

# COMPLIANCE ALERT

## Texas Court Vacates 2024 HIPAA Reproductive Healthcare Privacy Rule

June 30, 2025

### Action Required:

- Employers with group health plans subject to HIPAA should remove all recent amendments to their policies and training materials designed to comply with the 2024 Rule as it relates to reproductive healthcare.
- Your Corporate Synergies Account Manager can assist you with these updates.

On June 18, 2025, the U.S. District Court for Northern District of Texas vacated (invalidated) most of the 2024 Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule to Support Reproductive Health Care Privacy (the “2024 Rule”) issued by the U.S. Department of Health and Human Services (HHS) in June of last year. The 2024 Rule (see our eAlert [here](#)) was issued in response to the U.S. Supreme Court’s ruling in [Dobbs v. Jackson Women’s Health Organization](#) (see our eAlert [here](#)), which overturned *Roe v. Wade* and concluded that states may restrict or ban abortion. Among other new requirements, the 2024 Rule put into place new requirements designed to place additional restrictions on the disclosure of protected health information (PHI) pertaining to reproductive healthcare, particularly in the context of criminal and civil investigations.

### What Should Employers and Plan Sponsors Do Next?

Employers and plan sponsors with group health plans subject to HIPAA should remove all of the recent amendments to their policies (including P&P manuals and NPPs), and training materials that were designed to comply with the 2024 Rule as it pertained to reproductive healthcare. Any amendments made to NPPs to account for the 2024 Rule’s additional protections on substance use disorder records can remain in effect. The updated policies and training materials should be revised, and notice of these changes should be provided to employees within 60 days of this change, that is, by August 17, 2025. Further, use of the attestation document required by the 2024 Rule should cease immediately. Employers and plan sponsors should consult with their trusted advisors, including their Account Management Team at Corporate Synergies, to map out the best path forward. ■

↓ Full Explanation Follows ↓

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On June 18, 2025, the U.S. District Court for Northern District of Texas vacated (invalidated) most of the 2024 Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule to Support Reproductive Health Care Privacy (the “2024 Rule”) issued by the U.S. Department of Health and Human Services (HHS) in June of last year. The 2024 Rule (see our eAlert [here](#)) was issued in response to the U.S. Supreme Court’s ruling in [Dobbs v. Jackson Women’s Health Organization](#) (see our eAlert [here](#)), which overturned *Roe v. Wade* and concluded that states may restrict or ban abortion. Among other new requirements, the 2024 Rule put into place new requirements designed to place additional restrictions on the disclosure of protected health information (PHI) pertaining to reproductive healthcare, particularly in the context of criminal and civil investigations.

In deciding to vacate most of the 2024 Rule, the Texas court [ruled](#) that the 2024 Rule exceeded the statutory authority given to HHS by Congress. While this court order vacating the 2024 Rule may be appealed by HHS, the Trump administration HHS will likely choose not to pursue the appeal, as they are currently reconsidering their position on the 2024 Final Rule.

## What Did the Court Rule?

As background on this case, [Purl v. HHS](#) was a lawsuit brought by a medical provider in the state of Texas, Dr. Purl, who alleged that the 2024 Rule violated the Administrative Procedure Act by exceeding the statutory authority given to HHS by Congress because (i) the HIPAA statute does not allow HHS to issue regulations treating PHI pertaining to reproductive healthcare differently from other forms of PHI, (ii) the 2024 Rule restricted disclosure in a manner that was potentially in violation of state laws, and (iii) HHS, in issuing the 2024 Rule, redefined statutory terms that were defined within HIPAA. The district court ruled in favor of Dr. Purl, and issued an [order](#) (“Order”) resulting in the vacatur of most of the requirements of the 2024 Rule. Notably, the Order did not vacate the provisions of the 2024 Rule which addressed confidentiality and disclosure restrictions on PHI records pertaining to substance use disorders.

## How Did the Court’s Order Change the 2024 Rule?

The court’s Order vacated all of the 2024 Rule’s provisions pertaining to the increased privacy protections on the confidentiality and disclosure of PHI pertaining to reproductive healthcare but the new rules protecting confidentiality and disclosure restrictions on PHI records pertaining to substance use disorders were not vacated.

As additional background, the 2024 Rule required employers to change their HIPAA Policies and Procedures (P&P) manuals and their Notices of Privacy Practices (NPPs) to reflect the changes required by the 2024 Rule. Additionally, because the 2024 Rule generally prohibited the use or disclosure of PHI related to reproductive healthcare to conduct criminal, civil or administrative investigations into, or the imposition of criminal, civil, or administrative liability on, any person where such healthcare was lawful under the circumstances in which it is provided, the 2024 Rule also included a requirement to have any requesting entity sign an attestation stating that they would not use the reproductive healthcare-related PHI in question for any of the prohibited purposes stated above. The 2024 Rule also required training on these new requirements for PHI handlers of applicable covered entities.

In light of the Order, the requirements that differentiate PHI relating to reproductive healthcare from other forms of PHI are no longer in effect; that is, the extra level of protection that existed under the 2024 Rule requiring the signed attestation and changes to HIPAA P&P manuals and NPPs is no longer required. Accordingly, while HIPAA covered entities and business associates must still ensure that PHI disclosures pertaining to reproductive healthcare comply with HIPAA’s privacy requirements, they no longer need to take the additional privacy measures required by the 2024 Rule, and accordingly, can remove the recent amendments made to such HIPAA policies and training materials to account for the 2024 Rule’s new protections.

## When Does the Order Take Effect?

The Court’s Order takes effect immediately. While there is still a possibility that HHS will appeal this case in an attempt to maintain the requirements under the 2024 Rule, such an appeal is unlikely.

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**If you have any additional questions,  
please call your Corporate Synergies  
Account Manager or 866.CSG.1719.**