



Via US Mail

March 20, 2025

Attorney General Mike Hilgers
Office of the Attorney General
1445 K Street, Room 2115
Lincoln, NE 68508

Re: Potentially Deceptive Privacy Practices of Crisis Pregnancy Centers

Dear Attorney General Hilgers,

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

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/>

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

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As advocates for consumer privacy, we are concerned that CPCs in your state may be engaged in similar practices. For example, Assure Women's Center (<https://assureomaha.com/>) stresses that it is "HIPAA compliant!" in a blog post that expressly urges people to visit them before seeing a doctor. See Exhibit 1. And the website for Life Choices (<https://www.fremontpregnancy.com/>) states that "Client information is held in strict and absolute confidence, according to HIPAA guidelines." See Exhibit 2.

EFF is concerned that people in your state may rely on these representations when they share personal information with these centers and others with similar practices. Please note that some CPCs have changed the language on their sites in the past few months, apparently in response to public complaints and media coverage. However, they may still be referring to HIPAA when they meet with clients.

Accordingly, we respectfully urge your office to investigate whether CPCs in Nebraska 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,

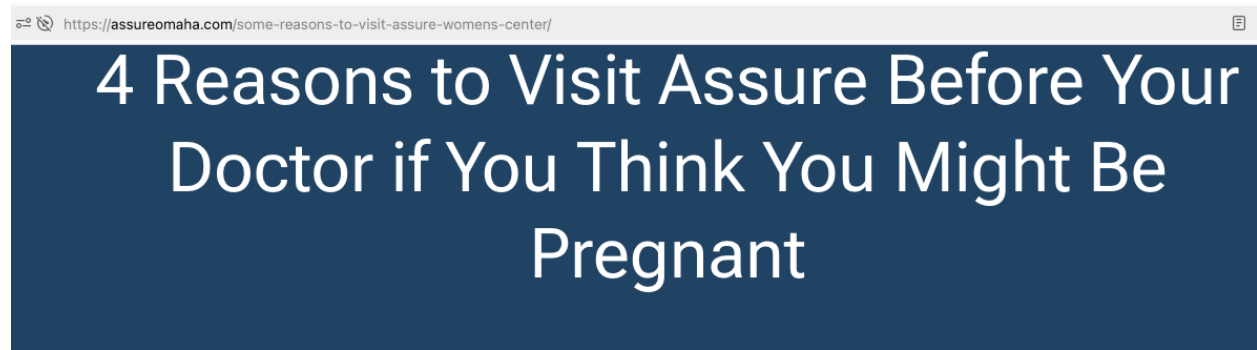
A handwritten signature in blue ink, appearing to read 'Corynne', followed by a long horizontal line extending to the right.

Corynne McSherry
Legal Director
Electronic Frontier Foundation

Exhibit 1 – Assure Women’s Center

Assure Women’s Center “4 Reasons to Visit Assure Before Your Doctor if You Think You Might Be Pregnant”

<https://web.archive.org/web/20250305193534/https://assureomaha.com/some-reasons-to-visit-assure-womens-center/>, captured March 5, 2025



June 2, 2018

Some women are thrilled to find out they are pregnant. Others, not so much. However, in all cases, it is helpful to have accurate information before telling family and friends, or even before making a decision about the pregnancy. Why stir up a lot of excitement or trouble until it is necessary, right?

If you **KNOW** you are pregnant, and are happy about it, the best place to go is your doctor. You need to get under medical care as soon as you can. However, if you don't know, or if you're not positive what you will choose to do, **Assure Women's Center** is your best first step.

If you are still under your parent's insurance or even if you have your own (or are on Medicaid) here are some reasons you might prefer **Assure** for your pregnancy test rather than your physician:

1. At **Assure**, you can get an early urine pregnancy test, run by our medical professionals, at no cost.
2. At **Assure**, if your test is positive, you can also get a free obstetric ultrasound to confirm viability and find out how far along your pregnancy is.
3. Since the services at **Assure** are free and completely confidential (we are HIPAA compliant!) you won't have to worry about anyone finding out about your pregnancy until you are ready to tell them.



★★★★★

"I felt incredibly informed & all my questions answered."

