

Publications

Texas Court Enjoins Enforcement of HIPAA Final Privacy Rule Against Individual Doctor and Clinic

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On December 22, the day before the 2024 Final HIPAA Privacy Rule (2024 Rule) was set to go into effect, a federal district court in Texas enjoined enforcement of the 2024 Rule against Dr. Carmen Purl and Dr. Purl's Fast Care Walk In Clinic (Plaintiffs).

The 2024 Rule, as described in our [prior client alert](#), requires that health care providers, health plans and other covered entities obtain an attestation that any protected health information (PHI) that is sought is not for the purposes of investigating or imposing liability on individuals merely for seeking, obtaining, providing or facilitating lawful reproductive health care. In addition, the 2024 Rule clarified that in cases of abuse, the definition of person does not apply to unborn children.

Plaintiffs argued that the 2024 Rule limited their ability to report child abuse and to respond to requests for information from law enforcement. They further argued that the definition of "reproductive health care" in the 2024 Rule is "void for vagueness."

The court issued a preliminary injunction thereby allowing Plaintiffs not to comply with the 2024 Rule until a final decision is made. Because this is a decision that applies only to Plaintiffs, however, the 2024 Rule continues to apply to all other health care providers and health plans.

The case is *Carmen Purl vs HHS* and [can be found here](#).

Please contact your Vorys attorney if you have any questions.