



C A L I F O R N I A

DEPARTMENT OF JUSTICE

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June 26, 2024

David Craig
Chief Executive Officer
Spruce Health



BY PRIORITY MAIL

RE: PRIVACY PRACTICES INVOLVING PATIENT DATA

Dear Mr. Craig:

I am writing to remind Spruce Health of its legal obligations under California Assembly Bill 352 (2023) (Bauer-Kahan) to protect medical information, especially reproductive health and other sensitive medical information.

Specifically, AB 352 prohibits healthcare entities, including health data companies, from knowingly disclosing, transmitting, transferring, sharing, or granting access to “medical information in an electronic health records system or through a health information exchange that would identify an individual and that is related to an individual seeking, obtaining, providing, supporting, or aiding in the performance of an abortion that is lawful under” California law to anyone from another state, unless authorized pursuant to specified circumstances. (Civ. Code, § 56.110.) In addition, as of July 1, 2024, businesses that store or maintain medical information related to sensitive services are required to enable certain security features, including limiting user access privileges and segregating medical information related to gender-affirming care, abortion and abortion-related services, and contraception. (Civ. Code, § 56.101.) Health data companies must ensure that they and the businesses they contract with comply with these laws.

Please provide, by **July 31, 2024**, Spruce Health’s policies or contractor agreements demonstrating compliance with AB 352.

Protecting the privacy of medical information, particularly reproductive and other sensitive healthcare information, is critically important. I appreciate your help in ensuring that

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Spruce Health has sufficiently protective policies and procedures in place to safeguard the medical information of California patients.

Sincerely,

A handwritten signature in cursive script that reads "Hayley Penan".

HAYLEY PENAN
Deputy Attorney General

For ROB BONTA
Attorney General