

# THE CDAC DIFFERENCE

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## *Message from Leashia*

**HR 5795 – the Overdose Prevention & Patient Safety Act** is scheduled to go before the House of Representatives the week of 6/11. The bill that would align Part 2 with HIPAA so that a patient's alcohol or drug use history would be included in their otherwise complete medical record for the limited purpose of treatment, payment, and health care operations.

This is a very controversial change with different views of pros and cons. I am including an info summary and a response from the Legal Action Center for your review.....What are your thoughts?

*Leashia*

### **Re: (House) H.R. 5795 - the "Overdose Prevention and Patient Safety Act"-**

The Legal Action Center, along with a number stakeholders in the [Campaign to Protect Patient Privacy Rights](#) support maintaining current confidentiality protections for substance use disorder records, especially in light of the nation's worst opioid epidemic. See this [link](#) for previous action in opposition to H.R. 5795 (formerly known as H.R. 3545). As a result, we continue to strongly oppose H.R. 5795 for the following reasons:

H.R. 5795 will be harmful to people living with substance use disorders. It eliminates the patient consent requirement in federal confidentiality protection law and its regulations of 42 CFR Part 2 for disclosures and further re-disclosures of SUD information for the purposes of treatment, payment, and health care operations purposes; and replaces it with a HIPAA standard (that requires no patient consent for the release of SUD information for these purposes).

- Individuals needing substance use disorder treatment will not go or stay in treatment -- if they know their private health information can be shared with others without their consent. We should be doing everything to increase — *not decrease* -- the number of people seeking treatment who need it.
- The bill's proposed anti-discrimination provisions will not be sufficient to protect discrimination against and harms caused to people who are using illegal substances.

H.R. 5795 is unnecessary. Existing federal confidentiality regulations for substance use disorder records contain mechanisms to share substance use disorder information from treatment programs with a variety of health providers (including mental health, primary care, and specialty providers), electronic health networks, and current health care delivery systems with streamlined patient consent requirements. The regulations were updated in [2017](#) and [2018](#) and stakeholders have already started to rely on them.

Politico Pro Data Point on Health Care, May 29, 2018

## **Congress Considers Medical Privacy Overhaul to Combat the Opioid Epidemic**

To protect individuals who seek medical treatment for alcohol and substance abuse problems, existing law strictly limits the sharing of alcohol and drug-related medical information under a statute known as **42 CFR Part 2**. Lawmakers are worried that these legal protections are too cumbersome and have hampered the medical community's response to the opioid overdose epidemic.

To integrate alcohol and drug-related treatment with the rest of the medical system, House lawmakers have proposed legislation, H.R. 5795, that would align 42 CFR Part 2 with **HIPAA** — a more generally applicable law governing medical information sharing — for the purposes of treatment, payment and other operations. This would be an important change: HIPAA typically assumes that patients want their medical information shared with a network of providers, unless the patient says otherwise, whereas 42 CFR Part 2 assumes that patients do not want information shared without explicit consent. (Continued on page 2.)

Note: The graphic on the next page does not constitute legal advice.

Sources: International Association of Privacy Professionals; Substance Abuse and Mental Health Services Administration; National Association for Addiction Professions. By Tucker Doherty, POLITICO Pro DataPoint

*CDAC—Supporting Positive Lifestyles and Choices for Families and Communities through Prevention and Intervention*

