

COMPLIANCE & LEGAL SECTIONS ANNUAL MEETING 2019

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FORT LAUDERDALE MARRIOTT HARBOR BEACH RESORT & SPA

FORT LAUDERDALE, FL



The Future of Consumer Privacy in the Tech Revolution

Is it Time for Federal Preemption?

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Agenda

- Overview of Existing Regulatory Scheme
- Conversation with the Panelists about Federal Preemption
- Recommendations
- Questions

Overview

Existing Regulatory Scheme

Data Privacy Regulations

- These laws limit or prohibit the disclosure or use of information about individuals
- Examples: GDPR, CCPA, HIPAA's Privacy Rule, GLBA Privacy Rule



Cyber Security Regulations

- Cyber regulations focus on safeguarding information technology and computer systems
- Examples: NYDFS, NAIC, HIPAA's Security Rule, GLBA Safeguards Rule



Breach Notification Laws

- Entities suffering from a breach must tell customers, regulators, and/or the media about the event
- Examples: State breach laws, HIPAA's breach notification rule



Emerging: Data Broker Laws

- State regulation of data brokers (companies selling personal information)
- Example: Vermont



What's Next

- CCPA Amendments
- New State Privacy Bills
- Growing Support for Federal Preemption



Federal Preemption

- Senate Bi-Partisan Working Group
- Model Legislation from Industry Groups
 - Summary of ACLI's Position



Panel Discussion

Federal Preemption of Data Privacy
Laws

Recommendations

Managing the Existing Data Privacy Regulations in the Absence of Federal Standards

Questions?