

HHS Amends HIPAA Privacy Rule to Strengthen Safeguards for Reproductive Health Information & Other Reproductive Law Updates

Health Equity

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Still in the wake of the highly controversial Supreme Court of the United States (SCOTUS) 2022 *Dobbs v. Jackson Women's Health Organization* decision, the Department of Health and Human Services (HHS) has amended the Privacy Rule to prohibit covered entities and their business associates from disclosing protected health information (PHI) for the purpose of investigating or imposing liability on individuals simply because they seek, obtain, provide, or facilitate reproductive health care that is lawful under applicable state law. (To read more about this regulation, please see HLB's previous alert available [here](#).)

On other reproductive law fronts, two forthcoming SCOTUS opinions could stand to have wide-reaching repercussions. One is [FDA v. Alliance for Hippocratic Medicine](#), which will decide whether mifepristone – one of two FDA-approved medication abortion drugs – remains readily available in the U.S. The other, [Moyle v. United States](#), will determine whether EMTALA's requirement to provide "necessarily stabilizing treatment" preempts an Idaho law, in the emergency context, that bans most abortions.