



Via US Mail

January 28, 2025

Attorney General Andrew Bailey
Missouri Attorney General 's Office
Consumer Protection Unit
P.O. Box 899
Jefferson City, MO 65102

Re: Potentially Deceptive Privacy Practices of Crisis Pregnancy Centers

Dear Attorney General Bailey,

The Electronic Frontier Foundation (“EFF”) is a member-supported, non-profit civil liberties organization that has worked to protect free speech and privacy rights in the online world for more than thirty years. With more than 30,000 active donors and dues-paying members nationwide, EFF represents the interests of technology users in courts, legislatures, and broader policy debates regarding law, technology, and civil liberties.

We write to draw your attention to potential violations of the privacy and consumer rights of people in your state who have provided sensitive health data to crisis pregnancy centers (“CPCs”). CPCs are facilities that offer pregnancy tests, counseling, and information, as well as limited medical services in some cases, but not reproductive healthcare such as abortion or contraception. Some are licensed medical clinics; many are not. Nationally, there are an estimated 2,750 of these facilities and the vast majority are affiliated with one or more of three national organizations: Care Net, Heartbeat International, and the National Institute of Family and Life Advocates. CPCs reportedly received \$1.4 billion in revenue in 2022, including substantial federal and state funds.¹

As you may be aware, last year researchers at the Campaign for Accountability filed a series of complaints asking attorneys general in five states—Idaho, Minnesota, Washington, Pennsylvania, and New Jersey—to investigate crisis pregnancy centers in those states that had allegedly misrepresented, through their client intake process and/or via their websites, that information provided to them was protected by the Health Insurance Portability and Accountability Act (“HIPAA”).²

An incident in Louisiana also suggests that some CPCs may be sharing client information with other centers in their affiliated networks, without appropriate privacy or anonymity

¹ See <https://www.theguardian.com/world/2024/feb/14/anti-abortion-centers-funding>

² See <https://campaignforaccountability.org/watchdog-asks-state-attorneys-general-to-investigate-crisis-pregnancy-centers-for-deceptive-practices/>

Attorney General Andrew Bailey
January 28, 2025
Page 2 of 2

protections.³ In that incident, a software training video shared the names and personal information of roughly a dozen patients.

As advocates for consumer privacy, we are concerned that CPCs in your state may be engaged in similar practices. For example, the Pregnancy Help Center's website (<https://thepregnancyhelpcenter.com/>) states that "*Pursuant to the Health Insurance Portability and Accountability Act (HIPAA), Pregnancy Help Center has developed a notice for patients, which provides a clear explanation of privacy rights and practices as it relates to private health information.*" Its Notice of Privacy Practices suggests oversight by the U.S. Department of Health and Human Services Office for Civil Rights, instructing clients who feel their rights were violated to "*file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 1-877-696-6775, or visiting www.hhs.gov/ocr/privacy/hipaa/complaints/.*" Pregnancy Help Center also receives Missouri state taxpayer funding via Alliance for Life Missouri, the state's taxpayer funding regrating organization.⁴ See Exhibit 1.

As another example, Parkville Women's Clinic's website (<https://parkvillewomensclinic.com/>) includes a "HIPPA Privacy Practices" page that notes: "*This notice describes how health information about you, as a client of this clinic, may be used and disclosed, and how you can get access to your health information. This is required by the Privacy Regulations created as a result of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).*" See Exhibit 2.

And the Rolla Pregnancy Resource Center's website (<https://prcrolla.com/>) states that "*No matter what service is provided, your results and information are confidential in accordance with HIPAA guidelines.*" See Exhibit 3.

EFF is deeply concerned that people in your state may rely on these representations when they share personal information with these centers, and others with similar practices. Accordingly, we respectfully urge your office to investigate whether CPCs in Missouri are violating privacy and consumer protection laws by deceiving clients as to how their private information will be retained and used. If you have any questions, please do not hesitate to contact me.

Sincerely,



Corynne McSherry
Legal Director
Electronic Frontier Foundation

³ See <https://campaignforaccountability.org/watchdog-asks-louisiana-ag-to-investigate-deceptive-pregnancy-center-following-leak-and-hhs-determination/>

⁴ <https://www.causeiq.com/organizations/alliance-for-life-missouri.460489686/grantmaking>

Exhibit 1 – The Pregnancy Help Center

The Pregnancy Help Center Notice of Privacy Practices

<https://web.archive.org/web/20250122161017/https://thepregnancyhelpcenter.com/wp-content/uploads/2023/05/Privacy-Policies.pdf>, archived on January 22, 2025

1 of 6 Automatic Zoom

PREGNANCY HELP CENTER Policies & Procedures as adapted from NIFLA

Policy: NOTICE OF PRIVACY PRACTICES

Pursuant to the Health Insurance Portability and Accountability Act (HIPAA), Pregnancy Help Center has developed a notice for patients, which provides a clear explanation of privacy rights and practices as it relates to private health information.

