

105TH CONGRESS
2D SESSION

S. 2352

To protect the privacy rights of patients.

IN THE SENATE OF THE UNITED STATES

JULY 24, 1998

Mr. LEAHY (for himself, Mr. ASHCROFT, and Mr. BURNS) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To protect the privacy rights of patients.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Patient Privacy Rights
5 Act of 1998”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) individuals have a right to confidentiality
9 with respect to their personal health information and
10 records;

1 (2) with respect to information about medical
2 care and health status, the traditional right of con-
3 fidentiality is at risk;

4 (3) an erosion of the right of confidentiality will
5 reduce the willingness of patients to confide in phy-
6 sicians and other practitioners, thus jeopardizing
7 quality health care;

8 (4) fear that confidentiality is being com-
9 promised will deter individuals from seeking medical
10 treatment and stifle technological or medical re-
11 search and development; and

12 (5) advancing technology should not lead to a
13 loss of personal privacy.

14 **SEC. 3. PURPOSE.**

15 It is the purpose of this Act—

16 (1) to repeal the implementation of a “standard
17 unique health identifier for each individual” as re-
18 quired under section 1173(b) of the Social Security
19 Act (42 U.S.C. 1320d–2(b)) as added by the amend-
20 ment made by section 262(a) of the Health Insur-
21 ance Portability and Accountability Act of 1996
22 (Public Law 104–191); and

23 (2) to guarantee that medical privacy protec-
24 tions are not undermined by Federal law.

1 **SEC. 4. REPEAL OF FEDERAL UNIQUE HEALTH IDENTIFIER.**

2 Sections 1173(b) and 1177(a)(1) of the Social Secu-
3 rity Act (42 U.S.C. 1320d-2(b); 42 U.S.C. 1320d-
4 6(a)(1)) are repealed.

○