



July 9, 2025

Chair Bill Cassidy
Senate Committee on Health, Education, Labor and Pensions
428 Senate Dirksen Office Building
Washington, DC, 20510

Ranking Member Bernie Sanders
Senate Committee on Health, Education, Labor and Pensions
428 Senate Dirksen Office Building
Washington, DC, 20510

To Chair Cassidy, Ranking Member Sanders, and Members of the Committee:

On behalf of ATA Action, the American Telemedicine Association's affiliated trade organization, thank you for convening this timely and important hearing on privacy. The protection of health data is foundational to patient trust and the success of digital health, and we commend the Committee for its thoughtful attention to this issue.

ATA Action represents a broad and diverse coalition of stakeholders across the healthcare industry committed to advancing safe, high-quality, and affordable care. Healthcare data privacy is a top priority for our organization. As telehealth becomes a more integral part of care delivery, patients must have confidence that their personal health information is protected, no matter where, how, or by whom care is delivered.

ATA Action has adopted a set of [Health Data Privacy Principles](#) to guide policy at the federal and state levels. These principles reflect our commitment to protecting patients while fostering innovation and access:

1. **Consistency and Federal Preemption:** We strongly support a single, national privacy standard that preempts the growing patchwork of state privacy laws. Inconsistent requirements across states create confusion for consumers and unnecessary compliance burdens for healthcare providers and technology developers. A clear, federal framework is critical to supporting scalable, patient-focused innovation while ensuring privacy protections apply uniformly across the country.
2. **HIPAA Alignment:** HIPAA is a long-standing and effective privacy framework. State and federal privacy laws should align with HIPAA's standards and definitions to avoid duplicative or conflicting regulations, especially for HIPAA-covered entities and their business associates.
3. **Clear Definitions:** Terms such as "consumer health data" should be defined using HIPAA-aligned language to ensure clarity in implementation and consistency across jurisdictions.
4. **Consumer Rights:** Patients should have clear and meaningful rights with respect to their personal health data, including rights to notice, access, correction, portability, and deletion—balanced appropriately with record retention requirements and legal obligations.



5. **Transparency and Consent:** Individuals must receive clear, accessible disclosures about how their data is collected, used, and shared. They should have the ability to opt out of uses such as targeted advertising, profiling, or data sales. The sharing of sensitive data should require explicit consent from the patient.
6. **Enforcement:** We support strong enforcement by State Attorneys General. However, privacy laws should avoid creating private rights of action, which can lead to legal uncertainty, inconsistent interpretations, and excessive litigation that undermines innovation.

ATA Action applauds the Committee's leadership in addressing the critical issue of data privacy at a time of rapid digital transformation in healthcare. As Congress considers legislation in this space, we encourage the adoption of a clear, consistent framework that reflects a risk-based approach that aligns with existing law and supports the responsible use of technology to improve patient care.

Thank you again for holding this important hearing. ATA Action stands ready to be a resource to the Committee and looks forward to ongoing collaboration on this vital issue.

Kind regards,

A handwritten signature in black ink, appearing to read "Kyle Zebley".

Kyle Zebley
Executive Director
ATA Action