

HB 523 -- Personal Health Information

Sponsor: Zweifel

This bill prohibits the disclosure of nonpublic personal health information under certain circumstances. A person who in the ordinary course of business, practice of a profession, or rendering of a service creates, stores, receives, or furnishes nonpublic personal health information may not disclose that information in exchange for consideration to an affiliate or other third party or if the purpose of the disclosure is to market goods or services, to facilitate employment-related hiring decisions, to be used in connection with the evaluation of an existing or requested extension of credit, or to deliberately or maliciously cause harm to the person to whom the information pertains or the person who creates, stores, or receives the information. Persons who violate this provision are subject to an administrative penalty of up to \$500 for each violation, which may be assessed by a state agency with primary regulatory authority over a person or by the Attorney General.

The bill does not apply to information from or to consumer credit reporting agencies or to information disclosed in connection with a sale, merger, transfer, or exchange of a business or operating unit. The Director of the Department of Insurance has the sole authority to enforce the provisions of the bill as it applies to insurance companies and health maintenance organizations licensed by the department.