

Data Privacy Laws Comparison

21 states have adopted AdvaMed's data privacy exemptions:

	<u>CO</u>	<u>CT</u>	<u>DE</u>	<u>FL</u>	<u>KY</u>	<u>IN</u>	<u>IA</u>	<u>MD</u>	<u>MN</u>	<u>MT</u>	<u>NE</u>	<u>NH</u>	<u>NJ</u>	<u>NV</u>	<u>OR</u>	<u>RI</u>	<u>TN</u>	<u>TX</u>	<u>UT</u>	<u>VA</u>	<u>WA</u>
HIPAA	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓ ³	✓	✓	✓	✓	✓	✓	✓	✓
Substance Use Disorder Records	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓
Human Subjects Research	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓
Health Care Quality Improvement Act	X ¹	✓	X	✓	✓	✓	✓	✓	✓	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓ ⁷
Patient Safety Work Product	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓
De-identified Data	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓
Information Treated as HIPAA Data	✓	✓	X	✓	X ²	✓	✓	X ²	✓	✓	✓	✓	X	✓ ⁴	✓	✓	✓	✓	✓ ⁶	✓	✓ ⁶
Limited Data Set	N/A	N/A	X	✓	X	X	X	X	✓	✓	✓	✓	X	✓ ⁵	X	X	✓	✓	N/A	N/A	✓
Public Health Activities	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓

¹ Exempts information derived from any healthcare-related information described in the bill.

² This only applies for covered entities.

³ The date of enactment was set to allow for time to clean up the bill.

⁴ Exempts any consumer health data subject to provisions of the bill.

⁵ Exempts the collection or sharing of consumer health data where expressly authorized by any provision of federal or state law.

⁶ Uses the state definition for healthcare provider.

⁷ References data uses of the Health Care Quality Improvement Act and the Act itself.