



CHIME  
College of Healthcare  
Information Management Executives

April 5, 2019

The Honorable Joe Manchin  
U.S. Senate  
306 Hart Senate Office Building  
Washington, DC 20510

The Honorable Shelley Moore Capito  
U.S. Senate  
172 Russell Senate Office Building  
Washington, DC 20510

Re: CHIME Letter of Support for the Protecting Jessica Grubb's Legacy Act

Dear Senator Manchin and Senator Capito:

The College of Healthcare Information Management Executives (CHIME) is pleased to support the Protecting Jessica Grubb's Legacy Act. The legislation would be integral in managing opioid addiction records through seeking to align the 42 CFR Part 2 regulation with the Health Insurance Portability and Accountability Act (HIPAA) for the purposes of payment, treatment and health care operations.

CHIME is an executive organization dedicated to serving chief information officers (CIOs), chief medical information officers (CMIOs), chief nursing information officers (CNIOs) and other senior healthcare IT leaders. With more than 2,800 members in 51 countries and over 150 healthcare IT business partners, CHIME provides a highly interactive, trusted environment enabling senior professional and industry leaders to collaborate; exchange best practices; address professional development needs; and advocate the effective use of information management to improve the health and healthcare in the communities they serve. Our members represent some of the earliest and most prolific adopters of electronic health records (EHRs) and other health IT resources for clinicians and patients. Our mission is, "To advance and serve healthcare leaders and the industry improving health and care globally through the utilization of knowledge and technology."

CHIME launched our Opioid Task Force in early 2018, seeking to leverage members' unique insights and assets to make a real difference. CHIME's [Opioid Task Force](#) is undertaking several initiatives aimed at curbing the pattern of addiction, including reviewing the impact of technology and data-driven solutions. As do many of our members, this group continues to raise the data-sharing challenges inflicted by the current lack of alignment between 42 CFR Part 2 and HIPAA.

As you know, when a provider is caring for a patient it is essential that they have a complete medical history with all relevant information that will help them make clinical decisions. To ensure the highest quality of care possible, substance use disorder (SUD) data must be available to healthcare providers. However, as it currently stands as required by 42 CFR Part 2, SUD treatment and diagnoses may be kept confidential from providers, which can be extremely problematic when a clinician is attempting to treat someone but doesn't know their prior addiction history. Our members strongly support synchronizing these consent policies and reducing the burdens imposed by these two different sets of rules and facilitating consent for the purposes of treatment, payment and healthcare operations pursuant to HIPAA.

Oftentimes, someone is prescribed an opioid for pain because the physician doesn't have any knowledge of problematic substance abuse history. If they had been able to access this information, they would often have been able to keep those vulnerable for misuse safe from the harm of the highly addictive painkiller. This bill would align 42 CFR Part 2 with HIPAA, which would allow the sharing of patient information with

clinicians treating the patient, so they can make the most informed decisions possible. By allowing this, the information would still be safeguarded under the rules of HIPAA while giving clinicians electronic access to a broader picture of a patient's health; therefore, resulting in a better care experience for the patient.

We appreciate your continued interest and leadership on this subject. We stand ready to work with you and your colleagues toward the passage of this important legislation, which would help clinicians treat those patients struggling with a history of substance use disorder. Should you have any questions about our position or require additional information, please contact Leslie Krigstein, Vice President of Congressional Affairs, at [lkrigstein@chimecentral.org](mailto:lkrigstein@chimecentral.org).

Sincerely,

A handwritten signature in black ink, reading "Russell P. Branzell". The signature is written in a cursive style with a large, prominent initial "R".

Russell P. Branzell, CHCIO, LCHIME  
President and CEO  
CHIME