

LEGAL UPDATE



HIGHLIGHTS

- On June 18, 2025, a District Court in Texas struck down a final HIPAA privacy rule on reproductive health care.
- The court ruling is effective nationwide.
- Although the court vacated the special protections for reproductive health care, regulated entities must continue to comply with HIPAA's general privacy protections and any applicable state privacy laws.

Federal Court Vacates HIPAA Privacy Protections for Reproductive Health Care

On June 18, 2025, the U.S. District Court for the Northern District of Texas [struck down](#) a final rule that was issued in April 2024 to strengthen HIPAA's privacy protections for reproductive health care. The final rule, which became effective **Dec. 23, 2024**, prohibits health plans and other regulated entities from using or disclosing protected health information (PHI) related to lawful reproductive health care in certain situations. The Texas decision vacates these new protections in their entirety nationwide.

Privacy Protections

The HIPAA Privacy Rule sets strict limits on the use, disclosure and protection of PHI by health care providers, health plans, health care clearinghouses and their business associates (regulated entities). The Privacy Rule also allows regulated entities to use or disclose PHI for certain nonhealth-care purposes, including certain criminal, civil and administrative investigations and proceedings.

The U.S. Department of Health and Human Services (HHS) issued the [final rule](#) to protect the privacy of reproductive health care following the U.S. Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization*, which eliminated the constitutional right to abortion. The final rule prohibits regulated entities from using or disclosing PHI for the criminal, civil or administrative investigation of (or proceeding against) any person in connection with seeking, obtaining, providing or facilitating reproductive health care **where such health care is lawful under the circumstances in which it is provided**. In certain circumstances, the final rule requires regulated entities that receive requests for PHI potentially related to reproductive health care to obtain a **signed attestation** that the use or disclosure is not for a prohibited purpose.

The final rule also requires covered entities to update their privacy notices by **Feb. 16, 2026**, to describe the new privacy rights for reproductive health care. In addition, covered entities that handle certain substance use disorder (SUD) records must update their privacy notices to describe [new privacy protections](#) for these records by this deadline.

District Court Ruling

The Texas court ruled that the final rule's heightened protections for reproductive health care exceed HHS' statutory authority and unlawfully limit states' ability to enforce their own public health laws. Accordingly, the Texas court vacated the final rule nationwide. However, it did not vacate the new HIPAA privacy notice requirements for SUD records. Although this decision could be overturned or modified by a higher court, it seems unlikely that the Trump administration will appeal the court's ruling.

Going forward, regulated entities must still comply with HIPAA's general privacy requirements for PHI and any applicable state privacy laws. Employers should review the terms of their HIPAA policies to determine if updates should be made to remove the special rules for reproductive health care.