

Rep. Subeck, Sen. Johnson: Introduce SAFEGUARD Act to stop predatory reproductive health data use by Unregulated Pregnancy Centers

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MADISON – Today, Representative Lisa Subeck (D-Madison) and Sen. LaTonya Johnson (D-Milwaukee) introduced the Stopping Abuse, Fraud, and Exploitation by Governing Unauthorized Access to Reproductive Data (SAFEGUARD) Act. The SAFEGUARD Act would crack down on the predatory collection and sharing of private health information by anti-abortion organizations masquerading as legitimate clinics. Before sharing an individual’s private health information, the legislation requires Unregulated Pregnancy Centers (UPCs) to obtain express written permission. The bill also requires that a UPC must disclose, in plain language, that they are not a HIPAA covered entity for the purpose of federal privacy regulations and that a UPC must disclose any data breach that exposes individual digital health information.

“For decades, anti-abortion organizations have been setting up facilities that present themselves as health clinics or pregnancy resource centers to deceive patients and say whatever it takes to trick people out of getting the legitimate reproductive health care they need,” said Rep. Subeck, “Those unregulated pregnancy centers have now moved into the digital age, setting up nationwide databases to track and target vulnerable people by collecting private health information. The SAFEGUARD Act will empower victims of these predatory UPCs to take back control of their private reproductive health information.”

Unregulated Pregnancy Centers, often called Crisis Pregnancy Centers or Pregnancy Resource Centers, go to great lengths to maintain this deception. They set up fake

exam rooms, dress up in white coats and scrubs, and even offer services like pregnancy tests or ultrasounds. While some courts have determined these deceptive practices are technically protected under first amendment free speech provisions, no such protection exists for the collection and sharing of private health information while posing as a licensed medical provider.

In recent years, these organizations have created advanced national databases of confidential medical information, using the data to track patients seeking reproductive health care, target them with misinformation, or even prosecute them.

“People deserve to know that when they share personal health information, it will be treated with the same care and respect they expect from a legitimate medical provider,” said Sen. Johnson, “Too many unregulated pregnancy centers present themselves as clinics while operating outside the basic privacy protections patients rely on every day. No one should have their most sensitive health information collected and shared without their consent. The SAFEGUARD Act is about restoring trust, so every Wisconsinite can seek information and care without fear that their data will be used against them.”