiction Medicine  
Trinity Health  
UPMC Insurance Services  
U.S. Chamber of Commerce  
Utah Medical Association  
Utah Psychiatric Association  
Utah Society of Addiction Medicine  
Virginia Society of Addiction Medicine  
Vizient, Inc.  
Waianae Coast Comprehensive Health Center  
Washington Health Information Management Association  
Washington Mental Health Counseling Association  
Washington Psychiatric Society  
Washington Society of Addiction Medicine  
Washington State Medical Association  
Washington State Prostate Cancer Coalition  
Washington State Radiological Society  
West Virginia Health Information Management Association  
West Virginia Psychiatric Association  
Wisconsin Health Information Management Association  
Wisconsin Psychiatric Association  
Wisconsin Society of Addiction Medicine

*As of 11/16/18*