

By: Representative Porter

To: Public Health and Human Services

HOUSE BILL NO. 1374

1 AN ACT TO BE KNOWN AS THE PATIENT PRIVACY AND MEDICAL
2 RECORDING PROTECTION ACT; TO PROHIBIT USING VIDEO, AUDIO OR OTHER
3 RECORDING EQUIPMENT TO CAPTURE INTERACTIONS OR PROCEDURES IN
4 PHYSICIANS' OFFICES OR OTHER MEDICAL FACILITIES WITHOUT THE
5 EXPRESS CONSENT OF ALL PARTIES INVOLVED; TO PROVIDE FOR CERTAIN
6 EXEMPTIONS; TO PROVIDE FOR FINES AND CIVIL REMEDIES FOR
7 VIOLATIONS; TO PROHIBIT THE SHARING OF MEDICAL INFORMATION,
8 INCLUDING IMAGES, VIDEOS OR RECORDINGS CONTAINING IDENTIFIABLE
9 PATIENT INFORMATION, WITH OTHER MEDICAL PROFESSIONALS OR THIRD
10 PARTIES UNLESS THE INFORMATION IS ANONYMIZED TO REMOVE ALL
11 IDENTIFIABLE DETAILS OR THE PATIENT PROVIDES EXPLICIT WRITTEN
12 CONSENT FOR SHARING IDENTIFIABLE INFORMATION; TO PROHIBIT MEDICAL
13 FACILITIES AND PROVIDERS FROM SHARING REVEALING IMAGES OF PATIENTS
14 WITHOUT THEIR EXPRESS CONSENT, EXCEPT AS REQUIRED BY LAW; TO
15 PROVIDE FOR FINES AND CIVIL REMEDIES FOR VIOLATIONS; TO PROVIDE
16 THAT THE STATE BOARD OF MEDICAL LICENSURE WILL OVERSEE ENFORCEMENT
17 OF THIS ACT, INVESTIGATE COMPLAINTS, AND IMPOSE PENALTIES FOR
18 NONCOMPLIANCE; TO AUTHORIZE PATIENTS AND MEDICAL PROVIDERS TO FILE
19 COMPLAINTS ABOUT UNAUTHORIZED RECORDINGS OR DATA SHARING WITH THE
20 BOARD; AND FOR RELATED PURPOSES.

21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

22 SECTION 1. Short title. This act shall be known as the
23 Patient Privacy and Medical Recording Protection Act.

24 SECTION 2. Purpose. The purpose of this act is to safeguard
25 patient privacy by prohibiting unauthorized recording in medical
26 facilities and restricting the sharing of identifiable medical
27 information to protect patients' dignity and confidentiality.

28 **SECTION 3.** Prohibition on unauthorized recording. (1) (a)

29 Patients, visitors or any other individuals are prohibited from
30 using video, audio or other recording equipment to capture
31 interactions or procedures in physicians' offices or other medical
32 facilities without the express consent of all parties involved.

33 (b) Signs must be prominently displayed in medical
34 facilities to notify patients and visitors of the recording
35 prohibition.

36 (2) The following recordings are exempt from the provisions
37 of this act:

38 (a) Recordings authorized by the medical facility for
39 training or quality assurance purposes, with patient consent; and
40 (b) Recordings required by law enforcement or legal
41 proceedings, with court approval.

42 (3) (a) Individuals violating this prohibition may be
43 subject to fines of up to Five Thousand Dollars (\$5,000.00) per
44 incident.

45 (b) Medical facilities may seek civil remedies,
46 including injunctive relief, to address unauthorized recordings.

47 **SECTION 4.** Restrictions on sharing medical information.

48 (1) Medical information, including images, videos or
49 recordings containing identifiable patient information, may not be
50 shared with other medical professionals or third parties unless:

51 (a) The information is anonymized to remove all
52 identifiable details; or



53 (b) The patient provides explicit written consent for
54 sharing identifiable information.

55 (2) Medical facilities and providers are prohibited from
56 sharing revealing images of patients without their express
57 consent, except as required by law.

58 (3) (a) Medical professionals or facilities violating this
59 subsection are subject to fines of up to Ten Thousand Dollars
60 (\$10,000.00) per incident and potential suspension of their
61 licenses for repeated violations.

62 (b) Patients may seek civil remedies, including
63 damages, for harm caused by unauthorized sharing of identifiable
64 medical information.

65 **SECTION 5.** Enforcement and oversight. (1) The State Board
66 of Medical Licensure shall oversee enforcement of this act,
67 investigate complaints, and impose penalties for noncompliance.

68 (2) The board shall submit annual reports on violations and
69 enforcement actions under this act to the Legislature.

70 (3) Patients and medical providers may file complaints about
71 unauthorized recordings or data sharing with the board.

72 **SECTION 6.** This act shall take effect and be in force from
73 and after July 1, 2025.

