



June 21, 2024

The Honorable Maria Cantwell  
Chair  
Commerce, Science & Transportation Committee  
U.S. Senate  
Washington, DC 20510

The Honorable Cathy McMorris Rodgers  
Chair  
Energy and Commerce Committee  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairs Cantwell and Rodgers,

On behalf of the American College of Physicians (ACP), I write to commend your leadership and commitment to improving data privacy protections for all Americans with the introduction of the American Privacy Rights Act (APRA) [draft legislation](#). ACP previously [endorsed](#) the American Data Privacy Protection Act (ADPPA), and we are pleased to see that APRA includes many of the provisions we support in the ADPPA. With the growing crisis around health information privacy, ACP appreciates the opportunity to offer a clinician perspective on this important bipartisan and bicameral draft legislation that would establish the nation's first comprehensive federal consumer data privacy framework, which has been an ACP priority for many years.

ACP is the largest medical specialty organization and the second-largest physician membership society in the United States. ACP members include 161,000 internal medicine physicians, related subspecialists, and medical students. Internal medicine physicians are specialists who apply scientific knowledge, clinical expertise, and compassion to the preventive, diagnostic, and therapeutic care of adults across the spectrum from health to complex illness.

Since the enactment of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), we have seen significant advancements in health care and information technology, including the use of personal health information (PHI) shared within non-HIPAA-covered entities. The changing ecosystem has led to the aggregation, commercialization, and weaponization of data, often without patients' awareness. We believe that as digital health technologies become ubiquitous and efforts continue to improve access to and interoperability of PHI, the privacy, security, disclosure, and use of patients' health data should remain at the forefront of our country's national agenda.

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The United States does not have a comprehensive, national data privacy standard but instead relies on sector-specific federal privacy statutes that establish varying degrees of protection. The most extensive privacy protections fall under HIPAA and address PHI that is collected or held by HIPAA-covered entities (clinicians, health plans, health care clearinghouses) and their