## Comparison of the major features of HIPAA and 42 CFR Part 2

	HIPAA	42 CFR Part 2
<b>General Purpose</b>	<p>HIPAA establishes the <b>minimum requirements</b> for the protection of individuals' protected health information.</p> <p>Individuals have the right to access their records.</p>	<p>Part 2 creates <b>stricter protections</b> for medical records pertaining to alcohol and substance abuse, so that patients seeking treatment are not discouraged by potential legal and personal consequences.</p> <p>Programs have discretion to decide whether patients can view or obtain their records, unless state law says otherwise.</p>
<b>Entities Governed</b>	<p>Applies to all health providers, health plans, clearing houses and any business associates that transmit any health information electronically.</p>	<p>Applies to any federally assisted program that provides alcohol or drug abuse diagnoses, treatment, or referral for treatment.</p> <p>A program is "<b>federally assisted</b>" if it:</p> <ul style="list-style-type: none"> <li>• Is federally authorized, licensed, certified or registered</li> <li>• Receives any federal funding for any purpose</li> <li>• Receives a grant of tax-exempt status or an allowance of tax deductions for contributions by the IRS</li> </ul>
<b>Authorization for treatment and payment</b>	<p>Medical records governed by HIPAA can be disclosed without the patient's permission for treatment and payment procedures.</p> <p>Information shared with outside entities could be <b>re-disclosed</b> to other parties for these purposes.</p>	<p>Individuals must authorize any disclosures with a written form that specifically names the persons or organizations that the records are being shared with.</p> <p>Information <b>cannot be re-disclosed</b> without specific authorization from the individual, except in the case of medical emergencies where the patient's life is clearly in danger.</p>
<b>Enforcement</b>	<p>Violators face civil fines enforced by the <b>HHS Office for Civil Rights</b> and <b>state attorneys general</b>.</p> <p>Further criminal penalties can be assessed on a case-by-case basis, especially if information is accessed under false pretenses or with malicious intent.</p>	<p>Violators are identified by the <b>Substance Abuse and Mental Health Services Administration</b>, and when referred to the <b>Justice Department</b> for criminal charges.</p>
<b>Courts and law enforcement</b>	<p>Records can be shared without the individual's authorization in response to a court order or subpoena.</p> <p>The individual must be given notice and the opportunity to resist the disclosure with a protective order.</p>	<p>Records can not be disclosed without a special court order subject to additional confidentiality requirements under Part 2.</p> <p>A subpoena is not sufficient for disclosure; only a special court order under Part 2 rules can compel disclosure.</p>
<b>Public Health reporting</b>	<p>As needed, information can be shared with public health authorities such as state and local health departments, FDA, CDC and the Occupational Safety and Health administration.</p>	<p>Part 2 severely restricts the ability to share protected information with public health authorities. Any information that is shared must be stripped of information that could be used to identify a patient with an</p>

## CDAC Board and Staff Luncheon Wednesday, May 30, 2018 Skopelos at New World Landing



President, Patsy Barrington, welcomed Board and Staff.



Chris Salter presented the Invocation.



Leashia Scrivner recognized staff.



Board members in attendance: Patsy Barrington, Courtney Cook\*, Carolyn Sutton\*, Matt Newcomer, (Leashia Scrivner), Andrea Hamilton, Andrew Raines, Cecil Lanier, Burton Chesterfield, Kelly Richards\*, and Sharon Jordan.

\* New members starting July 1, 2018.



Sue Nast recognizing school staff.



Rebecca Dykes recognizing WFIS staff.

## Program Highlights

### Women and Family Intervention Services (WFIS)

#### WFIS Team Building

Case Managers creating models of a new "WISE Center."



### WFIS 2018 Celebration of Success

The annual Celebration of Success was held on May 11, 2018, at the Navarre Conference Center. Ms. Costella Paige was the keynote speaker. The WFIS Celebration of Success is a celebration hosted annually to honor program participants both past and present with the successes they've accomplished in recovery. We have had program participants return to this event every year for nearly 30 years and running! It's a truly inspirational and moving opportunity to see people thriving and doing well, and this year was no exception. Thank you to everyone who helped to make this year's celebration such a memorable event!



## School Programs *Making a Difference*

### Santa Rosa RISE

A 2<sup>nd</sup> grader began seeing CDAC Preventionist, Blair Diamond, for grief issues following the death of his grandfather (Pa). His grief started effecting his grades and behavior at school. Blair worked with the student and created a memory box in order to help him process, communicate his feelings, and increase his understanding of what was happening to him. Blair also provided grief support and education to the student's mother.

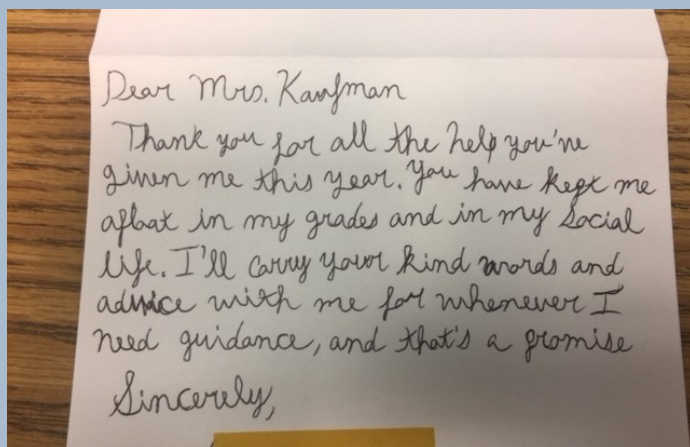
The student's mother reported that "he's been missing Pa a lot the past few days and he asked me when we are going to go get Grandma and go see Pa. When I asked him "go see Pa where?" he said "at the cemetery. I want to *SEE* Pa and *BE* with him." His mother was very confused and concerned by this so she reached out to RISE for guidance. Blair recommended that she take him to the cemetery and explain the concept of it. Her update was as follows:

