

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 **TIENT 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 and

25 (C) the process and methods by which the
26 information should be so displayed.

1 (2) DISSEMINATION.—The Secretary shall dis-
2 seminate the best practices developed under para-
3 graph (1) to health care providers and State agen-
4 cies.

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:

9 (1) The potential for addiction relapse or over-
10 dose, including overdose death, when opioid medica-
11 tions are prescribed to a patient recovering from
12 opioid use disorder.

13 (2) The benefits of displaying information
14 about a patient’s opioid use disorder history in a
15 manner similar to other potentially lethal medical
16 concerns, including drug allergies and contraindica-
17 tions.

18 (3) The importance of prominently displaying
19 information about a patient’s opioid use disorder
20 when a physician or medical professional is pre-
21 scribing medication, including methods for avoiding
22 alert fatigue in providers.

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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