



My Health My Data



HB 1155 requires entities to operate in a more transparent way that gives consumers control over what health data is collected and how it is used.

Importance of Health Data

- Health data is some of the most sensitive data that is collected from an individual. Most people expect that this data is protected or kept confidential by the entities that collect it, but HIPAA only covers health data collected by covered entities and their business associates.
- This leaves data collected by apps, websites, and non-HIPAA covered entities as mostly unregulated in Washington.
- As a result, consumer health data is collected, shared, and sold with little to no oversight or transparency.
- My Health My Data works to close the gap between consumer expectation and current laws and will give Washingtonians more control over their data.

WA My Health My Data

Creates new privacy protections for non-HIPAA covered health data, by:

Requiring a consumer health data privacy policy;

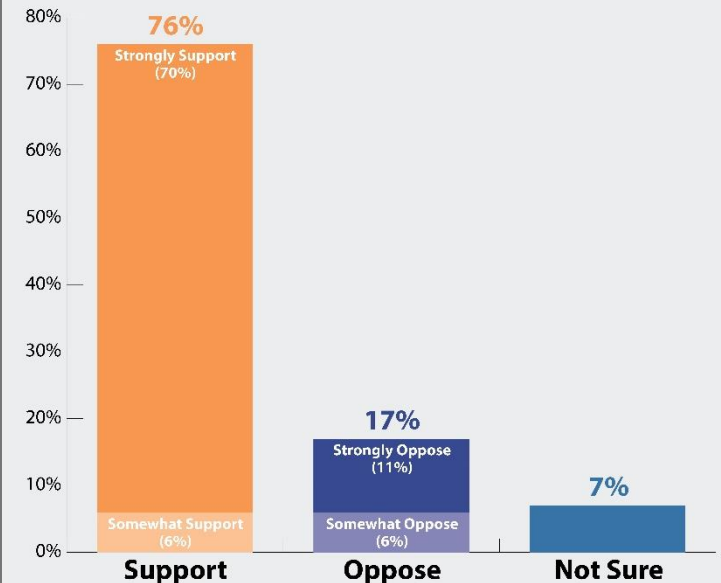
Requiring consent to collect and a separate consent to share consumer health data;

Prohibiting the selling of consumer health data without valid authorization; and

Restricting geo-fencing around health care facilities

My Health My Data Act Poll Results

Do you strongly support, somewhat support, somewhat oppose, or strongly oppose blocking health tracking apps and advertisers from collecting and selling Washingtonians' health data without their consent, barring location-specific targeting of people who visit reproductive and gender affirming healthcare facilities, and requiring companies to maintain and publish a privacy policy for people's health data?



Private Cause of Action

A private right of action would ensure that violations are addressed quickly. Absent a private right of action, enforcement will be delayed and some violations will go unchecked.

For a consumer bring an enforcement action, they would need to establish a CPA violation, which requires showing causation and damages.



Examples of Enforcement Actions



Questions?