



HR0501

LRB101 13870 ALS 62732 r

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HOUSE RESOLUTION

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WHEREAS, The Department of Health and Human Services (HHS) has announced proposed changes to the federal regulations governing the confidentiality of patient records created by federally-assisted substance use disorder treatment programs, known as 42 CFR part 2; and

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WHEREAS, The 42 CFR part 2 regulations serve to protect patient records created by federally-funded programs for the treatment of substance abuse disorder (SUD); SAMHSA is currently proposing to revise part 2 to facilitate better coordination of care for substance use disorders, which will also enhance care for opioid use disorder (OUD); these provisions will be an important part of the Federal response to the opioid epidemic, while maintaining part 2 confidentiality protections; and

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WHEREAS, In these proposed federal regulation changes, "non-OTP (opioid treatment program) providers will become eligible to query a central registry, in order to determine whether their patients are already receiving opioid treatment through a member program," and "OTPs will be permitted to enroll in a state prescription drug monitoring program (PDMP), and permitted to report data into the PDMP when prescribing or dispensing medications on Schedules II to V, consistent with

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1 applicable state law"; and

2 WHEREAS, These changes could improve the care of persons
3 with opioid use disorder because primary care providers could
4 more easily receive treatment information from other treatment
5 programs and could utilize the Illinois Prescription Drug
6 Monitoring Program to see if a patient is receiving methadone
7 or other controlled substances from an opioid treatment program
8 (OTP); these changes will help to prevent duplicative
9 enrollments in SUD care, duplicative prescriptions in SUD
10 treatment, and adverse drug events related to SUD treatment;
11 and

12 WHEREAS, The proposed rule will not alter the basic
13 framework for confidentiality protection of SUD patient
14 records created by federally-funded treatment programs; part 2
15 will continue to prohibit law enforcement use of SUD patient
16 records in criminal prosecution against the patient; part 2
17 will also continue to restrict the disclosure of SUD treatment
18 records without patient consent, other than as statutorily
19 authorized in the context of a bona fide medical emergency, or
20 for the purpose of scientific research, audit, or program
21 evaluation, or based on an appropriate court order for good
22 cause; therefore, be it

23 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE

1 HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that
2 we urge the support of the proposed changes to 42 CFR part 2 to
3 improve communication and exchange of information between all
4 providers of care for people with substance abuse disorder; and
5 be it further

6 RESOLVED, That suitable copies of this resolution be
7 presented to the members of the Illinois Congressional
8 Delegation.