

**Joint Committee on Consumer Protection and Professional Licensure
2025-2026 (194th) Bill Summary**

BILL NUMBER: H461

TITLE: An Act relative to consumer health data

SPONSOR(S): Sabadosa, Lindsay

HEARING DATE: September 8, 2025

REPORTING DEADLINE: November 7, 2025

PRIOR HISTORY

(2023-2024): H386 – Committee reporting date extended, pending concurrence; No further action taken.

CURRENT LAW

Chapter 93A of the Massachusetts General Laws prohibits unfair methods of competition and the use of unfair or deceptive business acts and practices against other businesses and consumers; and provides for individuals, class actions, businesses, and the Attorney General's Office to take action against such acts.

SUMMARY

This legislation seeks to require all entities (excluding governmental agencies, tribal nations, and individuals acting in a non-commercial purpose) to maintain and publish a "Consumer Health Data Privacy Policy" that discloses the types, manner, and purpose of such data collection, as well as how and with whom such data is shared, and the rights of the consumer to withdraw consent from collection or sharing. No entity may collect or share such data without disclosure to the consumer and may not share such data without the consumer's consent. Further, no entity may discriminate against a consumer for exercising their rights under this provision. Entities must put in place security practices for the protection of such data, and it shall be unlawful to sell such data. Violations of these provisions shall be subject to Chapter 93A.

The legislation also seeks to provide an affirmative consumer right to know of the collection or sharing of health data, to withdraw consent, and to have such data deleted by collectors and third parties within 30 days of notification to an entity.

Exemptions include protected health information collected, used, or disclosed in accordance with the Federal Health Insurance Portability and Accountability Act of 1996; and other disclosures as required by law.