

Protect Patient Privacy Now!

The Federal Government is proposing a change that gives law enforcement more access to SUD patient records!

This change to Section 2.63 of 42 CFR Part 2 could harm the lives of patients and people in recovery in an extraordinary way...

Imagine if your SUD patient records could be used to deny you insurance, be used in a court of law against you, or be shared against your will. With the realignment of 42 CFR Part 2 with HIPPA, our patient confidentiality is at stake.

...this will open all patient records to law enforcement and would allow patient records for all treatment centers to be used to investigate the patient, the programs and information contained in the records on potential illegal conduct of family and others not in treatment.

What can you do?

Submit your comments today by visiting:

- Comment Now on Proposal 0930-AA30
- Comment Now on Proposal 0930-AA32

Suggested comment for Proposal 0930-AA30:



"I do not agree with the changes to Section 2.63 in this NPRM and ask that SAMHSA does not change this section or finalize this proposal. This change is a fundamental and substantive change to privacy regulations that will allow (my) personal health information to be shared outside the healthcare system for criminal justice purposes. This regulation's purpose is to protect patients and their health data, this proposed change is not in line with the best interests of patients seeking treatment for substance use disorders and their families. A change of this nature will deter people in need of treatment from seeking care out of fear of law enforcement involvement, which goes against the fundamental purpose of 42 CFR part 2. Part 2 was created to encourage people to seek care without fear of legal repercussions or stigma. SAMHSA should also extend the comment period immediately, as this change is significant, the citizenry needs more than 30 days to analyze and respond to this NPRM."

*Option to insert personal experience or further comment on how the change may affect you, your patients, or someone you love!

Learn more: about the proposed regulatory changes, there are two, by visiting the links below.

NPRM – Regulatory Information Number 0930-AA30: https://www.govinfo.gov/content/pkg/FR-2019-08-26/pdf/2019-17816.pdf >>>>>>> The deadline for submitting public comments on 0930-AA30 is by 5 pm on September 25, 2019.

NPRM – Regulatory Information Number 0930-AA32: https://www.govinfo.gov/content/pkg/FR-2019-08-26/pdf/2019-17817.pdf >>>>>>> The deadline for submitting public comments on 0930-AA32 is by 5 pm on October 25, 2019.

<u>Websites:</u> Visit https://www.fightforpatientrights.org/, this website was designed by and for advocates, people in recovery, and family and friends who believe in patient privacy.

<u>Signing up for updates:</u> Sign up to receive updates at: https://actionsprout.io/F55FB5 and https://lac.org/wp-content/uploads/2017/10/LAC-ActionLine-2017.pdf.

<u>Articles and Social Media</u>: See the articles and social media subheading at the bottom of this page for for helpful articles and social media resources.

Questions: If you have additional questions, email our agency at proa.asst@pro-a.org, and use 42 CFR Part 2 as the subject. The Legal Action Center (LCL) also has a confidentiality hotline. You can reach LCL at (800) 223-4044, and see more information at Actionline.

The Fundamentals Of 42 Cfr Part 2: What Is It? Why Is It Important?

Learn about the fundamentals of confidentiality. The answers for the 10 questions listed below can be found at at https://lac.org/addiction-confidentiality-42-cfr-part-2-important/.

- What is 42 C.F.R. Part 2 ("Part 2") and what does it do?
- Why is Part 2 important to people living with substance use disorders ("SUD")?
- o How does Part 2 work?
- o How does Part 2 protect my treatment records from law enforcement and subpoenas?
- o How does Part 2 protect my treatment records from redisclosure?
- What is the difference between Part 2 and HIPAA?
- o How did the Part 2 regulations change?
- How do the updated Part 2 regulations help integrate SUD with other protected health information?
- What's the bottom line?
- Where can I get more information on 42 CFR Part 2 and Substance Use Confidentiality?

Articles and Social Media

Below are several articles published by Alison Knopf, of Filter. To learn more about Filter, please visit https://filtermag.org/about-filter/.

- Fifteen Examples of Discrimination Against People With Substance Use Disorders
- SAMHSA Ushers in Law Enforcement "Fishing Expeditions" for MAT Patients
- SAMHSA to Drop SUD Treatment Confidentiality Rule, Because "Times Change"



The Recovery Advocacy Project is focused on educating citizens, voters, and organizations on the best practices on advocacy and engagement in the public arena. You can like and follow Recovery Advocacy Project on Facebook.

Post any of the images found at http://pro-a.org/protect-patient-privacy-now/ with: #standUp4Recovery to protect patient confidentiality! TAKE ACTION TODAY & LEARN MORE! Go to: fightforpatientrights.org.