

AMENDMENTS TO HOUSE BILL NO. 1264 (As amended by A00861)

Sponsor: REPRESENTATIVE PISCIOTTANO

Printer's No. 1342

1 Amend Bill, page 1, by inserting before line 1 (A00861)

2 Amend Bill, page 1, line 2, by inserting after "pandemic"
3 ; providing for COVID-19 vaccine personal information
4 privacy; and imposing penalties

5 Amend Bill, page 1, line 6 (A00861), by inserting after
6 "Accountability"

7 and Vaccine Personal Information Privacy

8 Amend Bill, page 1, by inserting between lines 16 and 17
9 (A00861)

10 "COVID-19 vaccine provider." A person or entity authorized
11 to distribute or administer a COVID-19 vaccine.

12 "Health care provider." As follows:

13 (1) A person, corporation, facility, institution or
14 other entity licensed, certified or approved by the
15 Commonwealth to provide health care or professional medical
16 services.

17 (2) The term includes a physician, podiatrist,
18 optometrist, psychologist, psychiatrist, physical therapist,
19 certified nurse practitioner, nurse midwife, physician
20 assistant, chiropractor, dentist, pharmacist or an individual
21 accredited or certified to provide behavioral health
22 services.

23 "Health care service." A treatment, admission, procedure,
24 medical supply and equipment or other service, including
25 behavioral health, prescribed or otherwise provided or proposed
26 to be provided by a health care provider.

27 "Personal information." Information that identifies, relates
28 to, describes, is capable of being associated with or could
29 reasonably be linked, directly or indirectly, with a particular
30 individual or household, including any of the following:

31 (1) An identifier such as a real name, alias, postal
32 address, telephone number, unique personal identifier, online
33 identifier, including an Internet website protocol address,
34 email address, account name, Social Security number, driver's

1 license number, passport number or other similar identifier.

2 (2) Commercial information, including a product or
3 service purchased, obtained or considered or other purchasing
4 or consuming history or tendency.

5 (3) Biometric information.

6 (4) Geolocation data.

7 Amend Bill, page 2, by inserting between lines 42 and 43

8 (A00861)

9 Section 4. COVID-19 vaccine personal information privacy.

10 (a) General rule.--Except as provided in subsection (b), a
11 COVID-19 vaccine provider shall delete the personal information
12 of an individual who registered to receive a COVID-19 vaccine
13 from the COVID-19 vaccine provider but did not receive the
14 COVID-19 vaccine within six months of the registration. In such
15 a circumstance, the deletion of the personal information shall
16 occur:

17 (1) Within 30 days after the conclusion of the six-month
18 period following the registration, if the conclusion of the
19 the six-month period occurs after the effective date of this
20 subsection.

21 (2) Within 30 days after the effective date of this
22 subsection, if the effective date of this subsection occurs
23 after the conclusion of the six-month period following the
24 registration.

25 (b) Exception.--In compliance with Federal and State law, a
26 COVID-19 vaccine provider may retain the personal information of
27 an individual if the COVID-19 vaccine provider distributed or
28 administered a COVID-19 vaccine to the individual or provided
29 another health care service to the individual within six months
30 of the individual registering to receive a COVID-19 vaccine from
31 the COVID-19 vaccine provider.

32 Section 5. Applicability.

33 Section 4 shall not apply to medical records that a COVID-19
34 vaccine provider is required to retain under Federal or State
35 law.

36 Section 6. Violation of Unfair Trade Practices and Consumer
37 Protection Law.

38 A violation of section 4 constitutes unfair methods of
39 competition and unfair or deceptive acts or practices within the
40 meaning of section 2(4) of the act of December 17, 1968
41 (P.L.1224, No.387), known as the Unfair Trade Practices and
42 Consumer Protection Law, and shall be subject to the enforcement
43 provisions, civil penalties and private rights of action
44 specified in that act.

45 Amend Bill, page 2, line 43 (A00861), by striking out "4" and
46 inserting

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1 Amend Bill, page 2, line 45 (A00861), by striking out "5" and
2 inserting
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