



Nebraska Department of Health and Human Services  
**HEALTH ALERT NETWORK**  
**Advisory**

NEBRASKA  
Good Life. Great Mission.  
DEPT. OF HEALTH AND HUMAN SERVICES

TO: Primary care providers, ERs, urgent care, and public health

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RE: **HHS Office for Civil Rights Issues Guidance on How HIPAA Allows Information Sharing to Address the Opioid Crisis**

DATE: November 6, 2017

## Background

Following President Trump's call to action on Oct. 26, 2017 that led to the declaration of a nationwide public health emergency regarding the opioid crisis, the HHS Office for Civil Rights is releasing new guidance on when and how healthcare providers can share a patient's health information with his or her family members, friends, and legal personal representatives when that patient may be in crisis and incapacitated, such as during an opioid overdose.

Current HIPAA regulations allow healthcare providers to share information with a patient's loved ones in certain emergency or dangerous situations. This includes informing persons in a position to prevent or lessen a serious and imminent threat to a patient's health or safety. Misunderstandings about HIPAA can create obstacles to family support that is crucial to the proper care and treatment of people experiencing a crisis situation, such as an opioid overdose. It is critical for healthcare providers to understand when and how they can share information with patients' family members and friends without violating the HIPAA Privacy Rule.

For more information, visit <https://www.hhs.gov/sites/default/files/hipaa-opioid-crisis.pdf> - PDF.

Fast facts about prescription drug misuse and deaths in Nebraska:

- In 2015, 149 Nebraskans died of a drug overdose, and at least 54 were opioid related.
- Data shows a slight increase in opioid related deaths in Nebraska over the last decade from 2.4 per 100,000 people in 2005 to 3.0 per 100,000 in 2015.
- Nebraska's drug overdose death rate has also increased – 8.0 overdose deaths for every 100,000 people in 2015 up from 3.6 in 2004. The U.S. drug overdose death rate per 100,000 people was 14.7 in 2014 versus 9.3 in 2004.