

.....  
(Original Signature of Member)

114TH CONGRESS  
1ST SESSION

# H. R.

---

To require an Exchange established under the Patient Protection and Affordable Care Act to notify individuals in the case that personal information of such individuals is known to have been acquired or accessed as a result of a breach of the security of any system maintained by the Exchange, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

Mrs. BLACK introduced the following bill; which was referred to the Committee on \_\_\_\_\_

---

# A BILL

To require an Exchange established under the Patient Protection and Affordable Care Act to notify individuals in the case that personal information of such individuals is known to have been acquired or accessed as a result of a breach of the security of any system maintained by the Exchange, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Exchange  
3 Data Breach Notification Act of 2015”.

4 **SEC. 2. NOTIFICATION TO INDIVIDUALS OF PERSONAL IN-**  
5 **FORMATION BEING ACQUIRED OR ACCESSED**  
6 **AS A RESULT OF A BREACH OF SYSTEM SECU-**  
7 **RITY.**

8 After the discovery of a breach of security of any sys-  
9 tem maintained by an Exchange established pursuant to  
10 section 1321(c) of the Patient Protection and Affordable  
11 Care Act (Public Law 111–148), the Exchange shall, as  
12 soon as possible but in no instance later than the time-  
13 frame established under the requirements of the Health  
14 Breach Notification Rule issued by the Federal Trade  
15 Commission (16 C.F.R. 318), provide notice of such  
16 breach to each individual whose personal information (in-  
17 cluding any non health-related personal information) is  
18 known to have been acquired or accessed as a result of  
19 such breach of security. A violation of this section shall  
20 be treated as a violation of a rule defining an unfair or  
21 deceptive act or practice prescribed under section 18 of  
22 the Federal Trade Commission Act (15 U.S.C. 57a).