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16 3. Comply with a civil, criminal, or regulatory inquiry,
17 investigation, subpoena, or summons by federal, state, or local
18 authorities.

19 4. Cooperate with law enforcement agencies concerning
20 conduct or activity that the business, service provider, or
21 third party reasonably and in good faith believes may violate
22 federal, state, or local law.

23 5. Exercise legal rights or privileges.

24 6. Collect, use, retain, sell, share, or disclose
25 deidentified personal information or aggregate consumer
26 information. If a business uses, sells, or shares deidentified
27 information, the business shall:

28 a. Implement technical safeguards that prohibit
29 reidentification of the consumer to whom the information may
30 pertain;

31 b. Implement business processes that specifically prohibit
32 reidentification of the information;

33 c. Implement business processes to prevent inadvertent
34 release of deidentified information; and

35 d. Not attempt to reidentify the information.

36 (b) This section does not apply to:

37 1. Personal information used by a business or service
38 provider to advertise or market products or services that are
39 produced or offered directly by the business or service provider
40 as long as personal information is not sold, shared, or

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41 disclosed to another party outside the consumer's direct
42 interaction with the business or service provider.

43 2. A business that collects or discloses the personal
44 information of its employees, applicants, interns, or
45 volunteers, so long as the business is collecting or disclosing
46 such information within the scope of its role as an employer.

47 3. Protected health information for purposes of the
48 federal Health Insurance Portability and Accountability Act of
49 1996 and related regulations, and patient identifying
50 information for purposes of 42 C.F.R. Part 2, established
51 pursuant to 42 U.S.C. s. 290dd-2.

52 4. A covered entity or business associate governed by the
53 privacy, security, and breach notification rules issued by the
54 United States Department of Health and Human Services in 45
55 C.F.R. parts 160 and 164, or a program or a qualified service
56 program defined in 42 C.F.R. part 2, to the extent the covered
57 entity, business associate, or program maintains personal
58 information in the same manner as medical information or
59 protected health information as described in subparagraph 2.

60 5. Identifiable private information collected for purposes
61 of research as defined in 45 C.F.R. s. 164.501, conducted in
62 accordance with the Federal Policy for the Protection of Human
63 Subjects for purposes of 45 C.F.R. part 46, the good clinical
64 practice guidelines issued by the International Council for
65 Harmonisation of Technical Requirements for Pharmaceuticals for

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66 Human Use, the Protection for Human Subjects for purposes of 21
67 C.F.R. Parts 50 and 56; or personal information used or shared
68 in research conducted in accordance with one or more of these
69 standards.

70 6. Information and documents created for purposes of the
71 federal Health Care Quality Improvement Act of 1986 and related
72 regulations, or patient safety work product for purposes of 42
73 C.F.R. part 3, established pursuant to 42 U.S.C. s. 299b-21
74 through 299b-26.

75 7. Information that is deidentified in accordance with 45
76 C.F.R. part 164 and that is derived from individually
77 identifiable health information, as described in the Health
78 Insurance Portability and Accountability Act of 1996, or
79 identifiable personal information, consistent with the Federal
80 Policy for the Protection of Human Subjects or the human subject
81 protection requirements of the United States Food and Drug
82 Administration.

83 8. Information used only for public health activities and
84 purposes as described in 45 C.F.R. s. 164.512.

85 9. Sale or sharing of personal information to or from a
86 consumer reporting agency if that information is to be reported
87 in or used to generate a consumer report as defined by 15 U.S.C.
88 s. 1681(a), or sale or sharing of personal information to
89 procure, provide, or disclose a consumer report if use of that

COMMITTEE/SUBCOMMITTEE AMENDMENT

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90 | information is limited pursuant to the federal Fair Credit
91 | Reporting Act, 15 U.S.C. s. 1681.