



April 8, 2025

The Honorable Thomas Umberg
Chair, Senate Judiciary Committee
1021 O Street, Room 3240
Sacramento, CA 95814

SUBJECT: SB 468 (Becker) — Oppose Unless Amended

Dear Senator Umberg:

Hospitals are deeply committed to protecting patient privacy and the confidentiality of personal health information. Every day, patients place their trust in hospitals, often during their most vulnerable moments, and hospitals take their privacy and confidentiality responsibilities seriously. Safeguarding patient data is not only a legal obligation — it is a core part of hospitals' mission to provide safe, respectful, and compassionate care.

California hospitals are already subject to a comprehensive framework of federal and state privacy and security laws that strictly govern how patient information is collected, used, and shared. These laws include the federal Health Insurance Portability and Accountability Act (HIPAA), the Health Information Technology for Economic and Clinical Health (HITECH) Act, California's Confidentiality of Medical Information Act (CMIA), and special laws pertaining to mental health treatment, HIV test results, gender-affirming care, reproductive care, substance use disorder treatment, and more.

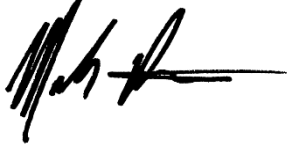
Collectively, these laws impose rigorous standards and enforcement mechanisms to implement security measures and protect patient privacy. Because of these strict laws, hospitals and other entities subject to the health information privacy and security laws cited above are exempt from the California Consumer Privacy Act of 2018 (CCPA) and California Privacy Rights Act of 2020 (CPRA) (*see* Civil Code Section 1798.100.145(c)).

Senate Bill (SB) 468 (Becker) would add a new Title 1.81.28 (commencing with Section 1798.91.2) to Part 4 of Division 3 of the Civil Code. This new title uses many of the same definitions as in the CCPA and CPRA, further requiring "covered deployers" to develop, implement, and maintain a comprehensive information security program that contains administrative, technical, and physical safeguards. However, SB 468 does not include the same exemptions as do CCPA and CPRA, subjecting hospitals and other HIPAA-covered entities to duplicative and costly regulation, which would drive up health care costs without providing any benefit to patients.

Given the existing comprehensive regulatory framework, and longstanding health information privacy and security laws, the California Hospital Association (CHA) requests that hospitals and other entities subject to HIPAA and/or CMIA be exempted from SB 468. A draft of suggested amendments — incorporating the exemption language from CPPA and CPRA into SB 468 — is attached to this letter.

For the reasons stated above, CHA, on behalf of more than 400 hospitals and health systems, must respectfully oppose SB 468 unless amended.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Farouk', with a horizontal line extending to the right.

Mark Farouk
Vice President, State Advocacy

cc:

The Honorable Josh Becker
Honorable Members of the Senate Judiciary Committee
Christian Kurpiewski, Consultant, Senate Judiciary Committee
Morgan Branch, Consultant, Senate Republican Caucus