

113TH CONGRESS
2D SESSION

H. R. 3835

To require new procedures for health care Exchange Web sites with regard to personal information, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2014

Mr. DUFFY introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require new procedures for health care Exchange Web sites with regard to personal information, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Before Registering for
5 Obamacare, Window Shop Exchanges Act of 2014” and
6 as the “BROWSE Act of 2014”.

7 **SEC. 2. EXCHANGE WEB SITE REQUIREMENTS.**

8 (a) WEB SITE REQUIREMENTS.—An Exchange es-
9 tablished pursuant to section 1321(c) of the Patient Pro-
10 tection and Affordable Care Act (42 U.S.C. 18041(c))—

1 (1) may not request personal information of an
2 individual through a Web site maintained by such
3 Exchange (including a Web site maintained in ac-
4 cordance with section 1311(d)(4)(C) of such Act (42
5 U.S.C. 18031(d)(4)(C))) unless—

6 (A) such information is necessary to cal-
7 culate an estimated premium amount for the in-
8 dividual for a period; and

9 (B) the individual has access through such
10 Exchange to compare health care plans offered
11 through such Exchange before the collection
12 through such Web site of such personal infor-
13 mation of such individual;

14 (2) may not provide to an individual, through
15 such a Web site, an estimated premium amount for
16 the individual for a period if such premium amount
17 is calculated prior to the submission by the indi-
18 vidual of personal information to the Exchange
19 through the Web site; and

20 (3) shall require that any employee who has ac-
21 cess to personal information passes a criminal back-
22 ground check, has not been convicted of a crime,
23 and enters into an agreement not to disclose any
24 such personal information to any person who is not
25 authorized to access such personal information.

1 (b) PERSONAL INFORMATION DEFINED.—In this sec-
2 tion, the term “personal information” means any informa-
3 tion that identifies an individual and can be associated
4 with such individual (including a Social Security account
5 number, taxpayer identification number, State identifica-
6 tion number or other identifier, or account information
7 with respect to credit cards (as defined under section 103
8 of the Truth in Lending Act (15 U.S.C. 1602)) or with
9 respect to an account held by the individual at a deposi-
10 tory institution (as defined under section 3 of the Federal
11 Deposit Insurance Act (12 U.S.C. 1813)) or a credit
12 union) that is not information necessary to contact an in-
13 dividual.

14 (c) EFFECTIVE DATE.—This Act shall take effect 6
15 months after the date of the enactment of this Act.

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