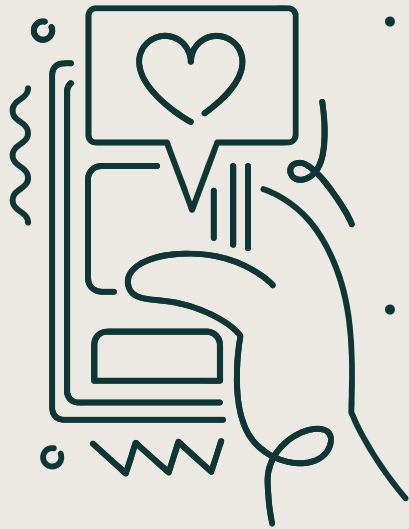


# A New Era of Consumer Health Privacy Laws Takes Shape in the U.S.



EVEN COMPANIES THAT TRADITIONALLY DO NOT FOCUS ON HEALTHCARE MAY BE COLLECTING INFORMATION NEW STATE LAWS TREAT AS “CONSUMER HEALTH DATA”.

## Health Data Laws



- **Effective Date:**
  - Washington’s My Health My Data: March, 31, 2024\*
  - Nevada’s Health Data Law: March 31, 2024
  - Connecticut’s Health Data Law: October 1, 2023
- **Covered entities:**
  - Doing business in the state or targets products or services to consumers, and determines the purpose and means of collecting, processing, sharing or selling consumer health data.

\*3-month extension for small businesses.



## Takeaways

- The definition of “Consumer Health Data” is broad and generally includes personal information that is linked or reasonably linkable to a consumer and that identifies the consumer’s physical or mental health status.
- Companies must obtain explicit consent from consumers prior to collection of health data.
- A standalone Consumer Health Data Privacy Policy must be prominently linked on company’s website, separate from the Global Privacy Policy.

## Action

With U.S regulators increasingly focused on safeguarding consumer health data beyond HIPAA, organizations across all industries must stay abreast of new legal obligations. A review of your personal information inventory and processing practices can help identify necessary adjustments to comply with this new generation of health data regulations.

