November 16, 2026

HIPAA Privacy Rules Update

This evening the U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR) released the *HIPAA Privacy Rule: Changes to Support Coordinated Care and Individual Engagement and Reduce Regulatory Burdens*. This long-awaited final rule updates the HIPAA Privacy Rule to strengthens individuals' rights to access their own protected health information (PHI), including electronic PHI through personal health apps; improves information sharing for care coordination and case management; and reduces regulatory and administrative burdens on covered entities. The rule was originally proposed in the final weeks of the first Trump administration, stalled during the Biden administration, and was officially finalized after significant stakeholder feedback.

This final rule is effective 60 days after publication. Regulated entities are required to comply with the provisions of the final rule by 180 days after the effective date.

Key provisions and potential impacts include:

- Reduces the amount of time that covered entities have to respond to an access request to as soon as practicable, but no more than 15 calendar days after receipt of the request (reduced from the current 30-day period). There is a one-time opportunity for an extension of no more than 30 calendar days.
- Clarifies when a covered entity is required to provide an individual with their electronic PHI through a personal health application.
- Amends the permissible fees for responding to right of access requests, including by specifying when electronic PHI must be provided to the individual at no charge.
- Requires covered entities to post on their websites estimated fee schedules for copies of PHI.
- Clarifies that health plans may use and disclose PHI for population-based and individual-focused care coordination and case management as part of their health care operations.

Changes to the Notice of Privacy Practices (NPP):

- Modifies the NPP content requirements to clarify individual rights with respect to their PHI and how to exercise those rights, including a new right to discuss the notice with a contact person or office designated by the covered entity.
- Eliminates the requirement for covered health care providers with direct treatment relationships with individuals to make a good faith effort to obtain an individual's written acknowledgment that they have received a copy of the health care provider's NPP.
- Removes the provision that excepts inmates of correctional institutions from the right to receive an NPP from a covered entity.

Overall, these final changes will require updates to HIPAA policies, procedures, forms, and training. We are continuing to evaluate the final rule and will provide additional information. Please let us know if you have any questions.

Resources:
Final Rule: https://www.federalregister.gov/public-inspection/2026-23429/hipaa-privacy-rule-changes-to-support-coordinated-care-and-individual-engagement-and-reduce

Press release: HHS Issues New Final Rule to Modernize the HIPAA Privacy Rule to Support Coordinated Care and Individual Engagement and Reduce Regulatory Burdens | HHS.gov

Fact sheet: HIPAA Privacy Rule: Changes to Support Coordinated Care and Individual Engagement and Reduce Regulatory Burdens Final Rule | HHS.gov