

113TH CONGRESS  
1ST SESSION

# H. R. 3795

To require notifications by the Secretary of Health and Human Services to Congress and to individuals of breaches of personally identifiable information of such individuals maintained, submitted to, or submitted by a system maintained by Exchanges under the Patient Protection and Affordable Care Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2013

Mr. BILIRAKIS introduced the following bill; which was referred to the  
Committee on Energy and Commerce

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## A BILL

To require notifications by the Secretary of Health and Human Services to Congress and to individuals of breaches of personally identifiable information of such individuals maintained, submitted to, or submitted by a system maintained by Exchanges under the Patient Protection and Affordable Care Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “One Hour Notification  
5 Act of 2013” and as the “OH No Act of 2013”.

1 **SEC. 2. NOTIFICATION AND ANNUAL REPORT RELATING TO**  
2 **BREACHES OF PERSONALLY IDENTIFIABLE**  
3 **INFORMATION BY PPACA EXCHANGES.**

4 (a) NOTIFICATION OF DATA BREACHES.—The Sec-  
5 retary of Health and Human Services, following the dis-  
6 covery of a breach of the personally identifiable informa-  
7 tion of an individual that is maintained, submitted to, or  
8 submitted by a system maintained by an Exchange estab-  
9 lished under title I of the Patient Protection and Afford-  
10 able Care Act (Public Law 111–148), shall—

11 (1) not more than one hour after the time at  
12 which the Secretary is notified of such breach, notify  
13 the individual that such information has been so  
14 breached; and

15 (2) in a timely manner, notify the Committees  
16 on Energy and Commerce, Ways and Means, and  
17 Education and Workforce of the House of Rep-  
18 resentatives and the Committees on Finance and  
19 Health, Education, Labor, and Pensions of the Sen-  
20 ate that such information has been so breached.

21 (b) ANNUAL REPORT.—Not later than January 1,  
22 2015, and each year thereafter, the Secretary of Health  
23 and Human Services shall submit to Congress an annual  
24 report that identifies, with respect to the breaches of secu-  
25 rity described in subsection (a)—

1           (1) all such breaches that occurred within the  
2 past year; and

3           (2) the security rules, standards, and risk miti-  
4 gation strategies implemented by the Secretary, as  
5 of the date of the submission of such report, for the  
6 purpose of preventing such breaches.

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