



January 31, 2023

Secretary Xavier Becerra  
U.S. Department of Health & Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

**Re: HHS-OCR-0945-AA16 – Confidentiality of Substance Use Disorder (SUD) Patient Records**

Submitted electronically at: <https://www.regulations.gov/>

Dear Secretary Becerra:

The Alliance for Nursing Informatics (ANI) appreciates the opportunity to provide supportive comments as nursing stakeholders to The Department of Health and Human Services (HHS) **Request for Information: Confidentiality of Substance Use Disorder (SUD) Patient Records.**

[The Alliance for Nursing Informatics](#) (ANI), cosponsored by AMIA & HIMSS, advances nursing informatics leadership, practice, education, policy, and research through a unified voice of nursing informatics organizations. We transform health and healthcare through nursing informatics and innovation. ANI is a collaboration of organizations representing more than 20,000 nurse informaticists and bringing together 25 distinct nursing informatics groups globally. ANI crosses academia, practice, industry, and nursing specialty boundaries and collaborates with the more than 4 million nurses in practice today.

We are in support of the proposed new protections to increase care coordination and confidentiality for patients with substance use challenges. Specifically, we are in favor of the proposed increased protections for patients concerning records disclosure to avoid discrimination in treatment and promote equity in care.<sup>1</sup> We believe this will decrease stigmatization of health conditions and promote improved access to care and healthier patient outcomes.<sup>2</sup> In addition, we applaud the greater alignment with certain aspects of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy, Breach Notification, and Enforcement Rules.

Thank you for the opportunity to support the **Confidentiality of Substance Use Disorder (SUD) Patient Records**. We are pleased to contribute any subsequent activities that help decrease

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<sup>1</sup> World Health Organization. (2022, December 10). Human rights. <https://www.who.int/news-room/fact-sheets/detail/human-rights-and-health>

<sup>2</sup> Nyblade, L., Stockton, M. A, Giger, K., Bond, V., Ekstrand, M. L., McLean, R., Mitchell, E. M. H., Nelson, L. E., Sapag, J. C., Siraprapasiri, T., Turan, J. & Wouter, E. (2019). Stigma in health facilities: Why it matters and how we can change it. *BMC Medicine*, 17(25). <https://doi.org/10.1186/s12916-019-1256-2>

burden on patients and providers, improve care coordination, and increase access to care and treatment, while protecting confidentiality of treatment records.

Sincerely,



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ANI Co-chair



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ANI Co-chair

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