PROCEDURE:

1. A Notice of Privacy Practices (NPP) that describes how the center may use or disclose protected health information and an individual's rights with respect to the privacy of that information, shall be prepared by the Privacy Officer for use at the center. The notice must include an effective date. (See Sample: *Notice of Privacy Practices*)
2. The Privacy Officer shall promptly revise and distribute this notice whenever there are material changes to any privacy practices.
3. The center shall post the NPP in a clear and prominent location at the facility and make a copy available to patients.

4 of 6 Automatic Zoom

File a complaint if you feel your rights are violated

- You can complain if you feel we have violated your rights by contacting us.

Patient Services - HIPAA Page | 72

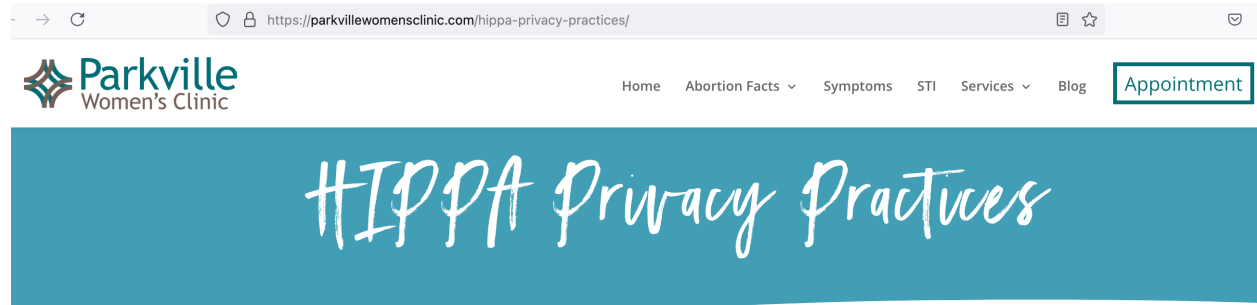
PREGNANCY HELP CENTER Policies & Procedures as adapted from NIFLA

- You can file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 1-877-696-6775, or visiting www.hhs.gov/ocr/privacy/hipaa/complaints/.
- We will not retaliate against you for filing a complaint.

Exhibit 2 – Parkville Women’s Clinic

Parkville Women’s Clinic HIPPA Privacy Practices

<https://web.archive.org/web/20250122163916/https://parkvillewomensclinic.com/hippa-privacy-practices/>, archived on January 22, 2025



To our clients:

This notice describes how health information about you, as a client of this clinic, may be used and disclosed, and how you can get access to your health information. This is required by the Privacy Regulations created as a result of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Our commitment to your privacy

Our clinic is dedicated to maintaining the privacy of your health information. Parkville Women's Clinic strives to provide the very best care to our clients, and due to that fact, we have made a commitment to be HIPAA compliant. Parkville Women's Clinic realizes that these regulations are complicated, but we must provide you with the following important information:

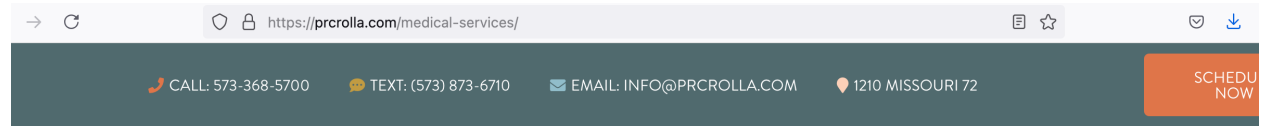
Use and disclosure of your health information in certain special circumstances:

The following circumstances may require us to use or disclose your health information:

Exhibit 3 – Rolla Pregnancy Resource Center

PRC of Rolla Medical Services

<https://web.archive.org/web/20250122170129/https://prcrolla.com/medical-services/>, archived on January 22, 2025



Confidential

Your trust is important to us. When you visit PRC of Rolla we want you to know your information is safe. No matter what service is provided, your results and information are confidential in accordance with HIPAA guidelines.



Abortion Pill Reversal

Some women who have taken the abortion pill regret their decision. [The Abortion Pill Reversal](#) is a medical procedure available to reverse the effects of the first abortion pill. At PRC of Rolla, we offer the procedure at no cost to you. Call our office during business hours [\(573\) 368-5700](tel:573-368-5700) or text us any time at [\(573\) 873-6710](tel:573-873-6710). You may also call the national Abortion Pill Reversal Hotline at [877-558-0333](tel:877-558-0333).*

Hours

Mon : 10am - 4pm
Tue : 10am - 4pm
Wed : 10am - 4pm
Thu : 10am - 4pm
Closed Friday, Saturday & Sunday