



April 23, 2018

The Honorable Greg Walden  
Chairman  
House Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, DC 20515

The Honorable Frank Pallone, Jr.  
Ranking Member  
House Committee on Energy and Commerce  
2322A Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Walden and Ranking Member Pallone:

Otsuka America Pharmaceutical, Inc. (Otsuka), a U.S.-based subsidiary of Otsuka Pharmaceutical Co., Ltd., is a health care company committed to developing innovative medicines and cutting-edge digital health products to improve care for those with behavioral health conditions. In our role as a health solutions company, we have worked closely with community-based mental health providers to enhance care coordination and ensure they have access to accurate information about their patients' physical and behavioral health care needs.

Based on this experience, we strongly support the Overdose Prevention and Patient Safety Act (H.R. 3545), which would align the confidentiality requirements of 42 CFR Part 2 ("Part 2") with the Health Insurance Portability and Accountability Act (HIPAA) for the purpose of health care treatment, payment, and operations (TPO). In addition, H.R. 3545 would strengthen Part 2 protections that prevent the disclosure of addiction treatment records in a manner that could lead to prosecution or loss of employment, housing, or child custody.

The need to harmonize Part 2 with HIPAA is particularly acute in light of the opioid crisis currently facing our nation. Many individuals have dual diagnosis, which means they are living with both mental illness and a substance use disorder. According to a 2015 SAMHSA report, a National Survey on Drug Use and Health found that, in 2014, 7.9 million Americans experienced both a mental illness and a substance use disorder simultaneously.

Experts believe that the best treatment for dual diagnosis is an integrated intervention, but this is often precluded by the artificial barrier Part 2 places between substance use disorder treatment providers and the rest of the health care community. By aligning Part 2 with HIPAA for purposes of TPO, H.R. 3545 would ensure that providers have a more complete understanding of a patient's condition(s). This will allow for the providers to coordinate care for patients with substance use disorders and mental illness, while simultaneously protecting their confidential treatment information from improper disclosures and improving the safety of care. This legislation is critical to our national response to the ongoing opioid crisis.

We would not blindfold a surgeon before sending him into the operating room, but that is effectively what Part 2 does to providers who treat those suffering from both substance use disorders and mental illness, by denying them the information they need to safely and comprehensively treat their patients. H.R. 3545 would modernize

**Otsuka America Pharmaceutical, Inc.**

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antiquated Part 2 rules and facilitate the provision of innovative, coordinated care for individuals with substance use disorders. We look forward to working with you and your Congressional colleagues to ensure enactment of this crucial legislation.

Sincerely,

A handwritten signature in purple ink, appearing to read "Molly P. Ryan", is centered below the word "Sincerely,". The signature is fluid and cursive, with a large initial "M" and "P".

Molly P. Ryan  
Head, Government Affairs