

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Senate Health Care

REVENUE: No revenue impact

FISCAL: May have fiscal impact, statement not yet issued

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Zena Rockowitz, Administrator

Meeting Dates: 3/2

WHAT THE MEASURE DOES: Urges Congress to pass legislation that would better align 42 C.F.R. part 2 with the Health Insurance Portability and Accountability Act by allowing health care providers to share a patient’s treatment information while maintain protections against disclosure and discrimination. Declares that legislation would allow states to maintain strong confidentiality protections, deliver coordinated care, and administer electronic health records.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT:

BACKGROUND: Federal regulation Title 42, part 2, concerns confidentiality of alcohol and drug abuse patient records. It prohibits sharing of information among health care providers of persons undergoing treatment for substance abuse. The intent of the privacy protections is to prevent discrimination that is experienced by this population in housing and work. Proponents assert that the collaboration and communication within the healthcare system helps with prevention, treatment, and recovery and that applying the Health Insurance Portability and Accountability Act of 1996 would protect individually identifiable health information held by covered entities and their businesses, while allowing disclosure of health information needed for patient care and other purposes.