

HHS Office for Civil Rights in Action



March 9, 2021

Extension of the Public Comment Period for Proposed Modifications to the HIPAA Privacy Rule

Today, the Office for Civil Rights (OCR) at the U.S. Department of Health and Human Services (HHS) announces a 45-day extension of the public comment period for the Notice of Proposed Rulemaking (NPRM) to modify the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule.

OCR first released the NPRM to the public on the HHS website on December 10, 2020, and it was published in the Federal Register on January 21, 2021. The 45-day extension moves the current deadline for the public to submit comments from March 22, 2021, to May 6, 2021. The notice of extension of the comment period is available at <https://public-inspection.federalregister.gov/2021-05021.pdf>.

The proposed changes to the HIPAA Privacy Rule include strengthening individuals' rights to access their own health information, including electronic information; improving information sharing for care coordination and case management for individuals; facilitating greater family and caregiver involvement in the care of individuals experiencing emergencies or health crises; enhancing flexibilities for disclosures in emergency or threatening circumstances, such as the Opioid and COVID-19 public health emergencies; and reducing administrative burdens on HIPAA covered health care providers and health plans, while continuing to protect individuals' health information privacy interests.

OCR encourages and will carefully consider comments from all stakeholders, including patients and their families, consumer advocates, HIPAA covered entities (health plans, health care clearinghouses, and most health care providers) and their business associates, health care professional associations, health information management professionals, health information technology vendors, and government entities.

"OCR anticipates a high degree of public interest in providing input on the proposals because the HIPAA Privacy Rule affects nearly anyone who interacts with the health care system," said Acting OCR Director Robinsue Frohboese. "The 45-day extension of the comment period to May 6, 2021, will give the public a full opportunity to consider the proposals and submit comments to inform future policy."

Interested members of the public may submit their comments on the NPRM no later than May 6, 2021. The NPRM is available for review and comment at <https://www.federalregister.gov/documents/2021/01/21/2020-27157/proposed-modifications-to-the-hipaa-privacy-rule-to-support-and-remove-barriers-to-coordinated-care>.