

## Report on Medicare Compliance Volume 27, Number 14. April 16, 2018 OCR Promises Rule on Sharing Opioid Information, NPP Update

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By Nina Youngstrom

The HHS Office for Civil Rights (OCR) is drafting a proposed rule that would allow providers to more easily share information with family members whose loved ones become incapacitated by opioid use.

Referring to family members as “often the last best hope” for people struggling with opioid addiction, OCR Director Roger Severino filled in some blanks about this and another proposed rule on notices of privacy practices (NPPs) during a recent keynote address at the HIPAA Summit in Washington, D.C. OCR is responding to the need for parents of adult children treated for substance use to learn of the child’s diagnosis and treatment when he or she “is in such dire circumstances,” Severino said. OCR is seeking to combat the “many myths surrounding the interaction of our health information privacy laws and difficult circumstances, especially related to opioids” and to help providers with sharing information while complying with HIPAA.

“Far too often, we’ve seen examples where medical providers err so far on the side of caution that the patients do not necessarily get the best treatment” if their family members who want to be involved are shut out, he said.

Opioid abuse is “not just a medical problem, it’s a societal problem, it’s a family problem. It needs to be addressed on all fronts,” said Severino. OCR has been doing its “part to try to make sure that folks are aware of what doctors can say in those situations to make sure that loved ones are brought in” and now believes a proposed rule is required.

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