

Updates to HIPAA Notice of Privacy Practices to Comply with Regulations Effective February 16, 2026

- Include the following required language:

Substance use disorder treatment records received from programs subject to 42 CFR part 2, or testimony relaying the content of such records, shall not be used or disclosed in civil, criminal, administrative, or legislative proceedings against the individual unless based on written consent, or a court order after notice and an opportunity to be heard is provided to the individual or the holder of the record, as provided in 42 CFR part 2. A court order authorizing use or disclosure must be accompanied by a subpoena or other legal requirement compelling disclosure before the requested record is used or disclosed.

- Include in the descriptions of how Protected Health Information can be used and disclosed information on laws that are more protective than HIPAA. If there is a federal or state law that restricts the use or disclosure that HIPAA allows, include that information. These descriptions should be tailored to your organization and the various federal and state laws that apply to you. For illustration purposes only, below are examples:

Any use or disclosure of your Protected Health Information for treatment, payment or health care operations as described above must also be consistent with and allowed by other applicable laws, including any more stringent state or federal law, including 42 C.F.R. part 2. For example, uses and disclosures of certain substance use disorder treatment records covered by 42 C.F.R. part 2 for treatment, payment and healthcare operations must be consistent with the patient's consent.

More Stringent Laws. Some of your Protected Health Information may be subject to other laws and regulations and have afforded greater protection than is outlined in this notice. For instance, HIV/AIDS, and mental health information are given more protection under Iowa law and certain substance use disorder records are given more protection under federal law. In the event your Protected Health Information is afforded greater protection under federal or state law, we will comply with the more stringent law. For example, we will generally not release HIV test results without your authorization unless specifically allowed by Iowa Code 141A.9. Similarly, we will require your authorization to release mental health information unless the use or disclosure is for a purpose allowed by Iowa Code 228, such as to provide professional services to you or to collect payment for those professional services.

- Include a statement that alerts the patient that their Protected Health Information is no longer protected once it is disclosed to a non-regulated entity. For example,

Information disclosed by us to an individual or entity not regulated by the HIPAA privacy rule may be subject to redisclosure and no longer protected as the recipient is not required to comply with the confidentiality obligations applicable to us and described in this notice.

- If you are a Part 2 covered program and you want to consolidate your Part 2 notice with your HIPAA Notice of Privacy Practices, you will need to update your Notice of Privacy Practices to include information about how Part 2 covered records can be used and disclosed. This will likely include either a lengthy section relating to Part 2 covered records specifically or including information regarding Part 2 covered records within each current description of how information can be used and disclosed.