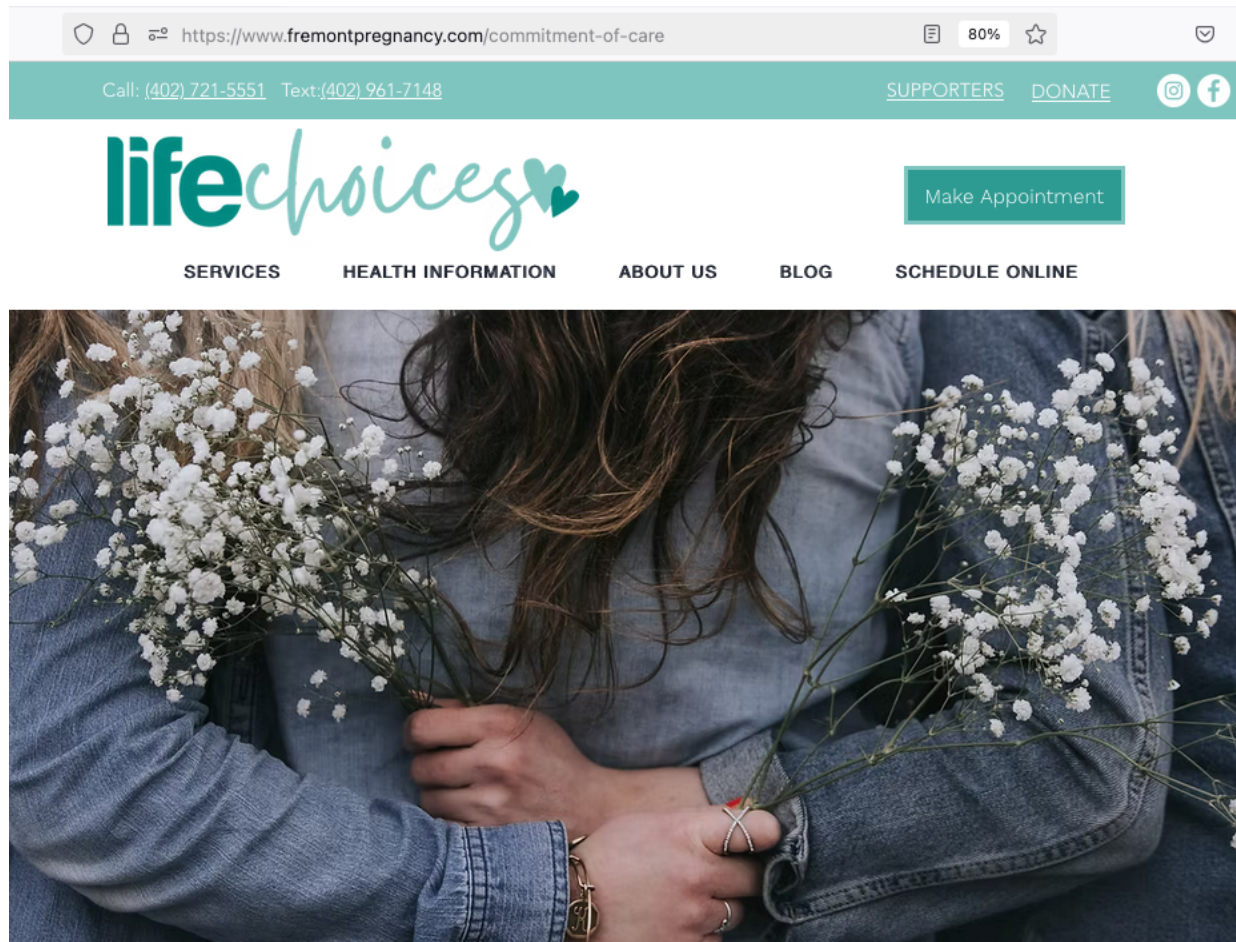
Book an Appointment 

A promotional graphic for Assure Women's Center. It features a photograph of a woman with long dark hair sitting at a desk in a clinical setting, looking thoughtfully at the camera. Below the photo is a light green background with five blue stars. A quote reads: "I felt incredibly informed & all my questions answered." At the bottom, there is a dark green button with the text "Book an Appointment" and a white right-pointing arrow icon.

Exhibit 2 – Life Choices

Life Choices Commitment of Care

<https://web.archive.org/web/20250305195035/https://www.fremontpregnancy.com/commitment-of-care>, captured March 5, 2025



The screenshot shows a web browser displaying the website for Life Choices. The browser's address bar shows the URL: <https://www.fremontpregnancy.com/commitment-of-care>. The page features a teal header with contact information: "Call: (402) 721-5551 Text: (402) 961-7148", and navigation links for "SUPPORTERS" and "DONATE". The main logo "lifechoices" is in a teal, lowercase font with a heart symbol. A teal button labeled "Make Appointment" is positioned to the right of the logo. Below the logo is a horizontal menu with the following items: "SERVICES", "HEALTH INFORMATION", "ABOUT US", "BLOG", and "SCHEDULE ONLINE". The main content area features a photograph of two women in denim clothing, one holding a large bouquet of white baby's breath flowers.

Our Commitment to You

OUR COMMITMENT TO CARE

1. Clients are served without regard to age, race, income, nationality, religious affiliation, disability, or other arbitrary circumstances.
2. Client information is held in strict and absolute confidence, according to HIPAA guidelines. Releases and permissions are obtained appropriately. Client information is only disclosed as required by law and when necessary to protect the client or others against imminent harm.