



Maine Medical  
Association



Spectrum  
Healthcare Partners



MAINE  
AMBULANCE  
ASSOCIATION

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### Comment on Privacy Legislation

**LD 595** - *An Act To Update Privacy Protections For Maine Consumers*

**LD 1088** - *An Act To Enact The Maine Consumer Data Privacy Act*

**LD 1244** - *An Act To Comprehensively Protect Consumer Privacy*

**LD 1822** - *An Act To Enact The Maine Online Data Privacy Act*

**May 5, 2025**

Chair Carney, Chair Kuhn, Honorable Members of the Judiciary Committee, my name is Jeffrey Austin and on behalf of the Maine Hospital Association, my colleagues at MaineHealth and Northern Light Health and the above-named healthcare entities, I submit these comments.

I am in Washington, DC and regret that I cannot attend the hearing today.

**We request that health care entities be given entity-level exemptions from this legislation** for the reasons below. This testimony closely mirrors the comments we made in the Fall of 2023 as this Committee deliberated the issue at that time. I have not had the opportunity to review each of these bills as closely as I would have liked to prior to your hearing. My apologies.

**As you know, hospitals and other health care providers routinely collect the kinds of data covered by these bills.** Health care providers are governed by extensive state and federal regulation; HIPAA is not the only health care privacy law. Our members and other healthcare providers have worked diligently, for decades, to develop systems of compliance with the existing regulatory structure. These bills present completely new structures for us. It will be unduly burdensome for health care providers to have to comply with these new laws in addition to long-standing state and federal laws.

**Maine hospitals and other healthcare providers are not the identified problem by proponents of the legislation.** The three examples given over and over again by proponents are internet searches, cell phone apps and wearables like smart watches which are alleged to be out of the reach of HIPAA and the other existing laws. These are commercial interactions that are not part of traditional care giving. The entities that offer these apps and watches are not recognized by law as healthcare providers. We take no position on whether they need regulation; but suffice it to say, we are not them and they are not us.

**This committee has a record of not imposing new regulations in the absence of a clear showing by proponents of a problem.** The proponents did not meet their burden here with respect to traditional healthcare providers. No evidence has been offered that hospitals and other healthcare entities in Maine are doing anything wrong. If there are concerns, existing Maine laws could be used to address such issues.

To be clear, exempting the data is not enough; we should receive the same kind of entity-level exemptions as government.

Please consider this request as part of your deliberations.

Any of the representatives of the above groups would be happy to speak with you about this issue.

Thank you.