



September 21, 2021

HIPAA — Ask for a State Privacy Law

Because Congress passed the HIPAA law to computerize everyone's medical records but failed to enact a privacy law, HHS was required to recommend privacy regulations. But the Secretary proposed ending the "age-old right to privacy," saying we all have a public responsibility to share our data for publicly beneficial purposes, as determined by the government.

She proposed 12 "National Priority Purposes" and more. The unhappy public submitted over 52,000 comments, causing the Clinton administration to restore consent requirements but only for data-sharing related to payment, treatment and health care operations. Two years later, the Bush administration eliminated even those consent requirements. Your only protection today is a stronger **state** privacy law -- if you have one. Ask for one if you don't.

"Standards for Privacy of Individually Identifiable Health Information; Final Rule," HHS, August 14, 2002: <https://bit.ly/3t2iwdy>

"Health Insurance Portability and Accountability Act of 1996," Public Law 104-191, August 21, 1996: <https://bit.ly/3uvutlM>

"The HIPAA Privacy Rule," <https://bit.ly/3wOSe0L>

Presented daily by Twila Brase, President and Co-founder
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