

**Senate File 2397 - Introduced**

SENATE FILE 2397  
BY BENNETT, WAHLS, WEINER, and  
TOWNSEND

**A BILL FOR**

1 An Act relating to a public entity's purchase or collection of  
2 health information from an entity not subject to the federal  
3 Health Insurance Portability and Accountability Act.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **22B.1 Protection of consumer health**  
2 **information — public agencies.**

3 1. As used in this chapter, unless the context otherwise  
4 requires:

5 a. "Health information" means the same as defined in 45  
6 C.F.R. §160.103.

7 b. "Public agency" means the same as defined in section  
8 22A.1.

9 2. A public agency shall not purchase or otherwise seek to  
10 collect health information from an entity that is not subject to  
11 the federal Health Insurance Portability and Accountability Act  
12 of 1996, Pub. L. No. 104-191, and regulations promulgated under  
13 the Act, regardless of whether the entity has secured approval  
14 from an individual to share the individual's health information.

15 **EXPLANATION**

16 The inclusion of this explanation does not constitute agreement with  
17 the explanation's substance by the members of the general assembly.

18 This bill prevents a public agency from purchasing or  
19 collecting health information from an entity that is not subject  
20 to the federal Health Insurance Portability and Accountability  
21 Act of 1996, regardless of whether the entity has secured  
22 approval from an individual to share the individual's health  
23 information. The bill defines health information and public  
24 agency.