



**Association of  
American Medical Colleges**  
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December 3, 2018

The Honorable Lamar Alexander  
Chair  
Committee on Health, Education, Labor and  
Pensions  
U.S. Senate  
Washington, DC 20510

The Honorable Patty Murray  
Ranking Member  
Committee on Health, Education, Labor, and  
Pensions  
U.S. Senate  
Washington, DC 20510

Dear Chairman Alexander and Ranking Member Murray:

On behalf of the nation's medical schools and teaching hospitals, I write to urge you to use these final weeks of the 115<sup>th</sup> Congress to take the opportunity to build on your bipartisan efforts to combat the opioid crisis by equipping providers with the information they need to effectively treat their patients.

The Association of American Medical Colleges (AAMC) is a not-for-profit association dedicated to transforming health care through innovative medical education, cutting-edge patient care, and groundbreaking medical research. Its members are all 152 accredited U.S. medical schools; nearly 400 major teaching hospitals and health systems, including 51 Department of Veterans Affairs medical centers; and more than 80 academic societies. Through these institutions and organizations, the AAMC serves the leaders of America's medical schools and teaching hospitals and their more than 173,000 full-time faculty members, 89,000 medical students, 129,000 resident physicians, and more than 60,000 graduate students and postdoctoral researchers in the biomedical sciences.

The AAMC congratulates you for coming together in a bipartisan manner to pass the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (SUPPORT Act, P.L. 115-271), which the president signed into law earlier this year. We believe that Congress can build upon this law and further close the treatment gap for substance use disorders by aligning 42 CFR Part 2 regulations with the Health Insurance Portability and Accountability Act (HIPAA) for the purposes of treatment, payment, and healthcare operations.

While AAMC-member teaching hospitals represent only five percent of all hospitals, they account for a much larger share of care delivered nationally – including 23 percent of all hospital inpatient days, 20 percent of all Medicare inpatient days, and 24 percent of all Medicaid hospitalizations – and disproportionately care for the nation's under- and uninsured patients, accounting for 33 percent of charity care. Major teaching hospitals also offer vital services that often cannot be accessed elsewhere in the community. Over half of AAMC-member teaching

hospitals offer outpatient substance use services, and over three-quarters operate crisis prevention programs. AAMC-member hospitals also account for 19 percent of the nation's alcohol unit beds and 22 percent of inpatient psychiatric unit beds. The vast majority of our member teaching hospitals provide child psychiatry services or outpatient psychiatric care. These institutions serve on the front lines of the country's safety net, investing in a wide scope of mental and behavioral health services, including treatment and recovery support for substance use disorders.

Despite recent revisions by the Substance Abuse and Mental Health Services Agency (SAMHSA), well-intentioned privacy regulations continue to hamper provider efforts to treat patients with substance use disorders. The regulations under 42 CFR Part 2 require written consent from a patient before clinicians can access information on the patient's substance use disorder and treatment plan, even if the treatment facility is within a larger health system. As a result, providers treating a patient's other ailments do not have complete access to the patient's medical history, leaving the provider ill-equipped to avoid adverse drug interactions or opioid prescriptions for patients with opioid use disorder. The AAMC supports alignment of 42 CFR Part 2 with the Health Insurance Portability and Accountability Act (HIPAA) privacy rule to help providers better safeguard their patients' health without abandoning rigorous privacy protections.

We appreciate your efforts in confronting the opioid crisis and recognize the numerous bipartisan legislative actions that you have taken in response. As you finish your work in the 115<sup>th</sup> Congress, we urge you to take the steps necessary to ensure that providers have access to the information that they need to treat their patients effectively and safely by aligning 42 CFR Part 2 with HIPAA. We look forward to working with you and the full spectrum of stakeholders to continue strengthening our nation's health. If you have any additional questions, please contact Len Marquez at [lmarquez@aamc.org](mailto:lmarquez@aamc.org) or 202/828-0525.

Sincerely,



Karen Fisher, J.D.  
Chief Public Policy Officer