



Information Privacy and Security Council (IPSC)
Meeting Minutes - DRAFT
February 16, 2022

Videoconference meeting via Zoom:

Members Present

Vince Hoang, CISO, Chair Designee	Office of Enterprise Technology Services (ETS)
David Shak	Department of Commerce and Consumer Affairs (DCCA)
Jonathan Chee	Department of Education (DOE)
Gino Merez	Department of Health (DOH)
David Keane	Department of Human Resources Development (DHRD)
Louis "Jack" Giardina	Department of Human Services (DHS)
Jodi Ito	University of Hawai'i (UH)
Kevin Thornton	Judiciary
Scott Uehara	County of Hawai'i

Members Absent

Carol Taniguchi	Legislature
Karen Sherman	County of Maui
Kelly Agena	County of Kauai
Mark Wong	City and County of Honolulu

Other Attendees

Candace Park	Department of the Attorney General
Courtney Kinder	Department of Health
Janey Yamashita	ETS
Ray Cho	Member of the Public

I. Call to Order

Quorum was established and Chair Hoang called the meeting to order at 1:02 p.m.

II. Review and Approval of the November 17, 2021 Meeting Minutes

Chair Hoang called for a motion to approve the minutes. Member Ito made a motion to approve, which Member Thornton seconded. The motion was unanimously passed.

III. Public Testimony on Agenda Items

Chair Hoang offered the opportunity for public testimony. None was provided.

IV. Annual Personal Information System Report

Chair Hoang said the Annual Report was finalized and submitted to the legislature in December 2021. He suggested for the next meeting that the IPSC try to streamline the report form based on recommendations offered in prior meetings, giving an opportunity to refine the form questions prior to the 2022 distribution to agencies. Finding no comments from the IPSC, he proceeded.

Chair Hoang shared that ETS has a platform to identify technology programs to help improve IT governance. He is working with the governance team to determine if the platform will work as a bridge between the information collected in the annual reporting and into the governance program to better support the IPSC mission.

The Chair asked Member Thornton for his assessment on the most recent report form, if it was better than previous reporting years. Member Thornton thought the process went fine and they experienced no issues.

Member Ito commented that the process for UH was more about the terminology translation from business administrative terms versus education-related concerns, e.g., student information, and there was uncertainty on how to apply the business-related questions to the educational processes. Member Ito said she will work with the CISO offline and suggested translating a version for UH alone, with the same data translating as intended. The CISO agreed to work with Member Ito to help minimize confusion.

Chair Hoang asked if the counties had any comments about the updated process of information collection. He reiterated the intent was to use a pdf form to make it simpler to complete the form, and also to collect a range rather than actual counts to help speed up the data collection and analysis process. Finding no comments from the counties, the chair proceeded to the next agenda item.

V. 2022 Legislation

Chair Hoang reviewed the current legislative cycle:

- The privacy bill was reintroduced in the current legislative cycle as Senate Bill 2292. This bill is similar to one submitted in prior years, which modernizes and redefines what personal information is, according to HRS Chapter 487N, and separates the definition into “identifiers” and “data elements” found in other laws.
https://capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=2292&year=2022
 - Identifier – The bill extends the definition from first and last name only, to add a user name for an online account, a phone number, or an email address.
 - Data element – The bill extends the definition from social security number and financial account numbers, to add security code, access code, personal identification number (PIN), or password, among other elements.

Member Ito asked if the revised definition would affect privacy breach reporting, and the CISO suggested that exposure of an identifier paired with a data element would constitute a breach. Member Ito then questioned defining a phone number alone as an identifier for an individual and the CISO agreed.

Member Merez noticed that health insurer numbers are included as a data element, and mentioned the original intent of this bill was to help prevent identity theft. He questioned how the revelation of medical identification numbers would enable identity theft and asked if this bill was moving away from strictly identity theft prevention towards a broader area. The CISO surmised this bill could be intended to expand beyond identity theft and include disclosure of private information. Member Ito noted

the narrative in Section 1 of the bill is oriented to identity theft, but privacy protection could also be intended.

Chair Hoang asked the council if they had testimony recommendations for the next hearing. Member Ito would like to examine this bill closer and compare it with prior versions of the bill in order to provide comments in a more thoughtful manner.

- House Bill 2070 and companion Senate Bill 3038 were introduced as part of the Governor's package and amends HRS section 487N-5(a) to permit IPSC designees to act on the member's behalf in order to ensure quorum:

https://capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=2070&year=2022
https://capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=3038&year=2022

Chair Hoang noted the intent of this legislation was to allow membership flexibility for IPSC meetings to meet quorum. He asked for comments from the IPSC. Member Ito said it seems the change means it will make it easier to achieve quorum, because if the member does not attend, the designee can attend on the member's behalf. Member Merez thought it was a good change.

- Chair Hoang asked if the members knew of any other legislation for discussion. Member Ito asked if the CISO knew about a Hawaii consumer privacy bill, and the CISO shared the link to House Bill 2051.

VI. Good of the Order

- Announcements
 - Member Merez introduced the new DOH HIPAA Privacy and Security Office, Courtney Kinder, who joined them from the University of Hawaii. Courtney Kinder will become the designated member for the IPSC, and Member Merez will become the backup designee for the IPSC.
 - Chair Hoang announced a DLIR pilot program for paid internship, running from March through the end of June 2022. Member Ito mentioned UH is also working on a Leap Start pilot program for new graduates hands-on experience. If interested, let her know.
- Next scheduled meeting: March 16, 2022

VII. Adjournment

Chair Hoang made a motion to adjourn the meeting, which was seconded by Member Ito. With no objections, the meeting adjourned at 1:36 p.m.