AN ACT

Providing for COVID-19 vaccine personal information privacy; and
imposing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title. This act shall be known and may be cited as the COVID-19 Vaccine Personal Information Privacy Act.

Section 2. Definitions. The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"COVID-19." The novel coronavirus as identified in the proclamation of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020).

"COVID-19 vaccine." An injectable medication, biological or immunization authorized or approved by the United States Food and Drug Administration for COVID-19.

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

"Health care provider." As follows:

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

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

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

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

(1) An identifier such as a real name, alias, postal address, telephone number, unique personal identifier, online identifier, including an Internet website protocol address, email address, account name, Social Security number, driver's license number, passport number or other similar identifier.

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

(3) Biometric information.

(4) Geolocation data.
Section 3. COVID-19 vaccine personal information privacy.

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

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

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

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

Section 4. Applicability.

This act shall not apply to medical records that a COVID-19 vaccine provider is required to retain under Federal or State law.


A violation of section 3 constitutes unfair methods of

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

Section 6. Effective date.

This act shall take effect immediately.