

113TH CONGRESS
1ST SESSION

H. R. 3731

To require an Exchange established under the Patient Protection and Affordable Care Act to notify individuals in the case that personal information of such individuals is known to have been acquired or accessed as a result of a breach of the security of any system maintained by the Exchange.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2013

Mrs. BLACK (for herself and Mr. MEEHAN) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To require an Exchange established under the Patient Protection and Affordable Care Act to notify individuals in the case that personal information of such individuals is known to have been acquired or accessed as a result of a breach of the security of any system maintained by the Exchange.

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 “Federal Exchange
5 Data Breach Notification Act of 2013”.

1 **SEC. 2. NOTIFICATION TO INDIVIDUALS OF PERSONAL IN-**
2 **FORMATION BEING ACQUIRED OR ACCESSED**
3 **AS A RESULT OF A BREACH OF SYSTEM SECU-**
4 **RITY.**

5 After the discovery of a breach of security of any sys-
6 tem maintained by an Exchange established pursuant to
7 section 1321(c) of the Patient Protection and Affordable
8 Care Act (Public Law 111–148), the Exchange shall, in
9 accordance with the requirements of the Health Breach
10 Notification Rule issued by the Federal Trade Commission
11 (16 C.F.R. 318), provide notice of such breach to each
12 individual whose personal information (including any non
13 health-related personal information) is known to have been
14 acquired or accessed as a result of such breach of security.
15 A violation of this section shall be treated as a violation
16 of a rule defining an unfair or deceptive act or practice
17 prescribed under section 18 of the Federal Trade Commis-
18 sion Act (15 U.S.C. 57a).

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