



***SAMHSA Proposed Rule: Confidentiality of
Substance Use Disorder Records***



April 5, 2016



Proposed Rule on Privacy

- **42 CFR Part 2**
 - ***covers SUD records***
- **Rule published Feb. 9, 2016**
- **Comments Due: April 11, 2016**



AHA Comments

- **HIPAA Should Be the Prevailing Nation-wide Standard**
- **Support for Full Federal Preemption Under HIPAA**
 - **Same Requirements to All Patient Information**
- **Providers must be able to:**
 - **Share patient behavioral health information just like information related to physical health**
 - **For treatment, payment, and health care operations**



AHA Comments

- **Urge full alignment of Part 2 regulation with HIPAA**
- **SAMHSA Should Reevaluate How Best to Achieve Full Alignment**
- **Critical Step is Working with Congress to Resolve Statutory Conflicts that Prevent Full Alignment**



Questions

- 1. General Reactions to AHA's Draft Approach for Comment Letter?**
- 2. Is there anything in the proposal that might be a significant improvement over current regulation?**

