

# Employer Action Needed: HIPAA Notice Revisions Required for Substance Use Disorder Record Protections

[Victoria E. Anderson](#), [Naveed Nazrul Rashid](#)

January 30, 2026

Certain rules governing the contents of a HIPAA Notice of Privacy Practices (“HIPAA Notice”) have been updated and require that the HIPAA Notice be revised no later than February 16, 2026. The specific updates address how records related to substance use disorder treatment are handled – namely, that those records cannot be used or disclosed in connection with certain legal proceedings without a court order or written consent. This change applies to the HIPAA Notice required for employer-sponsored plans because those plans may handle claims and coverage determinations in connection with substance use disorder providers and programs.

An employer likely needs to update and redistribute its HIPAA Notice now if the employer maintains a self-insured plan.

The HIPAA Notice for an insured plan is typically handled by the plan’s insurance carrier. If the plan is insured, or the employer has a self-insured plan and has contracted with another party to handle HIPAA Notices, you may want to check with the appropriate party to ensure the HIPAA Notice is being timely updated and distributed.

If you have any questions about this update or the HIPAA Notice generally, please reach out to [Victoria Anderson](#) or [Naveed Rashid](#).