

114TH CONGRESS
1ST SESSION

H. R. 555

To require an Exchange established under the Patient Protection and Affordable Care Act to notify individuals in the case that personal information of such individuals is known to have been acquired or accessed as a result of a breach of the security of any system maintained by the Exchange, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2015

Mrs. BLACK (for herself and Mr. MEEHAN) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To require an Exchange established under the Patient Protection and Affordable Care Act to notify individuals in the case that personal information of such individuals is known to have been acquired or accessed as a result of a breach of the security of any system maintained by the Exchange, 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 “Federal Exchange
5 Data Breach Notification Act of 2015”.

1 **SEC. 2. NOTIFICATION TO INDIVIDUALS OF PERSONAL IN-**
2 **FORMATION BEING ACQUIRED OR ACCESSED**
3 **AS A RESULT OF A BREACH OF SYSTEM SECU-**
4 **RITY.**

5 After the discovery of a breach of security of any sys-
6 tem maintained by an Exchange established pursuant to
7 section 1321(c) of the Patient Protection and Affordable
8 Care Act (Public Law 111–148), the Exchange shall, as
9 soon as possible but in no instance later than the time-
10 frame established under the requirements of the Health
11 Breach Notification Rule issued by the Federal Trade
12 Commission (16 C.F.R. 318), provide notice of such
13 breach to each individual whose personal information (in-
14 cluding any non health-related personal information) is
15 known to have been acquired or accessed as a result of
16 such breach of security. A violation of this section shall
17 be treated as a violation of a rule defining an unfair or
18 deceptive act or practice prescribed under section 18 of
19 the Federal Trade Commission Act (15 U.S.C. 57a).

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