



Committee: Senate Finance Committee

Bill Number: SB 541 – Maryland Online Data Privacy Act of 2024

Hearing Date: February 14, 2024

Position: Support

The Maryland Affiliate of the American College of Nurse Midwives (ACNM) strongly supports *Senate Bill 541 – Maryland Online Data Privacy Act of 2024*. The bill would safeguard personal information collected online and provide consumers more control over the use and redisclosure of the data.

ACNM supports this legislation because not all health data is protected by the Health Insurance Portability and Accountability Act (HIPAA). HIPAA only protects the information collected by providers in electronic health records. State confidentiality laws extend similar protections to any paper health records. However, HIPAA and state laws do *not* protect health data that consumers provide to entities who are not connected to health care providers. For example, there are a proliferation of apps that help consumers track their menstrual cycles, health indicators such as heart rate, and sleep patterns.

This legislation is essential to providing safeguards, so that consumers may determine how their personal data is used and shared. It also provides essential protections to consumers seeking reproductive or behavioral health, as it prohibits the use of geofencing data that could later be used to penalize or intimidate consumers.

We urge a favorable report. If we can provide any further information, please contact Robyn Elliott at relliott@policypartners.net.