GLBTQ Legal Advocates & Defenders

TESTIMONY OF GLBTQ LEGAL ADVOCATES & DEFENDERS
In Support of House Bill 7357
An Act Relating to Health and Safety -- Reproductive Health and Gender-Affirming Healthcare Data Privacy Act
Rhode Island House Judiciary Committee
March 10, 2026

Dear Chair McEntee, First Vice Chair Knight, Second Vice Chair Dawson, and distinguished members of the House Judiciary Committee:

Thank you for this opportunity to testify in support of House Bill 7357, An Act Relating to Health and Safety—The Reproductive Health and Gender-Affirming Healthcare Data Privacy Act, with amendments to ensure the definitions reference the provider shield law. This bill is an important step to protect sensitive consumer health data related to reproductive and transgender healthcare.

As you know, GLAD Law is New England's leading legal rights organization dedicated to ensuring equality for LGBTQ people and people living with HIV. At GLAD Law, we are deeply committed to the ability of community members to access necessary healthcare safely. We have helped draft and pass provider shield laws throughout New England, including in Rhode Island, and we have challenged unconstitutional bans of transgender health care.

House Bill 7357 would be a major step forward in protecting the digital privacy of Rhode Islanders, filling gaps left by HIPAA—which only protects personally identifiable information provided to healthcare workers. This is an especially urgent issue for LGBTQ+ people, who face heightened risks from digital surveillance, widespread data sharing, privacy breaches, algorithm-based decision-making, and other forms of data misuse. These risks include forced outing (the disclosure of a person's sexual orientation or transgender identity without their consent), targeted healthcare surveillance, and unlawful discrimination in housing, employment, lending, and other important settings.[1]

Inappropriate collection and sale of personal data related to transgender healthcare could also aid hostile governments in enforcing anti-transgender laws against Rhode Islanders.[2] As explained by the Project on Government Oversight, this threat is especially apparent in the healthcare context:

---

[1] *See generally* Chris Wood et al., *The Role of Data Protection in Safeguarding Sexual Orientation and Gender Identity Information*, Future of Privacy Forum (2022), https://fpf.org/wp-content/uploads/2022/06/FPF-SOGI-Report-R2-singles-1.pdf.

[2] *See generally* René Kladzyk, *Policing Gender: How Surveillance Tech Aids Enforcement of Anti-Trans Laws*, Project on Government Oversight (June 28, 2023), https://www.pogo.org/investigates/policing-gender-how-surveillance-tech-aids-enforcement-of-anti-trans-laws.

> A huge array of personal information is derived from our digital footprints. . . . Digital surveillance techniques have clear applications for police investigations around gender-affirming care, experts say. Law enforcement agencies can access personal data in a number of ways when conducting criminal investigations. They can get geofence warrants (which allow police to obtain location data from cellular devices within a specified geographic area), . . . and they can purchase personal data without a warrant. Experts warn that law enforcement using personal data provided by tech companies like Google, Meta, and others, could identify people who have obtained, provided, or "aided and abetted" in providing gender-affirming care.
>
> Police could "basically do a fishing expedition for anybody who may have been, for example, near a certain clinic or near a certain community center or near a certain medical facility at a certain time and use that as evidence as they're building their case," according to [Hayley] Tsukayama of the Electronic Frontier Foundation.[3]

Similar risks apply in the reproductive healthcare setting.[4] Without comprehensive privacy protections in place, the risk that health data can be collected and sold to law enforcement in other jurisdictions, without patient consent, means that Rhode Islanders cannot fully and freely exercise their rights to aid or engage in legally protected healthcare activity. Particularly now, in the wake of the *Dobbs v. Jackson Women's Health Organization* decision and in the midst of increasing federal attacks on transgender health care, state-level protections for vulnerable populations are crucial.

More broadly, the fear that sensitive health information could be tracked, disclosed, or misused may cause LGBTQ+ individuals to delay or avoid seeking necessary healthcare, including gender-affirming and reproductive healthcare services, which undermines public health as well as individual wellbeing.[5]

House Bill 7357 will help mitigate these risks. Among other things, it provides consumers with more control over their personal health data and prohibits geofencing around facilities that provide reproductive and transgender health care.

GLAD Law hopes this Committee will support this legislation. Thank you for your time and consideration.

Respectfully submitted,

---

[3] *Id.*
[4] *See, e.g.*, Joseph Cox, *Location Data Firm Provides Heat Maps of Where Abortion Clinic Visitors Live*, Vice (May 5, 2022), https://www.vice.com/en/article/location-data-firm-heat-maps-planned-parenthood-abortion-clinics-placer-ai/.
[5] *Cf.* HIPAA Privacy Rule to Support Reproductive Health Care Privacy, 89 Fed. Reg. 32976, 32978 (Apr. 26, 2024).



Elizabeth Rodriguez-Ross
Staff Attorney
GLBTQ Legal Advocates & Defenders
erodriguezross@gladlaw.org
(617) 426-1350