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District Court Vacates HIPAA Reproductive Health Care Rule

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Last month, a federal district court in Texas vacated portions of the HIPAA final rule that added heightened protections for reproductive health care information (the "Final Rule"). *Purl, et al. v. U.S. Department of Health and Human Services, et al*., No. 2:24-cv-00228-Z (N.D. Tex. June 18, 2025). As discussed in our prior blog posts here and here, the Final Rule narrowed the permitted uses and disclosures of protected health information in the context of an individual seeking, obtaining, providing, or facilitating lawful reproductive health care. Most of the requirements added by the Final Rule were required to be implemented by covered entities (including group health plans) by December 23, 2024.

Next steps for group health plan sponsors? The district court's order poses a number of implementation challenges for group health plan sponsors. Given that the Final Rule is vacated, group health plans likely will revert to their HIPAA compliance programs in place before the Final Rule was issued. Sponsors that are considering leaving in place the changes made by the Final Rule, even though no longer required by HIPAA, should carefully review with counsel their responses to requests for reproductive health care information to confirm compliance with current law in light of the district court's order.

Additionally, group health plan sponsors should monitor updates from the U.S. Department of Health and Human Services ("HHS") regarding the status of the Final Rule in light of the *Purl* decision and other pending court cases challenging the Final Rule. HHS released a statement indicating that it intends to "determine next steps after a thorough review of the court's decision." HHS has until August 17, 2025, to file an appeal of the *Purl* decision.

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