

# S09599 • New York

Creates privacy standards for electronic health products and services and permissible data brokering; requires consent to be given for the collection and/or sharing of personal health information or other personal data.

Introduced

Risk: High

Comprehensive

Last Action (Nov 21, 2022): REFERRED TO RULES

## Summary

The bill establishes privacy standards for electronic health products in New York, requiring user consent for data activities.

## Business Impact

If you handle electronic health data, you must obtain user consent or face legal action.

## Key Provisions

- Section 1101: Requires affirmative express consent for data processing and brokering.
- Section 1101(7): Prohibits geofencing for digital advertisements at health care facilities.
- Section 1102: Establishes a private right of action for violations.
- Section 1103: Exempts HIPAA-compliant actions.

## Compliance Checklist

- Obtain explicit consent for collecting personal health data | Who: Health tech companies and data brokers | Penalty: Potential fines or legal repercussions
- Obtain explicit consent for sharing personal health data | Who: Health tech companies and data brokers | Penalty: Potential fines or legal repercussions

## Industries Affected

Consumer Protection

Technology

Healthcare

Health Technology

## Bill Sponsors

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Name	Party	Role
Liz Krueger	D	Sponsor

## Official Source

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<https://www.nysenate.gov/legislation/bills/2021/S9599>

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