



**Information Privacy and Security Council
Meeting Minutes
July 19, 2017**

Kalanimoku Bldg.
Basement VCC
1151 Punchbowl St.
Honolulu, HI 96813

Wailuku State Office Bldg.
Third Floor VCC
54 South High St.
Wailuku, HI 96793

Lihu'e State Office Bldg.
Basement VCC
3060 'Eiwa St.
Lihu'e, HI 96766

Hilo State Office Bldg.
Basement VCC
75 Aupuni St.
Hilo, HI 96720

MEMBERS / DESIGNEES PRESENT	
Member Name	Jurisdiction/Department/Agency
Hoang, Vincent (Designee; Acting Chair)	Office of Enterprise Technology Services (ETS)
Chee, Jonathan	Department of Education (DOE)
Ito, Jodi (Designee)	University of Hawai'i
Keane, David	Department of Human Resources Development (DHRD)
Swanson, Mandi (Designee)	County of Kaua'i
Park, Brandon (Designee)	Department of Health (DOH)
Sherman, Karen	County of Maui
Thornton, Kevin	Judiciary
Ung, Jules	County of Hawai'i
Yong, Lim	Department of Human Services

MEMBERS ABSENT / NOT REPRESENTED	
Member Name	Jurisdiction/Department/Agency
Levins, Stephen	Department of Commerce and Consumer Affairs
Taniguchi, Carol	Legislature
Wong, Mark	City and County of Honolulu

MEMBERS OF THE PUBLIC OR INVITED STAFF	
Name	Affiliation
DeMello, Keith	ETS
Kunimoto, Valri	Department of the Attorney General
McCanlies, Kelly	Hawaiian Electric

I. Call to Order

Acting Chair Hoang called the meeting of the Information Privacy and Security Council (IPSC) to order at 1:06 p.m. Quorum was established with ten members/designees present.

Notice was received prior to the meeting that DOE Interim Director for Enterprise Architecture Jonathan Chee and DOE Interim Assistant Superintendent Christine Shaw will serve as DOE's member and member designee, respectively, until further notice; and DOH Program Specialist Brandon Park will represent DOH at today's meeting.

II. Review and Approval of Previous Meeting Minutes

Member Yong moved for the IPSC to approve the April 2017 meeting minutes, and Member Designee Park seconded the motion. The IPSC adopted the minutes by unanimous consent.

III. Public Testimony on Agenda Items

None.

IV. Review and Approval of Draft Memorandum Regarding Best Practices for Handling Employee Information in the Workplace

Member Thornton moved for the IPSC to approve the draft memo to be provided the DHRD director for his consideration, and Member Yong seconded the motion. In discussion, it was recommended that a reference be added regarding electronic workflow. The memo was approved, as amended, by unanimous consent. ETS will forward the finalized draft memo to DHRD.

V. Permitted Interaction Group Report and Recommendations on the Handling of Personally Identifiable Information (PII) on Mobile Devices

In its monthly meeting on December 21, 2016, the IPSC formed a Permitted Interaction Group on the handling PII on mobile devices. The Group's report and recommendations were formally submitted to the IPSC at the April 2017 meeting, but discussion and any appropriate action were deferred until a subsequent meeting, pursuant to section 92-2.5, Hawai'i Revised Statutes (HRS).

The following were the Group's recommendations to the IPSC:

1. **Identify NIST Special Publication 800-124, Revision 1, as guideline for local and State agencies**
As NIST Special Publication 800-124, Revision 1, "Guidelines for Managing the Security of Mobile Devices in the Enterprise," provides current guidelines on this matter, it is prudent for the IPSC to formally identify the publication (and subsequent revisions pending future review) as providing credible guidance on this matter for local and State agencies within Hawai'i.
2. **Advise agencies to allow personal mobile devices ONLY IF specific requirements are met**
In recognition of security concerns and the high standard applicable to government agencies in safeguarding the public's data, the IPSC should clearly specify the conditions under which personal mobile devices may be employed for county and/or State business. This additional guidance would specify that personal mobile devices may be used provided that the following requirements are met:
 - *Device is approved by the agency's lead IT official;*
 - *User agrees to follow guidelines provided by NIST Special Publication 800-124, Revision 1;*
 - *User affirms that standards under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and other Federal and State laws are met, if applicable to the information being handled by the user and/or the agency;*
 - *User agrees to any additional use parameters specified by the agency; and*
 - *User acknowledges that the device and the entirety of its contents may be subject to eDiscovery, as allowable by law.*
3. **Communication of Guidance**
Timely communication and awareness are of critical importance to the success of information privacy and security. It is recommended that the IPSC conduct the following communications activities once formal action is taken regarding the above:
 - *provide communication of action via memorandum to all agency privacy designee statewide;*
 - *post the name of the publication, a brief description, and hyperlink to the online publication (<http://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.800-124r1.pdf>) to the "Guidelines & Best Practices" section of the IPSC's website (ipsc.hawaii.gov); and*
 - *provide tips and resources to the network of agency privacy designees via regular (e.g., monthly) email notices to reinforce guidance.*