*It was ... interesting. He was very serious and somber. He brought his memory box and my mom brought pics of Pa and we looked through it all telling stories. He was tickled pink because a stuffed animal Pa had given him has a sound thing in it, but it hasn't worked since around the time he died. It started working at the cemetery. He seemed like he was never going to be ready to go. He finally asked if Grandma and daddy could go away. He didn't say much. Mainly just looked through his memory box. He finally said he was ready and stood there contemplating the stone. Then he squatted down and held his arms like he was giving a hug and leaned against the stone. He said that was the only way he could hug Pa bye.*

She reported to Blair that going to the cemetery and having the box was the most powerful experience that has ever happened to her and her son. Since the trip, the student has increased his grades and has had great behaviors both at home and school.

### ECHO Santa Rosa

Lana Kaufman is wrapping up her first year as an ECHO school preventionist at Gulf Breeze High School. It was a successful school year for Lana as she worked with students to conquer their academic and personal difficulties. One of the seniors who participated in Lana's *Choices* and *Stress Management* groups had this to say about the support:



### Santa Rosa RISE

At Chumuckla Elementary and Jay K-6, Kim Crow provided individual support, SS GRIN Groups, School Success Groups, Anger Management Groups, and Self-Esteem Groups. Her students said the following about the Santa Rosa RISE services:

*"I learned that sometimes talking about things helps you feel better. I would tell future students that the RISE program is very helpful and fun."*

*"I learned that if you are about to make a bad decision, stop and think; and another thing I learned was that if you get really mad, instead of doing something like throwing a rock or something, just walk away, count to ten, and go try it again."*

*"I learned better self-control. RISE is a great program for helping behavioral issues and other problems."*

*"I learned that I need to talk about things and Mrs. Crow was there to listen."*

*"I learned about how to control my anger. I would tell other people that this program is the best."*

## Prevention Education and Awareness

The 2018 **Project Graduation** was a success even though Tropical Storm Alberto caused some cancellations. CDAC thanks the following donors for their support of safe, alcohol-free Graduation celebrations:

**Escambia County Sheriff's Office**

**Santa Rosa County Sheriff's Office**

**Studer Foundation**

**Synovus Bank**

**Caldwell Associates Architects, Inc., and**

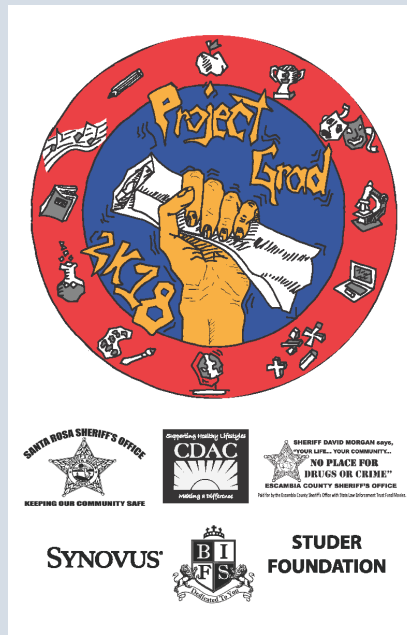
**Flora-Bama Management, LLC.**

\* \* \* \* \*

Pine Forest High School students enjoyed their Project Graduation Celebration at Sam's Fun City with 142 students.



West Florida High School students enjoyed their Project Graduation Celebration at Corry Station with 58 students attending.



## Project Boost



The first graduating class of Woodland Heights Incredible Years Program.







## CDAC Supporting Healthy Lifestyles Walking to Canada !



The following walkers have arrived in Sault Ste Marie, Ontario!!!

The winner is Sue Nast with 3,068,392 steps !!!

Dorothy Lewis is a very close 2nd with 3,025,567 steps !

Charity Hamilton is 3rd place with 2,924,375 steps !



