

Dear Senator Carney, Representative Moonen, and Honorable members of the Judiciary Committee. My name is Alicia Rea and I live in Lewiston. I am writing today in support of LD 1902.

LD 1902 proposes regulation of the collection, use, and sharing of consumer health data that is not currently protected by HIPAA. As a law student at the University of Maine School of Law, I foresee this bill adding significant value in Maine, protecting those who utilize health services from having their private information shared and providing a right of action if companies violate privacy regulations.

Notably, this bill seeks to prohibit geofencing of healthcare services when the geofence is used to identify, track, collect data from, or send notifications to a consumer who enters the virtual perimeter. Prohibiting this data from being collected and the potential of being bought could save lives, giving piece of mind to health services consumers who depend on in-person care. Concerns about data privacy have no place in making healthcare decisions that are more appropriate for discussion between healthcare professionals and consumers.

Beyond the prohibition of geofencing, this bill provides protections for healthcare consumers in case of privacy violations. Establishing a private right of action will ensure companies work diligently to protect the data of their consumers while also providing consumers with an option if companies do not take steps to give data private.

As a healthcare consumer myself, I would value these additional protections beyond what is already in place through HIPAA. The My Health My Data Act is needed in Maine, both to bring awareness to the fact that not all health data is already protected and to add additional protections for what is not currently covered.

For these reasons, I respectfully request that you vote Ought To Pass on LD 1902. Thank you for your time and your consideration.

Respectfully,
Alicia Rea
Lewiston (HD 93, SD 21)