



January 25, 2022

*Wayne A. Smith*  
President & CEO

The Honorable Krista Griffith  
411 Legislative Avenue  
Dover, DE 19901

**RE: Concerns with HB 262**

Dear Representative Griffith,

*Nemours Children's Health, Delaware*  
Mark Mumford,  
Executive Vice President  
Chief Executive,  
Nemours Delaware  
Valley Operations

On behalf of Delaware's hospitals and health systems, thank you for the opportunity to express our concerns with HB 262 as currently written.

*Bayhealth*  
Terry Murphy,  
President & CEO

While we thank you for your efforts to protect personal data, we have concerns that the bill currently does not include a general exemption for those subject to HIPAA. Under the federal Health Insurance Portability and Accountability Act (known as HIPAA), there is a national standard to protect sensitive patient health information from being disclosed without the patient's consent or knowledge. Hospitals and other health care providers are already governed by these stringent privacy protection requirements. Therefore, adding another layer of regulation would be unnecessary and burdensome. Furthermore, adding a general HIPAA exemption would be consistent with other areas of the Delaware code that deal with data security.

*Beebe Healthcare*  
David A. Tam,  
MD, MBA,  
President & CEO

Again, we would appreciate the inclusion of a HIPAA exemption in HB 262 and would be pleased to address any questions you may have.

*ChristianaCare*  
Janice E. Nevin,  
MD, MPH  
President & CEO

Sincerely,

*TidalHealth Nanticoke*  
Penny Short, MSM, BSN,  
RN  
President & CEO

A handwritten signature in blue ink that reads 'Wayne A. Smith'.

*Saint Francis Healthcare*  
James Woodward  
Acting President

Wayne A. Smith  
President & CEO

*Wilmington Veterans Affairs Medical Center*  
Vincent Kane  
Director

*DHA represents hospitals and health care delivery systems in Delaware and provides policy and advocacy leadership in creating an excellent environment to support our members in helping every Delawarean to be as healthy as they can be.*

*Delaware Healthcare Association*  
Wayne A. Smith  
President & CEO

