

Senator Cassidy Introduces Bill to Expand Federal Oversight of Consumer Health Data & Tighten HIPAA Access Rights

[Digital Health](#)

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Earlier this month, Senator Bill Cassidy introduced the [Health Information Privacy Reform Act](#) (S. 3097), which would significantly expand federal oversight of health information and reshape the HIPAA right of access provisions. As proposed, the bill would authorize HHS, in consultation with the FTC, to regulate individually identifiable health information held by “regulated entities” and “service providers” that currently fall outside HIPAA’s scope – including many health apps, consumer-facing wellness platforms, and data intermediaries. The bill would also narrow HIPAA’s right of access provisions by requiring patients to provide a valid authorization whenever they direct copies of their records be sent to a third party for reasons other than treatment, payment, or health care operations, and it would allow states to set fees for such third-party transmissions.

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