



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Rescission of Policy Statement

The Federal Trade Commission today rescinds the [Statement of the Commission On Breaches by Health Apps and Other Connected Devices](#) (Sep. 15, 2021). Protecting the privacy of Americans’ sensitive health information remains a top priority of the Commission.¹ However, the Commission has determined that the statement—contentious at the time of issuance²—provided minimal benefit and has been superseded by rulemaking.³ Withdrawing the statement will also advance President Trump’s deregulatory agenda⁴ and the Commission’s policy of avoiding unnecessary use of subregulatory guidance. Each of these reasons is independently sufficient to support the Commission’s decision to rescind this policy statement. Parties understand that guidance generally creates neither substantive rights nor binding obligations. Thus, the aforementioned reasons, alone and together, outweigh any reliance interests parties may have.

¹ See, e.g., Press Release, *FTC and States Act Against Hims & Hers for Deceptive and Unlawful Privacy Practices* (Jul. 29, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/07/ftc-states-act-against-hims-hers-deceptive-unlawful-privacy-practices>.

² See, e.g., Dissenting Statement of Comm’r Noah Joshua Phillips Regarding the Policy Statement on Breaches by Health Apps and Other Connected Devices (Sep. 15, 2021), https://www.ftc.gov/system/files/documents/public_statements/1596328/hbnr_dissent_final_formatted.pdf; Dissenting Statement of Comm’r Christine S. Wilson, Policy Statement on Breaches by Health Apps and Other Connected Devices (Sep. 15, 2021), https://www.ftc.gov/system/files/documents/public_statements/1596356/wilson_health_apps_policy_statement_dissent_combined_final.pdf.

³ See Health Breach Notification Rule, 89 Fed. Reg. 47028 (May 30, 2024).

⁴ See, e.g., Exec. Order No. 14192, Unleashing Prosperity Through Deregulation §§ 1, 5, 90 Fed. Reg. 9065 (Jan. 31, 2025); see generally Exec. Order No. 14267, Reducing Anti-Competitive Regulatory Barriers § 1, 90 Fed. Reg. 15629 (Apr. 15, 2025); Exec. Order No. 14219, Ensuring Lawful Governance and Implementing the President’s “Department of Government Efficiency” Deregulatory Initiative §§ 1-2, 90 Fed. Reg. 10583 (Feb. 25, 2025).