



**Via US Mail**

March 20, 2025

Attorney General Jonathan Skrmetti  
Office of Attorney General and Reporter  
500 Charlotte Ave  
Nashville, TN 37219

**Re: Potentially Deceptive Privacy Practices of Crisis Pregnancy Centers**

Dear Attorney General Skrmetti,

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.<sup>1</sup>

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”).<sup>2</sup>

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

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

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

<sup>3</sup> 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, Choices Resource Center (<https://choicesresource.com/>) claims on its website, in a blog post titled “What is a Pregnancy Resource Center?” that “*pregnancy centers employ medical staff, keep medical records, follow HIPAA (privacy) rules and offer pregnancy tests and limited ultrasounds free of charge*”. See Exhibit 1.

As another example, Cookeville Pregnancy Center (<https://cookevillecpc.org>) claims, in a blog post titled “Can You Travel to Another State for An Abortion?” on its website, that “*Your privacy is important to us and we are a HIPAA-compliant medical clinic*”. See Exhibit 2.

And Next Step Resources (<https://nextstepinfo.org/>) 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/](http://www.hhs.gov/ocr/privacy/hipaa/complaints/).” See Exhibit 3.

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 Tennessee 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

## Exhibit 1 – Choices Resource Center

### Choices Resource Center “What is a Pregnancy Resource Center?”

<https://web.archive.org/web/20250306012927/https://choicesresource.com/what-is-a-pregnancy-resource-center/>, captured on March 5, 2025

 <https://choicesresource.com/what-is-a-pregnancy-resource-center/>

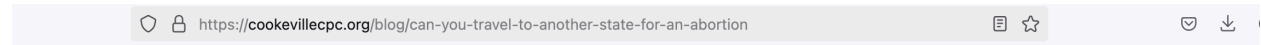


Some pregnancy resource centers are also medical clinics which means they are under supervision of a Medical Director. These pregnancy centers employ medical staff, keep medical records, follow HIPAA (privacy) rules and offer pregnancy tests and limited ultrasounds free of charge. Pregnancy centers follow their states' laws regarding informed consent and provide information about client's rights.

## Exhibit 2 – Cookeville Pregnancy Clinic

### Cookeville Pregnancy Clinic “Can You Travel to Another State for An Abortion?”

<https://web.archive.org/web/20250306011622/https://cookevillecpc.org/blog/can-you-travel-to-another-state-for-an-abortion>, captured on March 5, 2025



#### 4. Know the Cost.

As of April 2024, abortion providers charge up to \$800 for medical abortion or abortion pills.<sup>3</sup> Surgical abortions can cost up to \$1,150 in the first trimester, to \$2,300 in the second trimester.<sup>4</sup> These costs often include fees for ultrasounds, blood tests, medications, and follow-up appointments. Traveling for an abortion also includes the cost of travel, lodging, and even missing work.

At Cookeville Pregnancy Clinic, we can confirm your pregnancy and perform an ultrasound cost free. We do not provide or refer for abortion services, but we want to empower you with the information you need about all of your pregnancy options.

Call us today at (931) 526-5525 for a confidential appointment. We will never share your pregnancy decision with anyone. Your privacy is important to us and we are a HIPAA-compliant medical clinic.

## Exhibit 3 – Next Step Resources

### Next Step Resources Privacy Policy

<https://web.archive.org/web/20250306013346/https://nextstepinfo.org/privacy-policy/>, captured on March 5, 2025



File a complaint if you feel your rights are violated

- You can complain if you feel we have violated your rights by contacting us.
- 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/](http://www.hhs.gov/ocr/privacy/hipaa/complaints/).
- We will not retaliate against you for filing a complaint.