



Vermont
Association of
Area Agencies
on Aging



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Memorandum

To: Senate Health and Welfare Committee
From: Vermont Association of Area Agencies on Aging
Date: April 25, 2024
Re: H.121 – Consumer Privacy - Exemptions

On behalf of the five Vermont Area Agencies on Aging (AAAs), we are requesting that you consider two amendments to H.121. AAAs support stronger privacy protections for our clients and for all Vermonters. We provide critical services for older and disabled Vermonters to meet their needs and to help them live in the setting of their choice. These services are free for those eligible and AAAs do not profit from the sale of protected data. We do not believe the intent of H.121 included subjecting community-based organizations such as the AAAs to burdensome and expensive data compliance, diverting our resources from service to our clients.

1. Community-based organizations exemption

As currently drafted, H.121 has no exemptions for community-based organizations. While AAAs process some HIPAA protected healthcare information (which may come under the HIPAA exemptions), we also provide a wide range of non-health related social services.

Request: Amend § 2417(a) to add the following exemption

This chapter does not apply to:

(XX) community-based organizations providing social services, including long-term care services, case management, navigational service coordination, and information and referral services;

2. Volunteers

The current version of H.121 provides an exemption for nonprofit healthcare volunteers. Community-based organizations such as the AAAs utilize volunteers for the provision of non-health related services.

Request: Amend § 2417(a)(21) as follows:

Personal data of ~~health care service~~ all volunteers held by nonprofits organizations to facilitate provision of healthcare and other services;