



My Body, My Data Act of 2022

Background:

The [leaked draft decision](#) revealing the Supreme Court's plans to overturn *Roe v. Wade* has raised serious concerns that data collected by apps and websites could be used to target or arrest people if abortion is criminalized. This includes location data, search histories, and reproductive health data collected by menstruation, ovulation, and pregnancy tracking apps each month. [Recent reporting](#) has also revealed the prevalence with which consumers' personal reproductive health information – often our most personal information – is disclosed and monetized.

Currently, few protections exist to prevent personal reproductive health data or information about people seeking reproductive health services from being collected, retained, or disclosed to third parties. [With at least 26 states likely or certain to ban abortions if Roe is overturned](#), we need urgent action to strengthen digital privacy and protect our personal reproductive health information.

Bill Summary:

The *My Body, My Data Act* would create a new national standard to protect personal reproductive health data. By minimizing the personal reproductive health data that is collected and retained, the bill would prevent this information from being disclosed or misused.

Specifically, the *My Body, My Data Act* would:

- Limit the personal reproductive and sexual health data that can be collected, retained, used, or disclosed to only what is needed to deliver a product or service.
- Protect personal data collected by entities not currently covered under HIPAA, including data collected by apps, cell phones, and search engines.
- Require regulated entities to develop and share a privacy policy outlining how they collect, retain, use, and disclose personal reproductive health information.
- Direct the Federal Trade Commission (FTC) to enforce the law and to develop rules to implement the statute.
- Create a private right of action to allow individuals to hold regulated entities accountable for violations.
- Provide additional consumer protections, including the right of an individual to access or delete their personal data if they choose to.
- Include a non-preemption clause that allows states to provide further protection for reproductive and sexual health privacy.