

SENATE No. 2821

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

SENATE, January 7, 2026.

The committee on Consumer Protection and Professional Licensure to whom was referred the petition (accompanied by bill, Senate, No. 258) of Paul W. Mark for legislation to protect the privacy of individuals' social care information, report the accompanying bill (Senate, No. 2821).

For the committee,
Pavel M. Payano

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An Act protecting the privacy of social care information..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The General Laws, as appearing in the 2022 Official Edition, are hereby
2 amended by inserting after chapter 93L the following chap

3 CHAPTER 93M. Protection and Privacy of Social Care Information

4 SECTION 2. Definitions

5 “Closed-Loop Referral System” or “CLRS” means any system that stores the social care
6 information of one or more individuals; enables the sharing of social care information with and
7 between participating entities for the purpose of referring individuals for social care; and is
8 capable of updating or showing updated referral activity, including data related to participating
9 organizations completing referrals

10 “Participating organization” means any entity that has the ability to create, receive, or
11 update referrals, or other social care information in a CLRS, including, but not limited to,

healthcare providers, health plans, public agencies, charitable and nonprofit organizations, CLRS technology vendors, and entities that provide social care.

“Social care” means care, services, goods, or supplies related to an individual’s social needs. “Social care” includes, but is not limited to, support and assistance for an individual’s food stability and nutritional needs, housing, transportation, economic stability, employment, education access and quality, child care and family relationship needs, and environmental and physical safety.

“Social care information” means any information that relates to the need for, payment for, or provision of social care, and identifies the person receiving social care, or for which there is a reasonable basis to believe the information can be used to identify the individual receiving social care.

SECTION 3.

(a) In a manner that is consistent with federal and State law, a participating organization shall not sell or license social care information that is stored in or transmitted through a closed-loop referral system.

(b) In a manner that is consistent with federal and State law, social care information stored in or transmitted through a closed-loop referral system shall not be used for any purpose other than the purpose for which that information was collected or generated unless the reason for sharing such information is disclosed in writing to the person receiving social care and is approved by said person.

(c) A participating organization that sells, offers for sale, licenses, or otherwise furnishes, provides, or transmits to any other individual or entity social care information in violation of this section shall be liable to a civil penalty of \$1,000 for each violation.

(d) A civil penalty assessed pursuant to this section shall be collected and enforced by the attorney general.

SECTION 4. Implementation

The attorney general may adopt, amend, or repeal rules and regulations as shall be necessary for the implementation, administration, and enforcement of this chapter. SECTION 5. Effective Date

This act shall take effect 90 days following the date of enactment.