

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**RAJYA SABHA
STARRED QUESTION NO. *140
TO BE ANSWERED ON 20th DECEMBER, 2022**

HEALTH DATA PATIENTS

*** 140 SHRI MUKUL BALKRISHNA WASNIK:**

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) whether it is a fact that under the Health Data Management Policy, patients' health data is shared with Insurance and pharmaceutical companies;
- (b) whether any limitations are imposed on the use of the data shared; and
- (c) if so, the details thereof, and if not, the reasons therefor?

ANSWER

**THE MINISTER OF HEALTH AND FAMILY WELFARE
(DR. MANSUKH MANDAVIYA)**

(a) to (c): A Statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO RAJYA SABHA STARRED
QUESTION NO. *140 FOR 20th DECEMBER, 2022**

(a) to (c): Health Data Management Policy (HDM Policy) was released on 14th December, 2020, by the Ministry of Health and Family Welfare, Government of India. It is a guidance document which sets out the minimum standards for privacy and data protection that should be followed by all the participants/stakeholders of the Ayushman Bharat Digital Mission (ABDM) ecosystem.

‘Privacy by Design’ is one of the key guiding principles of ABDM and implemented following the principles of federated digital architecture. There is therefore no centralised repository of data. ABDM facilitates secure data exchange between the intended stakeholders on ABDM network after the patient’s consent. Health Data Management Policy specifies that no data shall be shared with any other entity including insurance and pharmaceutical companies without consent of the individual.

Under the HDM Policy, various limitations have been imposed on sharing of health data so as to ensure that the privacy and data protection principles are adhered to at all times during the course of sharing of such health data.

A purpose-based limitation on sharing of data has been imposed on the Health Information Users (HIUs). Also, the entity to which data is shared (Health Information User) would not further disclose the data without obtaining the consent of the data principal (the individual).

The data shared would also not be stored beyond the period necessary for the purpose specified while obtaining the prior consent of the individual. In addition, principle of data minimisation will also have to be adhered to by the entity which has received the shared data.
