

## Draft Pending Adoption

Attachment A  
Innovation, Cybersecurity, and Technology (H) Committee  
11/16/26

Draft: 8/18/26

Privacy Protections (H) Working Group  
Columbus, Ohio  
August 13, 2026

The Privacy Protections (H) Working Group of the Innovation, Cybersecurity, and Technology (H) Committee met in Columbus, OH, Aug. 13, 2026. The following Working Group members participated: Elizabeth Kelleher Dwyer, Chair (RI); Alex Romero (AK); Mark Fowler (AL); Damon Diederich (CA); Kristin Fabian (CT); Jordan Esbrook (IA); Victoria Hastings (IN); Mary Kwei (MD); Sandra Darby (ME); Colton Schulz (ND); Connie Van Slyke (NE); Roger Hayashi (NV); Tyler Trammell (OK); John Haworth (OR); Frank Marnell (SD); Dan Bumpus (VA); and Bryan Stevens (WY).

### 1. Discussed Comments on Revised *Privacy of Consumer Financial and Health Information Regulation* (#672)

Director Dwyer stated that on July 24, the Working Group exposed the full draft of the revised *Privacy of Consumer Financial and Health Information Regulation* (#672) for a 60-day public comment period ending Sept. 22. She then asked for initial comments on the draft.

Bumpus (VA) expressed support for the revisions to Model #672 and stated that the draft reflects a compromise. He cited improvements to consumer notices, consumer rights related to access, correction and deletion of nonpublic personal information, limited opt-in rights, and preserved exceptions for service providers and joint marketing.

Rep. Steve Elkins (MN) said he had followed the initiative as a state legislator and as a member of privacy-related legislative working groups. He stated that the draft appeared to build on the Washington privacy framework reflected in comprehensive consumer data privacy laws adopted by multiple states, and he said he appreciated the Working Group's harmonization with existing state privacy laws.

Brent Walker (InsuranceFraud.org), discussed antifraud considerations. He said that while the draft contains some antifraud exemptions, he would identify opportunities to include further exemptions throughout the model in his written comments.

Wes Bissett (Independent Insurance Agents & Brokers of America—IIABA) stated that most state comprehensive privacy laws only apply to large businesses. He asked for a limited exemption to Section 5—Third-Party Service Provider Arrangements, for small businesses. Bissett also suggested the Working Group would be better served by directly regulating third-party providers.

Director Dwyer asked Bissett how the Working Group could place direct requirements on third-party service providers, given the lack of regulatory authority over them. Bissett responded that the legislature could provide enforcement authority to attorneys general or other regulators, including insurance departments.

Kirsten Wolfford (American Council of Life Insurers—ACLI) said the ACLI supported modernization and consumer protections while requesting careful review of definitions, preservation of the Gramm-Leach-Bliley Act (GLBA) opt-out framework, workable state models, and further opportunities to comment.

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Lindsey Stephani (National Association of Mutual Insurance Companies—NAMIC) stated that NAMIC has concerns related to opt-in portions of the model, consistency with other state privacy laws, and deviations from the GLBA.

Ken Klein (Individual Consumer Advocate) argued that opt-in consent provides stronger privacy protection than opt-out. He recommended a general presumption requiring opt-in consent when information is shared for purposes beyond the consumer-requested insurance transaction.

Harold M. Ting (Individual Consumer Advocate) requested prohibitions on dark patterns, clearer notices and consent forms, more transparent categories of information, and stronger explanations of consumer choices.

Kristin Abbott (American Property Casualty Insurance Association—APCIA) emphasized foundational definitions; downstream effects; and sufficient implementation time for systems, notices, governance, vendor contracts, and compliance controls.

Director Dwyer requested detailed written comments and proposed language by Sept. 22. She stated the Working Group hoped to complete the project by December, subject to review of comments and scheduling.

Having no further business, the Privacy Protections (H) Working Group adjourned.

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