

Report on Patient Privacy Volume 18, Number 11. November 30, 2018 OCR Warns Against Civil Rights Violations in Opioid Treatment

By HCCA Staff

A year after issuing guidance to covered entities (CEs) about sharing information with family members when a loved one is in an opioid-related crisis, the HHS Office for Civil Rights (OCR) last month launched a related public education campaign for patients and their caregivers.

In an Oct. 25 announcement, OCR Director Roger Severino stressed that people receiving care for an opioid use disorder “are protected by our civil rights laws throughout their treatment and recovery.” The agency issued separate fact sheets on drug addiction and federal disability rights laws and on “non-discrimination and opioid use disorder.”

Severino’s reminder can also serve as a warning to CEs. In addition to enforcing the privacy, security and breach notification rules, OCR also ensures compliance with laws and regulations prohibiting discrimination in health care and can bring action against organizations found to be in violation. CEs that may be providing health care to their own employees should be alert to any issues that may arise with those seeking opioid treatments and who may file disability claims.

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