

HR 651

Public Health Emergency Privacy Act

Congress: 117 (2021–2023, Ended)

Chamber: House

Policy Area: Health

Introduced: Feb 1, 2021

Current Status: Referred to the Subcommittee on Consumer Protection and Commerce.

Latest Action: Referred to the Subcommittee on Consumer Protection and Commerce. (Feb 2, 2021)

Official Text: <https://www.congress.gov/bill/117th-congress/house-bill/651>

Sponsor

Name: Rep. Eshoo, Anna G. [D-CA-18]

Party: Democratic • **State:** CA • **Chamber:** House

Cosponsors (35 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Barragan, Nanette Diaz [D-CA-44]	D · CA		Feb 1, 2021
Rep. Beyer, Donald S., Jr. [D-VA-8]	D · VA		Feb 1, 2021
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Feb 1, 2021
Rep. DelBene, Suzan K. [D-WA-1]	D · WA		Feb 1, 2021
Rep. DeSaulnier, Mark [D-CA-11]	D · CA		Feb 1, 2021
Rep. Dingell, Debbie [D-MI-12]	D · MI		Feb 1, 2021
Rep. Garcia, Jesus G. "Chuy" [D-IL-4]	D · IL		Feb 1, 2021
Rep. Grijalva, Raúl M. [D-AZ-3]	D · AZ		Feb 1, 2021
Rep. Hayes, Jahana [D-CT-5]	D · CT		Feb 1, 2021
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Feb 1, 2021
Rep. Khanna, Ro [D-CA-17]	D · CA		Feb 1, 2021
Rep. Lee, Barbara [D-CA-13]	D · CA		Feb 1, 2021
Rep. Lieu, Ted [D-CA-33]	D · CA		Feb 1, 2021
Rep. Lynch, Stephen F. [D-MA-8]	D · MA		Feb 1, 2021
Rep. Matsui, Doris O. [D-CA-6]	D · CA		Feb 1, 2021
Rep. McNerney, Jerry [D-CA-9]	D · CA		Feb 1, 2021
Rep. Pocan, Mark [D-WI-2]	D · WI		Feb 1, 2021
Rep. Porter, Katie [D-CA-45]	D · CA		Feb 1, 2021
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Feb 1, 2021
Rep. Scanlon, Mary Gay [D-PA-5]	D · PA		Feb 1, 2021
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Feb 1, 2021
Rep. Welch, Peter [D-VT-At Large]	D · VT		Feb 1, 2021
Rep. Davis, Danny K. [D-IL-7]	D · IL		Feb 5, 2021
Rep. Carson, Andre [D-IN-7]	D · IN		Feb 8, 2021
Rep. Hastings, Alcee L. [D-FL-20]	D · FL		Feb 11, 2021
Rep. Lawrence, Brenda L. [D-MI-14]	D · MI		Feb 11, 2021
Rep. McGovern, James P. [D-MA-2]	D · MA		Feb 11, 2021
Rep. Raskin, Jamie [D-MD-8]	D · MD		Feb 11, 2021
Rep. Soto, Darren [D-FL-9]	D · FL		Feb 11, 2021
Rep. Watson Coleman, Bonnie [D-NJ-12]	D · NJ		Feb 11, 2021
Del. San Nicolas, Michael F. Q. [D-GU-At Large]	D · GU		Feb 18, 2021
Rep. Case, Ed [D-HI-1]	D · HI		Feb 25, 2021
Rep. Clarke, Yvette D. [D-NY-9]	D · NY		Feb 25, 2021
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Mar 16, 2021
Rep. Trahan, Lori [D-MA-3]	D · MA		Mar 16, 2021

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Feb 2, 2021

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
117 S 81	Identical bill	Jan 28, 2021: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Summary (as of Feb 1, 2021)

Public Health Emergency Privacy Act

This bill imposes privacy, confidentiality, and security requirements on the use and disclosure of COVID-19 (i.e., coronavirus disease 2019) emergency health data. This is data that is linked to an individual or device, such as test results.

The requirements apply to organizations that collect, use, or disclose emergency health data electronically or that manage websites or applications for contact tracing and other COVID-19 response activities.

These organizations must provide notice of privacy and other policies. They must also ensure the accuracy of, prevent discrimination based on, and limit disclosure of the data. If an organization collects data from at least 100,000 individuals, it must publicly report additional information about how it uses and discloses the data.

Furthermore, the bill prohibits the use of emergency health data for commercial advertising or in ways that restrict access to opportunities, services, and other accommodations.

It also prohibits government entities and organizations from using this data to infringe on the right to vote. The Department of Health and Human Services must report on the civil rights impact of the collection, use, and disclosure of health data.

The bill provides for enforcement by the Federal Trade Commission, states, and a private right of action. It further specifies that certain dispute resolution mechanisms, such as arbitration, are unenforceable with respect to disputes arising under the bill.

Actions Timeline

- **Feb 2, 2021:** Referred to the Subcommittee on Consumer Protection and Commerce.
- **Feb 1, 2021:** Introduced in House
- **Feb 1, 2021:** Referred to the House Committee on Energy and Commerce.