It was noted that ETS would take the Group's recommendations under advisement as the office completes development of a State policy governing use of mobile devices.

In discussion, clarification was made that this issue is separate from the IPSC's recommendations to amend HRS sections 52D-14, "Duty and right of finders," and related statutes, which currently do not

appear to address electronic devices and the information they may contain. It was requested that this topic be added to next month's agenda for discussion and any appropriate action.

VI. Status Report on the Collection of State and County Agencies' Submission of Personal Information System Annual Reports, Pursuant to Section 487N-7, Hawai'i Revised Statutes

Pursuant to HRS section 487N-7, any government agency that maintains one or more personal information systems shall submit to the IPSC an annual report on the existence and character of each personal information system added or eliminated since the agency's previous annual report. The annual report shall be submitted no later than September 30 of each year.

It was reported that the Chair will be distributing a memorandum to all agencies with a reminder about the September 30 deadline. ETS plans to extend the option for online submission of annual reports to all agencies (both State and counties) by migrating the form to the Salesforce platform.

Members discussed opportunities to identify specific impirecal data in the agencies' reports to track and evaluate. Potential areas include justifications for continued collection of PII, including but not limited to Social Security numbers, which could inform possible IPSC recommendations to enhance practices for masking data, setting parameters for sharing data between agencies, and limiting such sharing to adhere to the intended use for which data was originally collected. This topic will be added to the agenda for the next meeting.

VII. Department of Public Safety Hawai'i Correctional Industries Digital Scanning and Archival Services

This agenda item was added as an opportunity to discuss safeguarding PII as it relates to this Department of Public Safety program. Information about the program is available at: <http://hawaii.org/Site/catalogs/scanning/scanning.htm>

Acting Chair Hoang reported that ETS has received a preliminary briefing from the department affirming that processes are in place to safeguard information. Hoang also mentioned that a site visit is being planned to provide an opportunity to evaluate those processes, and he will report back on his impression following the visit. Member Keane expressed interest in participating.

VIII. European Union General Data Protection Regulation (GDPR)

Members discussed the GDPR, a regulation by which the European Parliament, the Council of the European Union, and the European Commission intend to strengthen and unify data protection for all individuals within the European Union. The GDPR also addresses the export of personal data outside the EU. It goes into effect May 25, 2018. More information is available at: <http://www.eugdpr.org>

As a member of the public, Ms. McCanlies mentioned that her employer, Hawaiian Electric, plans to initiate an evaluation of the GDPR's potential impact to the company. Questions she said the company hopes to address include how the GDPR will affect online cross boarder data transfer (e.g., through a website for an online service). Members acknowledged that many questions remain. ETS will continue to monitor the issue and forward developments to IPSC members.

IX. Good of the Order

It was reaffirmed that the modifications to the makeup of the IPSC, as noted above, will be reflected in the meeting minutes for the record. (Subsequent to the meeting, the IPSC member list posted at ipsc.hawaii.gov was updated.)

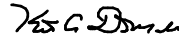
During the meeting, members were reminded that proposed agenda items may be submitted to ETS at least one week prior to meetings so that they can be included in the agenda being posted in accordance with Sunshine Law.

Next Meeting: Wednesday, August 16, 2017, 1 p.m.

X. Adjournment

Member Yong moved to adjourn, and Member Designee Ito seconded the motion. The motion passed unanimously, and the meeting adjourned at 2:20 p.m.

Respectfully Submitted,



Aug 16, 2017

Date

Keith A. DeMello
Senior Communications Manager
Office of Enterprise Technology Services
State of Hawai'i