



## **Katten Privacy, Data and Cybersecurity Newsletter**

Issue 5 | May 2023

### **Florida Health Information Storage Changes Taking Effect on July 1**

*By Ramana Rameswaran*

Foreign Interests in the health care provider environment have generally meant ownership interests of persons from outside of the state in which the healthcare provider operates, rather than foreign countries. Thus, it would be easy to miss the healthcare provisions in the recent Florida legislative bill that was signed into law on May 8, 2023, entitled Interests of Foreign Countries (CS/SB 264). Gov. DeSantis signed legislation, effective on July 1, that requires a health care provider that utilizes a certified electronic health record technology to ensure that all patient information, when stored in an offsite physical or virtual environment, including third-party or subcontracted computer facilities or an entity providing cloud computing services, is physically maintained in the continental United States or its territories or Canada. [Read more about the new law that affects payors in Florida.](#)

### **With AI, You Can Innovate – But Don't Overstate, Understate or Discriminate**

*By Michael Justus*

The speed of development of AI tools has been staggering. Each week in 2023 feels like years' worth of innovation. Ever-more-powerful AI tools arrive daily to push the boundary of possibility forward. They also raise many types of legal issues, from IP ownership and infringement to data privacy, to false advertising. When it comes to advertising claims, the Federal Trade Commission (FTC) is paying close attention. So far this year, the FTC published several blog posts highlighting its focus on AI. The FTC also issued a Joint Statement with several other US agencies addressing discrimination and bias in AI. This is not new for the FTC. It provided detailed AI guidance for businesses in 2020, and has held hearings and provided other guidance over the years. Of course, the FTC and its attorneys are not providing this guidance as a hobby. [Read more about why the FTC is spending time evaluating AI tools.](#)

### **Montana and Tennessee Join Indiana and Iowa as the Next States to Pass Comprehensive Privacy Laws**

*By Trisha Sircar*

On April 21, Montana and Tennessee lawmakers passed comprehensive privacy bills in their legislatures. If enacted, the bills would take effect on October 1, 2024 and July 1, 2024,

respectively. Over a dozen states are currently considering comprehensive privacy legislation. [Read more about the bills that cleared the Montana and Tennessee legislatures.](#)

## Chat GPT: Let's Chat About IP and DP in the UK

By Sarah Simpson and Tegan Miller-McCormack

Love it or hate it, artificial intelligence, and particularly ChatGPT, has flooded the news in recent months. Whether you are a lover or a hater of artificial intelligence, the frenzy around ChatGPT has brought with it the reality that artificial intelligence is no longer for use by a select few but a tool sure to become more prevalent in our everyday lives. In April, the European Data Protection Board launched a task force to investigate ChatGPT "to foster cooperation and to exchange information on possible enforcement actions conducted by data protection authorities." [Read more about ChatGPT and data protection issues in the UK.](#)

Also see: [Kattison Avenue](#), Spring 2023

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## CONTACTS

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