

AMERICAN MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution: 227  
(A-22)

Introduced by: Louisiana

Subject: Supporting Improvements to Patient Data Privacy

Referred to: Reference Committee B

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1 Whereas, Patients are increasingly using smartphones, connected consumer devices, and  
2 cloud-based applications to monitor vital signs, fitness metrics, and biological cycles, as well  
3 as to store and maintain medical information as a personal health record, and  
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5 Whereas, Data collected through these tools and stored in personal digital applications is not  
6 currently protected under HIPAA because software and technology companies and vendors  
7 are not classified as covered entities, and  
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9 Whereas, It has been documented that certain health care providers have allowed Google, –  
10 which owns large fitness tracker company Fitbit – access to sensitive medical records,  
11 including visit location and time data, as part of a corporate partnership, without patient  
12 permission or physician notification, and  
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14 Whereas, Sen. Bill Cassidy of Louisiana introduced the Stop Marketing and Revealing the  
15 Wearables and Trackers Consumer Health Data Act (“Smartwatch Data Act”) – new federal  
16 legislation to expand health data protections to include these types of device-collected  
17 information; therefore, be it  
18

19 RESOLVED, That our American Medical Association support legislation to strengthen patient  
20 data privacy protections by making health information collected or stored on smartphones and  
21 similar consumer devices subject to the same privacy protections as standard medical records.  
22 (New HOD Policy)

Fiscal Note: Not yet determined

Received: 05/11/22