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ONE HUNDRED NINETEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115
Majority (202) 225-3641
Minority (202) 225-2927

June 17, 2025

Ms. Jessica Altman
Executive Director
Covered California
1601 Exposition Blvd
Sacramento, CA 95815

Dear Ms. Altman,

Pursuant to Rules X and XI of the U.S. House of Representatives, the Committee writes to request detailed information related to the potentially unauthorized transmission of sensitive personal health information involving Covered California's website. The Committee is deeply concerned about the privacy and security implications raised by these reports, given Covered California's crucial role in facilitating health insurance access for millions of Californians under the Affordable Care Act.¹ The Committee seeks to understand how such sensitive data could have been transmitted through advertising trackers, what oversight existed to detect or prevent it, and whether Covered California took appropriate steps to protect consumer information.

Available evidence suggests that Covered California's website, coveredca.com, incorporated third-party tracking technologies, which resulted in the transmission of health data, including sensitive health data, without the knowledge or informed consent of users.² Transmitted data reportedly included pregnancy status, prescription drug use, blindness, gender identity, domestic abuse survivor status, ethnicity, marital status, provider search history, and other highly personal health details.³ Covered California has acknowledged that, in addition to these categories, first names and partial Social Security numbers were also inadvertently shared⁴ directly through the trackers embedded on the Covered California website.⁵

¹ Tomas Apodaca & Colin Lecher, *How California Sent Residents' Personal Health Data to LinkedIn*, The Markup (Apr. 28, 2025), <https://themarkup.org/pixel-hunt/2025/04/28/how-california-sent-residents-personal-health-data-to-linkedin>.

² *Id.*

³ *Id.*

⁴ Statement on Data and Information Sharing, Covered California (Apr. 28, 2025), <https://www.coveredca.com/newsroom/news-releases/2025/04/28/statement-on-data-and-information-sharing/>.

⁵ *Id.*; Apodaca & Lecher, *supra* note 5.

According to public reports and agency statements, tracking technology was embedded on Covered California's website beginning in February 2024, as part of a broader digital advertising effort,⁶ and in direct contravention of the tracking platform's user agreement, which prohibits the use of such tools on pages that collect sensitive health information.⁷ Although the tags were reportedly removed in April 2025, following external scrutiny and a vendor transition, the extended period of data exposure raises serious questions about the adequacy of safeguards that Covered California had in place.⁸ Forensic testing by investigative reporters identified the trackers in operation and confirmed that user-entered health information was being transmitted to third parties without consent.⁹ These circumstances warrant examination of Covered California's actions under federal privacy standards.¹⁰

Ensuring the confidentiality of health information is a foundational obligation for entities operating within the health insurance ecosystem. Federal privacy protections, particularly the Health Insurance Portability and Accountability Act (HIPAA), establish expectations for how covered organizations handle sensitive data. Recent reports and public filings raised questions about whether those expectations were met in this case, and whether existing oversight mechanisms are sufficient to detect and prevent improper disclosures.¹¹

To assist the Committee in evaluating these matters, please provide written responses and all responsive documents regarding the past and current data management practices at Covered California by July 1, 2025:

1. Provide a list of all the third-party vendors and contractors that Covered California has or had a contract with for purposes of marketing, digital advertising, website analytics, and data management, and when those vendors or contractors were first engaged by Covered California.
 - a. Produce all contracts, memoranda of understanding, statements of work, purchase orders, or other agreements between Covered California and these parties.
2. Provide all policies and technical safeguards that Covered California has regarding the transmission of protected health information to third parties via website tracking tools.
 - a. Have these policies or safeguards been revised, replaced, or newly implemented since the tracking incident? If so, produce all versions of the relevant documents, and identify the date and reason for each change.

⁶ Apodaca & Lecher, *supra* note 5.

⁷ Jasmine Laws, *California Launches Investigation into Sharing of Health Data with LinkedIn*, Newsweek (Apr. 30, 2025), <https://www.newsweek.com/california-investigation-sharing-health-data-linkedin-2066012>.

⁸ *Id.*

⁹ Apodaca & Lecher, *supra* note 5.

¹⁰ See 42 U.S.C. §§ 1320d–1320d-8

¹¹ Tomas Apodaca & Colin Lecher, *supra* note 1.

3. Provide all communications and documentation that references or discusses the proposal, authorization, installation, configuration, use, monitoring, or removal of the technologies that were used for purposes of marketing, digital advertising, website analytics, and data management.
4. How many Covered California users had their personal or health information transmitted to third parties or contractors for purposes of marketing, digital advertising, website analytics, or data management?
5. Please detail all types of data and personal information that was transmitted to third-party vendors or contractors involved in marketing, digital advertising, website analytics, or data management.
6. Did Covered California obtain consent from users prior to the transmission of any personal or health information to third-party vendors? If so, detail how and when consent was obtained from users.
7. Has Covered California notified its users whose personal or health information was transmitted to third party vendors or contractors that their data was shared with third-party vendors or contractors? If so:
 - a. How many individuals have been notified;
 - b. When were they notified; and
 - c. Please provide a copy of the notice(s) issued.
8. Identify the date on which Covered California first notified the Centers for Medicare & Medicaid Services (CMS) or any other federal entity regarding the unauthorized transmission of data to third parties.
 - a. Provide copies of all such communications.
 - b. State whether Covered California has received any directives, guidance, or technical assistance from CMS in response, and if so, provide copies of any such responses.

Letter to Ms. Jessica Altman

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If you have any questions, please contact the Committee on Energy and Commerce Majority staff at (202) 225-3641. Thank you for your attention to this request.

Sincerely,



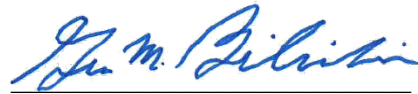
Brett Guthrie
Chairman
Committee on Energy and Commerce



Gary Palmer
Chairman
Subcommittee on Oversight and
Investigations



Earl L. "Buddy" Carter
Chairman
Subcommittee on Health



Gus M. Bilirakis
Chairman
Subcommittee on Commerce,
Manufacturing, and Trade



Jay Obernolte
Member
Committee on Energy and Commerce

cc: The Honorable Frank Pallone, Jr., Ranking Member, Committee on Energy and
Commerce
The Honorable Yvette D. Clarke, Ranking Member, Subcommittee on Oversight and
Investigations
The Honorable Diana Degette, Ranking Member, Subcommittee on Health
The Honorable Janice Schakowsky, Ranking Member, Subcommittee on Commerce,
Manufacturing, and Trade