



Disclosure of Substance

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whether Part 2 applies to a theoretical disclosure of patient health information, and if so, what a provider would need to do to properly disclose the information according to Part 2.⁶

SCENARIO 1: OPIOID TREATMENT PROGRAM

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Acme Community Mental Health Center (Acme) provides both SUD treatment services and mental health services. Acme recently installed an Electronic Health Record (EHR) system for the entire health center.

Dr. Tyler, an addiction specialist at Acme, only treats patients with SUDs. Typically, Dr. Tyler uses controlled substances for detoxification or maintenance treatment of a patient's SUD.

Dr. Zachary, a psychiatrist at Acme, specializes in treating patients with mental disorders. Dr. Zachary does not treat patients

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Brenda's consent to disclose any personally identifying information related to her care, even if that information would not otherwise indicate that she had a SUD.

Bipolar disorder: Dr. Zachary does not meet the definition of a Part 2 Program and Brenda's diagnosis of bipolar disorder would not identify her as a patient with a SUD. Therefore, Part 2 does not prohibit Dr. Zachary from disclosing information related to Brenda's treatment for bipolar disorder without her consent; however, state laws may restrict the disclosure of mental health information without patient consent or authorization.

Part 2 permits providers at Acme to acknowledge that Brenda is a patient at Acme without her consent. Because Acme is a mixed-use facility that provides services other than diagnosis, treatment, or referral for treatment for a SUD, acknowledging the presence of a patient at Acme would not necessarily identify that patient as having or having had a SUD. However, Acme providers could not disclose that Brenda is a patient of a Part 2 Program (e.g., that Brenda is a patient of Dr. Tyler) without her consent because that would identify her as having or having had a SUD. See figure 2, above, for an illustration.

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Accountable care organizations (ACOs) and other value-based payment arrangements create incentives for health care providers to work together to deliver high quality, coordinated care for patients. ACOs are often composed of a variety of different providers and care settings.

Safari ACO includes Lion Family Practice (Lions), Tiger Physicians Group (Tigers), Giraffe Hospital (Giraffes), and Bear Community Mental Health Center (Bears). Dr. Fillmore works at Bears, a mixed-use facility. She is recognized as the facility's lead SUD physician and primarily treats patients with SUDs. Dr. Fillmore often prescribes

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