

NAIC's Privacy Protections Working Group Plans Extended Growing Season for Fall 2023 Harvest

May 11, 2022

The NAIC's Privacy Protections Working Group has updated its work plan, planting two crops for its fall 2023 harvest:

1. Updating NAIC Privacy Models 670 and 672

- The working group's proposed updates to Models 670 and 672 will sprout for comment on a rolling basis. Two to three sections will germinate each month, with each sprouting revision being followed by a roughly three-week comment period. The first seedlings of proposed revisions will sprout on April 13, 2022, with comments for shaping and pruning accepted until May 4, 2022. The next batch will sprout approximately one week later, followed by a three-week comment period, and so on. The complete draft revisions are planned for harvesting at the NAIC's Fall 2023 National Meeting.
- The NAIC has identified a number of "decision points," including the possibility of:
 - Replacing NAIC Model 670 and 672's definitions with the NAIC's Insurance Data Security Act's (Model 668) definitions;
 - Deleting NAIC Model 670's pretext interview provisions;
 - Coordinating NAIC Model 670 and Model 672's notification requirements; and
 - Incorporating the 2015 Fixing America's Surface Transportation (FAST) Act's annual privacy notice mailing exceptions.

Time will tell what other seedlings catch the NAIC's eye.

2. Surveying Interested Parties and Drafting a White Paper

- The working group will use a four-to-six-question survey of interested parties to gain an understanding of interested parties' data collection and disclosure practices, as well as analyze data ownership and use rights.
- Draft survey questions will be sown for comment by May 11, 2022, with comments accepted until June 8, 2022. Working Group members will complete a draft white paper by August 10, 2022, after which regulators will have until October 7, 2022, to submit comments and suggested changes. The draft will not sprout for public comment, however, until December 7, 2022, after which comments will be accepted until March 1, 2023. The working group will spend most of 2023 (through October 5, 2023) winnowing submitted comments and making any necessary amendments to its draft white paper. The draft will be finalized by the end of October 2023 and bloom at the NAIC's Fall 2023 National Meeting.

The above dates, however, are subject to growing conditions.

Authored By



[Ann Young Black](#)



[Patricia M. Carreiro](#)

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