Qualified Service Organization (QSO) Guide

The Part 2 restrictions on disclosure in the regulations do NOT apply to communications between a Part 2 program and a QSO of information needed by the QSO to provide services to the Part 2 program.

A. Is your entity receiving Part 2 protected information?
   1. [THIS ASSUMPTION IS MADE FOR PURPOSES OF THE PRESENTATIONS]

B. Is your entity a QSO?
   1. To be a QSO you must be an individual or entity that provides services to a Part 2 program.
      • Examples of QSO services:
        1. Data processing, bill collecting, dosage preparation, laboratory analysis, legal, accounting, population health management, medical staffing, other professional services, and services to prevent or treat child abuse or neglect (including training on nutrition, child care, and group therapy).
      • Examples of services NOT appropriate for a QSO:
        1. QSOs do NOT provide individual treatment services. For example, case management, care coordination, and medication management are NOT services a QSO could provide to a Part 2 program.

C. Do you have a written agreement with the Part 2 program that is sharing its information?
   1. A QSO must have a written agreement with the Part 2 program. This written agreement is called a "Qualified Service Organization Agreement" (QSOA). A QSOA is a two-way agreement between the Part 2 program and the individual or entity providing the desired service.
      • QSOA Requirements (both are required):
        1. Must acknowledge the QSO is fully bound by Part 2; and
        2. In judicial proceedings, must promise to resist any efforts not permitted by Part 2 to obtain access to patient identifying information related to substance use disorder diagnosis, treatment, or referral.

D. As a QSO can you re-disclose Part 2 protected information to a contracted agent?
   1. Yes, a QSO can re-disclose Part 2 protected information to a contracted agent helping the QSO provide the services described in the QSOA with the Part 2 provider.
   2. The QSO contract agent CANNOT re-disclose the Part 2 protected information to anyone other than back to the QSO or Part 2 program from which it came.

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1 42 CFR Part 2, § 2.11.
5 42 CFR Part 2, §2.11, Qualified Service Organization definition.