

United States Senate
WASHINGTON, DC 20510

February 2, 2023

Dr. David Mou
Chief Executive Officer
Cerebral, Inc.
340 S Lemon Ave #9892
Walnut, CA, 91789

Dear Dr. Mou,

We write to express our concern regarding reports that Cerebral is tracking and sharing sensitive and personally-identifiable health data with third-party social media and online search platforms such as Google and Facebook that monetize this data to target advertisements.¹ We are especially concerned given that your website was used by more than 200,000 patients in 2020 and 2021 alone.²

Recent reports highlight how Cerebral shares users' contact information and health care data that should be confidential, including answers to personal medical questionnaires as well as information about medical products they purchase on your website. On your site, patients are asked to answer a series of questions covering conditions such as depression, anxiety, and bipolar disorder. Although your website claims that information entered on these intake forms is confidential and secure, this information is reportedly sent to advertising platforms, along with the information needed to identify users. This data is extremely personal, and it can be used to target advertisements for services that may be unnecessary or potentially harmful physically, psychologically, or emotionally.

Telehealth—an industry valued at over \$30 billion—has become a popular and effective way for many Americans to receive care.³ One fifth of the U.S. population resides in rural or medically-underserved communities where access to virtual care is vital. This access should not come at the cost of exposing personal and identifiable information to the world's largest advertising ecosystems.

Patients should know how and why their information is being used before they share it. We therefore request that you respond to the following questions by February 10, 2023:

1. Please provide a complete list of questions users may be asked on your platform.

¹ <https://www.statnews.com/2022/12/13/telehealth-facebook-google-tracking-health-data/>

² <https://www.forbes.com/sites/katiejennings/2021/12/16/softbank-backed-mental-health-unicorn-cerebral-reneged-on-salaries-and-health-insurance-for-hundreds-of-therapists/>

³ <https://www.ibisworld.com/industry-statistics/market-size/telehealth-services-united-states/>

2. Please list all third-party platforms to which you send, or have sent in the past three years, tracked user information that can be associated with a single user, regardless of whether the information is hashed or otherwise protected.
 - a. For each of these platforms, please list all of the types of user information you share, including, but not limited to: URLs visited by a user, type of contact information (e.g., last names, e-mail addresses, phone numbers), user answers to questionnaires, which clinician type or service was used or which the user expressed interest in using, or when a user initiated certain actions like adding to cart or creating an account.
 - b. Have you ever shared information with a third-party service that could identify a user as someone seeking treatment for a specific mental health or substance abuse condition, either for themselves or someone else?
3. On November 30th, 2022, a spokesperson for your company wrote in an email, “We are removing any personally identifiable information, including name, date of birth, and zip code from being collected by the Meta Pixel.” As of December 7, 2022, your site was still collecting personally identifiable information.⁴ Have you corrected this? Please provide documentation.
4. Will your company commit to providing clear, easy-to-understand, plain language information to patients about which personal information you do and do not keep confidential?

Thank you for your attention to this important matter.

Sincerely,



Amy Klobuchar
United States Senator



Susan M. Collins
United States Senator

⁴ <https://www.statnews.com/2022/12/13/telehealth-facebook-google-tracking-health-data/>



Maria Cantwell
United States Senator



Cynthia M. Lummis
United States Senator