

Core Privacy Issues Quick Look – as of 5/6/2024

This Privacy Issues Quick Look is intended to compare how versions of the *Insurance Consumer Privacy Protection Model Law* (#674) and other NAIC Privacy Models incorporate key privacy issues addressed in comprehensive state privacy laws. **Exposed Version 1.2** was exposed for Public Comment on July 11, 2023. The **Industry Draft** incorporates industry’s comments to the Working Group’s revisions to Version 1.2 made after July’s exposure.

	Core Privacy Issues	Exposed Version 1.2	Model 670	Model 672	Industry Draft
Consumer Rights	Private right of action				
	Right to access	X	X		X
	Right to correct	X	X		X
	Right to delete		X		X
	Right to opt out of certain processing	X		X (provided in notice)	X (provided in notice)
	Right to portability				
	Right to opt out of sales				X (right to opt out of disclosure of non-expected nonpublic personal financial information about a consumer to nonaffiliated third party, and right to opt out of “targeted advertising”)
	Right to opt in for sensitive data processing	X (provide in Notice)			X (must give authorization for disclosure of nonpublic personal health information)
Business Obligations	Data minimization	X			X
	Data retention	X (includes provision for deletion after certain period, not framed as a consumer right to delete)			X (broad exceptions to deletion of NPI requirement)
	Notice/transparency requirement	X	X	X	X
	Opt-out	X (provide option in Notice)		X	X
	Prohibition on discrimination/Nonretaliation	X		X	X
	Purpose/processing limitation				X
	Third-Party Service Provider Arrangements	X (joint marketing agreement)			X

Exceptions	GLBA exception				X
	HIPAA Exception	X		X (only with respect to provisions of Art. V of ML 672)	X
	Scope of processing exception				X (exceptions for licensees processing less than 35,000 resident consumers)
	Other exceptions				