



NATIONAL COUNCIL ON ALCOHOLISM
AND DRUG DEPENDENCE OF THE
SAN FERNANDO VALLEY

March 21, 2018

Representative Greg Walden
Chairman of the U.S. House of Representatives
Energy and Commerce Committee
2185 Rayburn House Office Building
Washington, DC 20515

Representative Frank Pallone, Jr.
Ranking Member of the U.S. House of Representatives
Energy and Commerce Committee
237 Cannon House Office Building
Washington, DC 20515

RE: U.S. House of Representatives, Energy and Commerce – Subcommittee on Health:
“Combating the Opioid Crisis: Prevention and Public Health Solutions;”
Amendment in the Nature of a Substitute to H.R. 3545 -“Overdose Prevention and Patient
Safety Act”

Dear Chairman Walden and Ranking Member Pallone:

As a professional alcohol and drug outpatient treatment program, we *strongly support maintaining the core protections of the federal substance use disorder patient confidentiality law (“42 U.S.C. § 290dd-2”) and its regulations “42 CFR Part 2,”* (referred to collectively as “Part 2,”) to effectively protect the confidentiality of patients’ records. Maintaining Part 2’s core protections for SUD information, instead of those of a weaker HIPAA Privacy standard as described in the Amendment (in the Nature for a Substitute) for H.R. 3545 for the following reasons:

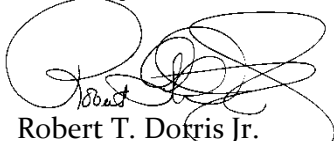
1. The heightened privacy protections in Part 2 are as critical today as they were when they were they were enacted more than 40 years ago, and must be preserved.
2. Amid the worst opioid epidemic in our nation’s history, we must do everything possible to increase – not decrease – the number of people who seek treatment.

3. SUD is unique among medical conditions because of its criminal and civil consequences and the rampant discrimination people face.
4. With so much at stake, patients in SUD treatment should retain the right to consent when and to whom their records are disclosed, as currently found in Part 2.
5. Effective integration of SUD treatment with the rest of the health care system is critically important, and information exchange in accordance with confidentiality law and current technology is now possible. To facilitate that process, SAMHSA recently amended the Part 2 regulations to further promote the integration of confidential SUD information into general health records.

Like many other professionals in the field of addiction treatment and recovery, we are concerned that weakening the HIPAA Privacy Rule standard of allowing disclosures of SUD information without patient consent for treatment, payment, health care operations, or other purposes other than those currently allowed by Part 2 – will contribute to the existing level of discrimination and harm to individuals and their families suffering with substance use disorders. This will only result in more people who need substance use disorder treatment, being discouraged and afraid to seek the health care they need during the nation's worst opioid crisis.

We respectfully request that the House Energy and Commerce Committee maintain the current confidentiality protections of Part 2 in order to support individuals entering and staying in SUD treatment and recovery services.

Sincerely,



Robert T. Dorris Jr.
President of the Board

cc: NCADD-SFV Board of Directors
NCADD-SFV Management Committee