



Kristen Petry Examines Modifications to HHS SUD Regulations in National Rural Health Association

Spencer Fane attorney [Kristen Petry](#) recently authored an article published by the *National Rural Health Association*, titled, "[How HHS SUD Confidentiality Regulations Will Impact Rural Providers.](#)"

In the article, Kristen discusses the U.S. Department of Health and Human Services' (HHS) release of the final rule under 42 CFR Part 2, which implements Section 3221 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act with the purpose of easing substance use disorder (SUD) confidentiality regulations.

The final rule aligns Part 2 more closely with Health Insurance Portability and Accountability Act of 1996 (HIPAA) practices, modifying regulations which Kristen sections into consent on use and disclosure, filing complaints, civil and criminal penalties, notice of privacy practices and breach notifications, segregation of SUD records, and fundraising communications.

In addition to outlining the modified aspects of the final rule, Kristen urges rural health care providers that qualify as Part 2 programs to adhere to the updated policies and procedures, citing the "additional challenges related to the confidentiality and privacy of substance use treatment" within rural communities. Similarly, she cautions rural providers to "be careful that they do not inadvertently fall into the definition of a Part 2 program."

The article was originally published on the Spencer Fane blog, titled, "[HHS Releases Final Rule on 42 CFR Part 2.](#)"

At the firm, Kristen helps clients in the health care industry navigate simple and complex litigation and compliance issues. She has defended large hospital systems

and individual health care providers and advises clients on federal regulations including HIPAA and CFR Part 2.

Learn more about the final rule under 42 CFR Part 2 [here](#).