

Report on Patient Privacy Volume 22, Number 10. October 06, 2022 Privacy Briefs: October 2022

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◆ **Thirty Democratic senators led by Sen. Patty Murray, D-Wash., have called on HHS to strengthen federal privacy protections under HIPAA to broadly restrict providers from sharing patients' reproductive health information without their explicit consent**—particularly with law enforcement or in legal proceedings over accessing abortion care. The push from Murray, who chairs the Senate Committee on Health, Education, Labor and Pensions, and her colleagues comes as legislators and prosecutors have sought to enforce states' abortion bans by investigating women and doctors. “The *Dobbs v. Jackson Women’s Health Organization* decision has caused widespread confusion among health care providers on health privacy protections, and whether they are required to turn over health information to state and local law enforcement,” the senators wrote. “To safeguard the privacy of women’s personal health care decisions and ensure patients feel safe seeking medical care, including reproductive health care, we urge you to quickly initiate the rulemaking process to strengthen privacy protections for reproductive health information.”^[1]

◆ **A Johns Hopkins anesthesiologist and her spouse, a U.S. Army major and military doctor, conspired to share highly sensitive medical records with Russia, according to a federal indictment filed Sept. 28.** Anna Gabrielian and Maj. Jamie Lee Henry allegedly communicated to someone they believed was working for the Russian government, but who actually was an FBI agent working undercover. The pair allegedly told the FBI agent that they were willing to provide the medical records of military personnel and certain patients of Johns Hopkins Hospital. The indictment only refers to Johns Hopkins as “medical institution,” but Gabrielian, 36, lists Johns Hopkins Hospital as her employer on her LinkedIn profile. “We were shocked to learn about this news this morning and intend to fully cooperate with investigators,” a spokesperson for Johns Hopkins Medicine told a local media outlet. The indictment said Henry, 39, held a secret level security clearance, which permits an individual to access information classified secret, “the unauthorized disclosure of which reasonably could be expected to cause serious damage to the national security.” Henry was stationed at Fort Bragg in North Carolina. The two are charged with conspiracy and offenses related to violating HIPAA. Gabrielian allegedly met with the undercover FBI agent at a Baltimore hotel on Aug. 17. The anesthesiologist told the agent she had previously reached out directly to the Russian Embassy by email and phone to offer her and Henry’s assistance after the nation invaded Ukraine, the indictment alleges.^[2]

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