

December 17, 2020

To Whom It May Concern:

We are writing to inform you that we have completed a report evaluating the privacy practices of leading mental health apps. We at Consumer Reports urge you to read the report and consider our recommendations to prevent user data leaks and breaches to privacy through these apps.

Mental health applications collect sensitive information that can create damaging, irreversible impacts on individuals if shared with third parties, including social stigmatization and additional barriers to future opportunities. These applications can collect data around topics such as anxiety disorders, depression, bipolar disorders, eating disorders, and post-traumatic stress disorders. People with mental health disabilities face “[disproportionately high rates of poverty](#)”, “[housing and employment discrimination](#)”, and [criminalization](#).

In addition, there are documented data leaks with mental health applications. Investigative journalists have highlighted issues around excessive data sharing with the argument that apps [can either sell subscriptions to services or sell data](#). Privacy concerns about mental health apps [have highlighted the need for improved regulation](#) on these apps, marketed to people with anxiety, autism and depression. Other research highlighted how “the majority of the top-ranked mental health apps for depression and smoking cessation” share user data [without disclosing the practice in privacy policies](#).

We call for all of the companies offering app-based mental health counseling to improve on the following 4 recommendations:

- 1. Clearly explain procedures used for de-identification of data used for research.**  
**Identifiable data should not be shared except at the consumer’s direction.** We advocate for companies to improve clarity on research for data sharing especially around how they define “anonymized data.” Companies should be explicit about what processes they use to de-identify data. We highlight this to help prevent people from being reidentified. Mental health applications collect sensitive information that can create damaging, irreversible impacts on individuals if shared with third parties, including social stigmatization and additional barriers to future opportunities.
- 2. Provide clear and contextually-appropriate explanations of how user-provided data will be used, so users are aware of potential consequences before they share.** Companies should not overwhelm people with superfluous information or choices. Wherever possible, app default settings should be that your privacy is protected and users should not have to worry about managing this on their own. However, if there are choices to be

made or information someone should be aware of, they should be presented in a clear and straightforward way.

- 3. Adhere to platform guidelines that are in place to protect people's privacy.** App developers should ensure that their apps meet the guidelines laid out in Android developer documentation, such as [Best Practices for Unique Identifiers](#) which recommends avoiding the use of identifiers like the Android ID (SSAID). App developers should also make sure that the libraries (SDKs) they embed within their apps meet their own expectations for data collection, and that they are configured accordingly.
- 4. Transparently disclose the service providers that receive data when people use your apps.** We recommend that companies are more transparent in their privacy policies about the service providers that receive data. Although it is not legally required or common practice in the U.S. to list every service provider or institution receiving data, we recommend companies proactively disclose this information.

We are interested in knowing which of these privacy measures you have implemented for your applications and what additional measures you plan to implement in the future (and by what date). To that end, we request a response by Monday, March 1, 2021.

We also welcome a conversation about what additional privacy practices and minimum standards that would be appropriate for app-based mental health counseling services.

Sincerely,

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Consumer Reports