



General Assembly

January Session, 2023

Raised Bill No. 6739

LCO No. 4578



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CREATING A STATE CAUSE OF ACTION FOR THE UNAUTHORIZED DISCLOSURE OF PROTECTED HEALTH INFORMATION IN VIOLATION OF THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2023*) (a) Any person aggrieved
2 by a violation of the disclosure of protected health information by a
3 covered entity, as such terms are defined in 45 CFR 160, may bring a
4 civil action in the superior court where such person resides or the
5 judicial district of Hartford against the covered entity who committed
6 such violation for damages, together with costs and a reasonable
7 attorney's fee.

8 (b) No action under this section shall be brought but within three
9 years from the date when the violation is discovered or in the exercise
10 of reasonable care should have been discovered.

11 (c) The provisions of this section shall be in addition to and not in lieu
12 of any other remedy available at law relating to the disclosure of
13 protected health information by a covered entity.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2023</i>	New section
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Statement of Purpose:

To establish a state cause of action for the unauthorized disclosure of protected health information in violation of the federal Health Insurance Portability and Accountability Act.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]