

May 24, 2018

The Honorable Tom Cole
Chairman
Labor/HHS Appropriations Subcommittee
2358 Rayburn House Office Bldg.
Washington, D.C. 20515

The Honorable Rosa DeLauro
Ranking Member
Labor/HHS Appropriations Subcommittee
1016 Longworth House Office Bldg.
Washington, D.C. 20515

Dear Chairman Cole and Representative DeLauro:

The Mental Health Liaison Group writes to express our strong support for full funding of the Compassionate Communication on HIPAA provisions authorized under Subtitle C, Title XI, Section 11004 of the 21st Century Cures Act. (P.L. 114-255). To enhance the quality of behavioral health and medical/surgical services, we believe it is essential that model programs and training materials be developed for health care professionals regarding permitted uses and disclosures of Protected Health Information (PHI) through HIPAA.

HIPAA regulations allow health professionals to share information with a patient's loved ones in emergency or dangerous situations. However, widespread misunderstandings to the contrary persist and create obstacles to family support that is crucial to the proper care and treatment of persons experiencing a crisis situation – such as a psychiatric episode or a drug overdose.

Pursuant to Sec. 11003 of the 21st Century Cures Act, the Office of Civil Rights – an agency within the U.S. Department of Health and Human Services – recently issued clarifying guidance explaining how health care providers have broad ability to share health information with patient's family members during certain crisis circumstances without violating HIPAA privacy regulations. Now, it is critically important that Congress follow through with funding for the training of health professionals – including physicians, nurses, emergency medical personnel, care managers and hospitals – regarding permitted HIPAA uses and disclosures.

These training materials can be widely employed to train health professionals and administrative professionals working across the healthcare system. In our view, fully funding Section 11004(2)(e)(2) of 21st Century Cures can make a huge difference in the lives of patients and families facing immediate crises.

Thank you for your attention to this important matter.

Sincerely,

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American Association for Geriatric Psychiatry
American Association on Health and Disability
American Association for Marriage and Family Therapy
American Association for Psychoanalysis in Clinical Social Work

American Dance Therapy Association
American Foundation for Suicide Prevention
American Group Psychotherapy Association
American Mental Health Counselors Association
American Occupational Therapy Association
American Psychiatric Association
American Psychiatric Nurses Association
American Psychoanalytic Association
American Psychological Association
American Society of Addiction Medicine
Anxiety and Depression Association of America
Association for Ambulatory Behavioral Healthcare
Association for Behavioral Health and Wellness
Bazelon Center for Mental Health Law
Clinical Social Work Association
College of Psychiatric and Neurologic Pharmacists
Depression and Bipolar Support Alliance
Eating Disorders Coalition
Global Alliance for Behavioral Health and Social Justice
The Jewish Federations of North America
Mental Health America
National Alliance on Mental Illness
National Alliance to Advance Adolescent Health
National Association for Rural Mental Health
National Association of County Behavioral Health and Development Disability Directors
National Association of Social Workers
National Association of State Mental Health Program Directors
National Council for Behavioral Health
National Disability Rights Network
National Eating Disorders Association
National League of Nursing
National Register of Health Service Psychologists
No Health Without Mental Health
Residential Eating Disorders Consortium
Schizophrenia and Related Disorders Alliance of America
Treatment Communities of America