

115TH CONGRESS
1ST SESSION

S. 581

AN ACT

To include information concerning a patient's opioid
addiction in certain medical records.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as “Jessie’s Law”.

3 **SEC. 2. INCLUSION OF OPIOID ADDICTION HISTORY IN PA-**4 **PATIENT RECORDS.**5 (a) **BEST PRACTICES.—**6 (1) **IN GENERAL.**—Not later than 1 year after
7 the date of enactment of this Act, the Secretary of
8 Health and Human Services, in consultation with
9 appropriate stakeholders, including a patient with a
10 history of opioid use disorder, an expert in electronic
11 health records, an expert in the confidentiality of pa-
12 tient health information and records, and a health
13 care provider, shall identify or facilitate the develop-
14 ment of best practices regarding—15 (A) the circumstances under which infor-
16 mation that a patient has provided to a health
17 care provider regarding such patient’s history of
18 opioid use disorder should, only at the patient’s
19 request, be prominently displayed in the med-
20 ical records (including electronic health records)
21 of such patient;22 (B) what constitutes the patient’s request
23 for the purpose described in subparagraph (A);
24 and25 (C) the process and methods by which the
26 information should be so displayed.

5 (b) REQUIREMENTS.—In identifying or facilitating
6 the development of best practices under subsection (a), as
7 applicable, the Secretary, in consultation with appropriate
8 stakeholders, shall consider the following:

23 (4) The importance of a variety of appropriate
24 medical professionals, including physicians, nurses,
25 and pharmacists, to have access to information de-

1 scribed in this section when prescribing or dis-
2 pensing opioid medication, consistent with Federal
3 and State laws and regulations.

4 (5) The importance of protecting patient pri-
5 vacy, including the requirements related to consent
6 for disclosure of substance use disorder information
7 under all applicable laws and regulations.

8 (6) All applicable Federal and State laws and
9 regulations.

Passed the Senate August 3, 2017.

Attest:

Secretary.

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