

By David Pittman  
10/06/2015 11:23AM EDT

To help patients, Congress needs to update federal law that prohibits the sharing of their substance abuse treatment records, Mental Health America and Netsmart, a behavioral health EHR company, [said](#) today.

The law, known as 42 CFR Part 2, requires patients' consent each time their drug and alcohol treatment records are shared with someone else.

It's critical to update the regulations to permit sharing addiction treatment records, with patient consent, "in new integrated care settings like health information exchanges, accountable care organizations and Medicaid health homes," said Paul Gionfriddo, president and CEO of Mental Health America.

Different legislation moving or expected to move in Congress soon take different stances on 42 CFR Part 2. A bill from Sens. Lamar Alexander and Patty Murray that the Senate HELP Committee cleared last week requests a GAO study on the issue.

A separate bill (S. 1945) from Sens. Chris Murphy and Bill Cassidy, expected to be discussed at a hearing later this month, requires annual consent for providers in a group setting to share records.

Rep. Tim Murphy's [Helping Families in Mental Health Crisis Act of 2015](#) (H.R. 2646) allows the sharing among groups of providers but doesn't require annual consent.

Mental Health America and Netsmart have not endorsed either bill but said both provide "a solid start in addressing mental health reform."

"Patient privacy will still be protected, while consent procedures will be streamlined, enabling people to experience the full benefits of coordinated, integrated care," said Kevin Scalia, executive vice president, Netsmart.