



A Passionate Voice for Compassionate Care

April 6, 2018

The Honorable Greg Walden
Chair, Energy and Commerce Committee
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Frank Pallone
Ranking Member, Energy and Commerce Committee
U.S. House of Representatives
Washington, D.C. 20515

RE: Overdose Prevention and Safety Act

Dear Chairman Walden and Ranking Member Pallone,

On behalf of the Catholic Health Association of the United States (CHA), the national leadership organization of more than 2,000 Catholic health care systems, hospitals, long-term care facilities, sponsors, and related organizations, I am contacting you regarding the opioid crisis affecting far too many of our nation's communities. We have heard from our health systems, hospitals and clinics across the nation how this crisis is affecting their ability to provide health care, and we are pleased to see the variety of legislative solutions being considered in the hearings held by the Energy & Commerce Health Subcommittee.

As the Committee continues consideration of legislation, we wish to express our strong support for the Overdose Prevention and Safety Act as originally introduced (H.R. 3545). This legislation would align current regulations for substance use disorder (SUD) records with existing patient protections for treatment, payment and health care operations, so that SUD and other medical records would be treated in the exact same way. We also support adding provisions to the legislation to ensure even stronger protections for patient privacy and anti-discrimination, as well as appropriate penalties for violations of these protections.

Catholic health providers recognize that each human life is sacred and possesses inalienable worth, and that health care is essential to promoting and protecting the inherent dignity of every individual. We also recognize that supportive and readily available substance use disorder (SUD) treatments are essential facets of holistic, person-centered and effective health care. The first principle in our *Vision for U.S. Health Care* affirms our call to pay special attention to those most likely to lack access to health care, many of whom are in desperate need of SUD services. This commitment is why the Catholic health ministry strongly supports efforts to increase access to these services and ensure that they become fully integrated into our health care system.

CHA supports H.R. 3545, the Overdose Prevention and Safety Act, as an important tool for achieving that integration. Most importantly, H.R. 3545 as originally introduced would allow "use or disclosure" of the content of records to carry out SUD treatment, payment or health care operations as defined under current HIPAA regulations. These three pieces of a



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patient's record are inseparable in existing electronic health records (EHRs). They enable the essential flow of patient information among providers that is critical to the timely and effective delivery of health care and critical to patient safety and quality. That is not possible when having to maintain and access two separate sets of records for the same patient. For health providers, the alignment with HIPAA for SUD treatment as well as payment and health care operations is essential to providing whole-person care. Full coordination of physical care and SUD treatment, including medical records, is also necessary to minimize the risk of relapse or future addiction among patients. And it is a key component for licensing requirements, accreditation standards and maintaining best practices to ensure that those requiring SUD treatment receive the most effective care possible.

We understand from our member organizations treating substance use disorders that the current system, with separate charts and records for SUD patients, has made the provision of care unnecessarily burdensome and curtailed their ability to expand options for care and treatment even as the opioid epidemic continues. **The full alignment of SUD records with HIPAA across treatment, health care operations and payment settings, as originally provided for in H.R. 3545, is essential to their work, mission and patient safety.**

Thank you again for your attention to the urgent matter of opioid and other substance use disorders. We know that you share the goal of our Catholic health ministry in providing the best possible care and treatment for those who need it, and we look forward to working with you on legislative solutions that can meet the current challenges.

Sincerely,

A handwritten signature in black ink that reads "Michael Rodgers". The signature is written in a cursive style with a long horizontal flourish at the end.

Michael Rodgers
Senior Vice President, Advocacy & Public Policy