



Kay Ivey
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STATE OF ALABAMA
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Kimberly G. Boswell
Commissioner

MEMORANDUM

24-MHSU-01

DATE: March 20, 2024
TO: Department of Mental Health Providers
FROM: Thomas Klinner *TBK*
General Counsel
RE: Rule 580-2-20-.04

There has been some confusion about whether the Administrative Regulations of the Department of Mental Health are stricter than the Health Insurance Portability and Accountability Act of 1996 (HIPAA), as well as Confidentiality of Alcohol and Drug Abuse Patient Records, 42 C.F.R. Part 2 and Part 8.

There was no intent to make our privacy regulations stricter than the federal regulations regarding same. This memo should be a guide that your policies concerning the release of patient records should conform with the State and Federal Regulations, including the exceptions, and no further restrictions are necessary.