

HEALTH DATA PRIVACY ACT

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mark A. Strong

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates the Health Data Privacy Act.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ prohibits a place of public accommodation from:
 - requiring an individual to disclose the individual's vaccination status as a condition of receiving service; or
 - refusing service to an individual based on the individual's vaccination status.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

13-7b-101, Utah Code Annotated 1953

13-7b-102, Utah Code Annotated 1953

13-7b-103, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:



28 Section 1. Section 13-7b-101 is enacted to read:

29 **CHAPTER 7b. HEALTH DATA PRIVACY ACT**

30 **13-7b-101. Title.**

31 This chapter is known as the "Health Data Privacy Act."

32 Section 2. Section 13-7b-102 is enacted to read:

33 **13-7b-102. Definitions.**

34 As used in this chapter:

35 (1) "Place of public accommodation" means the same as that term is defined in Section

36 [13-7-2.](#)

37 (2) "Vaccine" means a substance that is licensed or authorized for use by the United

38 States Food and Drug Administration that is injected into or otherwise administered to an

39 individual with the intent to immunize the individual against a communicable disease.

40 (3) "Vaccination status" means whether an individual has received a vaccine.

41 Section 3. Section 13-7b-103 is enacted to read:

42 **13-7b-103. Health data protection.**

43 (1) No place of public accommodation may:

44 (a) as a condition for receiving accommodations, advantages, facilities, privileges,
45 goods, or services, require an individual to disclose the individual's vaccination status; or

46 (b) refuse to provide accommodations, advantages, facilities, privileges, goods, or
47 services to an individual on the basis of the individual's vaccination status.

48 (2) Section (1) does not:

49 (a) apply to an employee of a place of public accommodation; or

50 (b) modify the application of Title 34A, Chapter 6, Utah Occupational Safety and

51 Health Act.