Passed Lansing- headed toward Sault Ste Marie

Jennifer Alexander, 2,833,290 steps

Lyissa O'Connor, 2,694,736 steps

Monica Davis, 2,532,121 steps

Amberlyne Greco, 2,497,548 steps

Passed Louisville headed to Indianapolis:

Thomas Bradshaw, 1,349,517 steps

Almost to Louisville:

Chris Salter, 1,198,461 steps

Passed Indianapolis - headed toward Lansing:

Isoke DuPont, 2,070,101 steps

Patti Beebe, 1,865,471 steps

Michelle Kistler, 1,830,627 steps

Pensacola to Birmingham	255 miles	510,000 steps	(total)
Birmingham to Nashville	193 miles	386,000 steps	896,000
Nashville to Louisville	174 miles	348,000 steps	1,244,000
Louisville to Indianapolis	288 miles	576,000 steps	1,820,000
Indianapolis to Lansing	250 miles	500,000 steps	2,320,000
Lansing to Sault Ste Marie, ON	290 miles	580,000 steps	2,900,000



### Give Your Diet a Berry Boost

If you do **ONE** thing this summer to improve your diet, **have a cup of mixed fresh berries — blackberries, blueberries, or strawberries — every day.** They'll help you load up on antioxidants, which may help prevent damage to tissues and reduce the risks of age-related illnesses. Blueberries and blackberries are especially antioxidant-rich. A big bonus: Berries are also tops in fiber, which helps keep cholesterol low and may even help prevent some cancers.

#### Honey-Yogurt Berry Salad

- 1 1/2 cups sliced fresh strawberries
- 1 1/2 cups fresh raspberries
- 1 1/2 cups fresh blueberries
- 1 cup reduced-fat plain yogurt
- 1 tablespoon honey
- 1/4 teaspoon grated orange zest
- 1 tablespoon orange juice

Place berries in a glass bowl; toss to combine. In a small bowl, mix remaining ingredients. Spoon over berries.

Yield: 8 servings



### Summer tip for helping your skin resist UV damage - consume Olive Oil !



Olive oil is a healthy fat which contains essential fatty acids that help skin resist UV damage. These fatty acids are also part of the cell membranes that keep in all that moisture your body loses through heat and sweat during the summer. In order to protect your skin and keep it supple, consume about 1 tablespoon of olive oil daily or add it to a healthy salad or fish in order to get all those essential fatty acids.

## July Health Observances

### Month-Long Observances

- **Fireworks Safety Month**, National Council on Fireworks Safety, [www.fireworkssafety.org](http://www.fireworkssafety.org)
- **UV Safety Month**, American Academy of Ophthalmology, [www.aao.org](http://www.aao.org)
- **Sarcoma Awareness Month**, [www.curesarcoma.org](http://www.curesarcoma.org)
- **Cord Blood Awareness Month**, Parents Guide to Cord Blood Foundation, [www.parentsguidecordblood.org](http://www.parentsguidecordblood.org)
- **Juvenile Arthritis Awareness Month**, Arthritis Foundation, [www.arthritis.org](http://www.arthritis.org)
- **National Minority Mental Health Awareness Month**, National Alliance for Mental Health, [www.nami.org](http://www.nami.org)

### One-Week Observances

- **Every Body Deserves a Massage Week, July 15-21**, Assoc Bodywork & Massage Professionals, [www.abmp.com](http://www.abmp.com)

### One-Day Observances

- **World Hepatitis Day, July 28**, Hepatitis Foundation International, [www.hepatitisfoundation.org](http://www.hepatitisfoundation.org)

## Pensacola Happenings

**Bands on the Beach**, every Tuesday, 7 p.m., Gulfside Pavilion

**Blue Angels Practice**, July 3, 5, 6 (9-10 am) 11, 17, 18, 24, 11:30 a.m., Naval Aviation Museum viewing area

**Palafox Market**, every Saturday, Martin Luther King Plaza, 9 a.m. - 2 p.m.

**Wahoos home games**, Jun 20-Jul 3 (vs Mississippi), July 8-11 (vs Mobile), Jul 18-22 (vs Jacksonville),  
Jul 28-Aug 1 (vs Biloxi)

**July 6 - Movies in the Park**, Community Maritime Park, 8:00 p.m., **Star Wars: The Last Jedi**, FREE

**July 14 - Blue Angels Pensacola Beach Air Show**

**July 15 - Blues Angel Music Blues on the Bay Concert Series**, Community Maritime Park, 6:00 p.m.,  
Reunion Band

**July 20 - Gallery Night**, 5 p.m. - 9 p.m., downtown (third Friday of every month)

