

113TH CONGRESS
2D SESSION

H. R. 3811

To require notification of individuals of breaches of personally identifiable information through Exchanges under the Patient Protection and Affordable Care Act.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2014

Mr. PITTS (for himself, Mr. ADERHOLT, Mr. BARLETTA, Mr. BILIRAKIS, Mrs. BLACK, Mrs. BLACKBURN, Mr. BROOKS of Alabama, Mr. BURGESS, Mr. CALVERT, Mr. CAMPBELL, Mrs. CAPITO, Mr. CARTER, Mr. CASSIDY, Mr. CHABOT, Mr. COLLINS of Georgia, Mr. COOK, Mr. COTTON, Mr. CRAWFORD, Mr. CULBERSON, Mr. RODNEY DAVIS of Illinois, Mr. DUNCAN of Tennessee, Mrs. ELLMERS, Mr. FARENTHOLD, Mr. FITZPATRICK, Mr. FLORES, Mr. GARDNER, Mr. GERLACH, Mr. GIBSON, Mr. GINGREY of Georgia, Mr. GRIFFIN of Arkansas, Mr. GRIFFITH of Virginia, Mr. HALL, Mr. HARPER, Mr. HUIZENGA of Michigan, Mr. JOHNSON of Ohio, Mr. JONES, Mr. KELLY of Pennsylvania, Mr. KINZINGER of Illinois, Mr. LANCE, Mr. LATTA, Mr. LONG, Mr. McCAUL, Mr. MCKINLEY, Mrs. McMORRIS RODGERS, Mr. MEADOWS, Mr. MEEHAN, Mrs. MILLER of Michigan, Mr. NEUGEBAUER, Mr. PALAZZO, Mr. POE of Texas, Mr. POMPEO, Mr. RADEL, Mr. REED, Mr. RIBBLE, Mr. RIGELL, Mr. ROGERS of Michigan, Mr. ROKITA, Mr. ROTHFUS, Mr. SHUSTER, Mr. SMITH of Texas, Mr. STIVERS, Mr. TERRY, Mr. THOMPSON of Pennsylvania, Mr. TIBERI, Mrs. WAGNER, Mr. WALDEN, Mrs. WALORSKI, Mr. WEBSTER of Florida, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. WILSON of South Carolina, Mr. WOMACK, and Mr. WOODALL) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require notification of individuals of breaches of personally identifiable information through Exchanges under the Patient Protection and Affordable Care Act.

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 “Health Exchange Secu-
5 rity and Transparency Act of 2014”.

6 **SEC. 2. NOTIFICATION OF INDIVIDUALS OF BREACHES OF**
7 **PERSONALLY IDENTIFIABLE INFORMATION**
8 **THROUGH PPACA EXCHANGES.**

9 Not later than two business days after the discovery
10 of a breach of security of any system maintained by an
11 Exchange established under section 1311 or 1321 of the
12 Patient Protection and Affordable Care Act (42 U.S.C.
13 18031, 18041) which is known to have resulted in person-
14 ally identifiable information of an individual being stolen
15 or unlawfully accessed, the Secretary of Health and
16 Human Services shall provide notice of such breach to
17 each such individual.

○