



TESTIMONY IN SUPPORT TO H5857

TO: House Health & Human Services Committee
From: Kelly Nevins, CEO, Women's Fund of Rhode Island
Date: April 23, 2025

Women's Fund of Rhode Island invests in women and girls through research, advocacy, grantmaking, and strategic partnerships designed to achieve gender equity through systemic change. Our organization connects with nearly 10,000 people, primarily women, across Rhode Island. We strongly support H5857.

Protecting Bodily Autonomy: A Case for Data Privacy in Reproductive and Gender-Affirming Care

House Bill 5857 is a vital step toward protecting Rhode Islanders' personal health data, particularly in a post-Dobbs Environment where access to reproductive and gender-affirming care is under increasing threat. This legislation ensures individuals maintain control over their health-related information—an essential condition for exercising autonomy and securing equal rights to care.

1. The Erosion of Privacy Post-Dobbs

Since the Supreme Court overturned *Roe v. Wade*, many states have sought to criminalize abortion and other essential healthcare services. As legal threats to providers and patients grow, so does the risk that digital footprints—such as location data, search history, and use of health-tracking apps—can be weaponized against individuals. These privacy concerns have only deepened in today's political climate, where a hostile federal administration and Congress have targeted reproductive and gender-affirming care.

2. HIPAA Does Not Go Far Enough

The federal Health Insurance Portability and Accountability Act (HIPAA) only protects information collected by traditional healthcare providers and insurers. However, deeply personal health-related data is routinely gathered by non-HIPAA-covered entities like fitness trackers, period apps, retailers, and employers. H5857 closes this loophole by safeguarding information that can reveal sensitive details like pregnancy status or gender identity.

3. Disproportionate Harm to Vulnerable Communities

Surveillance and data misuse are not new threats for many communities. Black, brown, Indigenous, undocumented, and low-income people—as well as LGBTQ+ individuals—have long been subjected to criminalization tied to pregnancy and health decisions. H5857 provides needed protections for those most at risk of discrimination, harassment, and prosecution.

4. A Commonsense Safeguard for Patients and Providers

Just as Rhode Island has acted to protect healthcare providers from hostile out-of-state

laws, we must now do the same for patients. By limiting the ways personal data can be collected and shared without consent, this bill strengthens our state's privacy framework and aligns with the professional standards of care. The right to make private health decisions must be shielded from digital surveillance.

Conclusion: Reproductive and Gender Justice Require Data Privacy

House Bill 5857 affirms that privacy is non-negotiable when it comes to our bodies and our care. This bill helps ensure that Rhode Islanders can access legal medical services—whether abortion, contraception, or gender-affirming care—without fear of being tracked, targeted, or criminalized.

We urge the House Health & Human Services Committee to support this critical legislation and uphold Rhode Island's commitment to health equity, civil rights, and personal freedom.

About Women's Fund of Rhode Island

WFRI is proud to provide data-driven policy research towards achieving gender equity in our state. You can learn more about our Women's Well-Being Index and reports at www.wfri.org/research.

We remain steadfast in our commitment to reproductive justice and in supporting the right of every individual to make personal medical decisions without political interference.