



2022 Key Accomplishments

Transforming Healthcare Through Innovation and Collaboration: Privacy and Security

State of Play: *In June, a bipartisan, bicameral coalition introduced H.R. 8152, the American Data Privacy and Protection Act (ADPPA). This bill would establish a nationwide privacy framework and expand privacy protections to health data not currently governed by the Health Insurance Portability and Accountability Act (HIPAA). The Federal Trade Commission (FTC) has also begun the process of rulemaking to regulate certain forms of commercial surveillance. Federal agencies are continuing to examine further reporting of cybersecurity incidents. In September, the Cybersecurity and Infrastructure Security Agency (CISA) issued a request for information on implementation of breach reporting legislation that was included in legislation earlier this year. The Office of Science and Technology Policy (OSTP) at the White House has also released its Blueprint for an AI Bill of Rights to ensure that use of algorithmic tools does not lead to discriminatory outcomes.*

Confidentiality Coalition Position: *The Healthcare Leadership Council (HLC) leads a broad group of organizations, collectively known as the Confidentiality Coalition, to ensure that policymakers strike the right balance between the protection of confidential health information and the information-sharing needed to provide high quality care. The coalition is active with Congress and the administration on policies related to data exchange, privacy, data security, and cybersecurity. Members believe that regulatory clarity is key to enabling health information flow and support efforts to create a uniform national privacy standard that does not conflict with the HIPAA privacy rule. The coalition also supports efforts to strengthen cybersecurity protections and advocates for federal cybersecurity policies that are focused on education and support.*

Confidentiality Coalition 2022 Activity

November:

- Submitted [comments](#) to the Cybersecurity and Infrastructure Security Agency (CISA) on their request for information on reporting of cyber breach incidents.
- Submitted [comments](#) to the Federal Insurance Office (FIO) on their request for comments on cyber insurance coverage.
- Submitted [comments](#) to the Federal Trade Commission (FTC) on their advanced notice of proposed rulemaking on commercial surveillance.
- Held a walkthrough on the FTC's advanced notice of proposed rulemaking on commercial surveillance and the FIO's cyber insurance request for comments.

October:

- Met with House Energy and Commerce majority staff on national privacy legislation and shared Confidentiality Coalition materials.
- Participated in CISA listening session on cyber breach reporting.

September:

- Melanie Fontes-Rainer, Director of the Office for Civil Rights (OCR) at the Department of Health and Human Services (HHS) gave a presentation to the Confidentiality Coalition on OCR's strategic priorities.

August:

- Met with House Energy and Commerce majority staff on national privacy legislation and shared Confidentiality Coalition materials.

July:

- Met with Senator Roger Wicker's (R-MS) staff on national privacy legislation and shared Confidentiality Coalition materials.
- Jon Warner, US President for the Organisation for the Review of Health and Care Apps (ORCHA) gave a presentation to the Confidentiality Coalition on tools to protect patient privacy when using health apps.
- Met with Representative Michael Burgess' (R-TX) staff on national privacy legislation.
- Met with House Energy and Commerce minority staff on national privacy legislation.

June:

- Met with Representative Larry Bucshon's (R-IN) staff on national privacy legislation.
- Met with House Energy and Commerce majority staff on national privacy legislation.
- Held a walkthrough of H.R. 8152, the American Data Privacy and Protection Act.
- Sent a [letter](#) to the House Committee on Energy and Commerce Subcommittee on Consumer Protection & Commerce for their hearing on, "Protecting America's Consumers: Bipartisan Legislation to Strengthen Data Privacy and Security."
- Submitted [comments](#) to HHS OCR on its request for information Regarding Considerations for implementing the Health Information Technology for Economic and Clinical Health (HITECH) Act.

May:

- Nigel Cory with the Information Technology & Innovation Foundation (ITIF) gave a presentation to the Confidentiality Coalition on global health and genomic data localization and governance.
- Sent a [letter](#) to the Senate Committee on Health, Education, Labor and Pensions (HELP) for their hearing on, "Cybersecurity in the Health and Education Sectors."
- Submitted [comments](#) to the Securities and Exchange Commission (SEC) on their proposed rule on cybersecurity incident reporting.
- Hosted a [webinar](#) on, "Healthcare Privacy and Security 101." Panelists included representatives from AHIP, IQVIA and Mayo Clinic.

April:

- Submitted [comments](#) to the National Institute of Standards and Technology (NIST) on their request for information on revisions to the NIST Cybersecurity Framework.

March:

- Jeff Rothblum with the Senate Homeland Security and Governmental Affairs Committee (HSGAC) gave a presentation to the Confidentiality Coalition on legislative activity to strengthen cybersecurity infrastructure.
- Sent a joint [letter](#) with the Workgroup for Electronic Data Interchange [wrote](#) to HHS and the Department of Commerce encouraging the protection of patient data collected via third-party applications.
- Submitted [comments](#) to the FTC and the Department of Justice (DOJ) information on their request for information on merger enforcement.

February:

- Hosted a presentation and discussion on proposals to impose civil monetary penalties (CMPs) for violations of the HIPAA Privacy Rule.

January:

- Rob Tennant, Vice President for Federal Affairs with WEDI gave a presentation to the Confidentiality Coalition on legislative and regulatory advocacy on privacy for 2022.

About the Confidentiality Coalition: The [Confidentiality Coalition](#) is composed of a broad group of hospitals, medical teaching colleges, health plans, pharmaceutical companies, medical device manufacturers, vendors of electronic health records, biotech firms, employers, health product distributors, pharmacies, pharmacy benefit managers, health information and research organizations, and others, committed to advancing effective health information privacy and security protections. Our mission is to advocate policies and practices that safeguard the privacy and security of patients and healthcare consumers while, at the same time, enabling the essential flow of patient information that is critical to the timely and effective delivery of healthcare, improvements in quality and safety, and the development of new lifesaving and life-enhancing medical interventions.

As a reminder, all meeting materials and past presentations are available in the "[Members](#)" page of the coalition website at www.confidentialitycoalition.org.