

Compliance Today – October 2023



Marti Arvin (marti.arvin@erlanger.org, [linkedin.com/in/marti-arvin-7a6a587/](https://www.linkedin.com/in/marti-arvin-7a6a587/)) is Senior Vice President, Chief Compliance and Privacy Officer, at Erlanger Health System, Chattanooga, TN.

Implication of the Office for Civil Rights notice of proposed rulemaking related to reproductive healthcare

by Marti Arvin, JD, CHC-F, CCEP-F, CHPC, CHRC

In the April 17, 2023, *Federal Register*, the U.S. Department of Health and Human Services Office for Civil Rights published a notice of proposed rulemaking (NPRM) that would modify the HIPAA Privacy Rule.^[1] The NPRM proposes to prohibit the use or disclosure of protected health information (PHI) related to reproductive healthcare by a covered entity for criminal, civil, or administrative proceedings if the services the patient sought were lawful or the identification of a party if it is initiating such a proceeding. If finalized, the NPRM would add a new definition under the HIPAA Privacy Rule for reproductive healthcare to include any “care, services, or supplies related to the reproductive health of the individual.”^[2]

This document is only available to members. Please [log in](#) or [become a member](#).

[Become a Member](#) [Login](#)