

**MINUTES OF THE
UTAH PRIVACY COMMISSION MEETING**

Wednesday, November 13, 2024 ▪ 2:30 p.m.
Virtual Meeting ▪ Anchor Location: Room 220, East Building, Utah Capitol Complex

Participating Commission Members:

Commissioner David N. Sonnenreich	Commissioner J. Kent Millington
Commissioner Steve McCown	Commissioner Jeremy Baker
Commissioner Josh Daniels	Commissioner Keith Squires
Commissioner Sam Smith	Commissioner Jason Shelton
Commissioner Brandon Greenwood	

Absent Commission Members:

Commissioner Mike Smith	Commissioner Chris Koopman
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Excused Commission Members:

Commissioner Don Wood

Other Attendees:

Tina Cannon, Deputy State Auditor
Nora Kurzova, Deputy State Privacy Officer
Mark Meyer, Assistant State Privacy Officer
Bon Lee, Privacy Outreach Program Specialist
Mandy Teerlink, Office of the State Auditor
Tauna MacPherson, Office of the State Auditor
Christopher Bramwell, Chief Privacy Officer
Micah Vorwaller, Government Operations
Brian Nelson, Government Operations, Division of Technology Services
Shane Paul, Government Operations
Laura Mendoza, Privacy Officer, Department of Natural Resources
Lana Taylor, Data Privacy Ombudsman
Christy Henshaw
Kristen Chevrier
Tim Ruff
Shelly Teuscher

Note: A copy of the meeting materials and an audio recording of the meeting may be found on the Public Meeting Notice website under the Utah Privacy Commission (listed as a public body under the State/State Auditor) on the November 13, 2024 meeting. These minutes may refer to the recording found on the Public Notice Website with the approximate number on the recording where an issue is being discussed.

1. Welcome

Chair Sonnenreich called the meeting to order at 2:38 p.m.

2. Approval of minutes of the October 9, 2024 meeting

Chair Sonnenreich asked for a vote to approve the October 9, 2024 minutes.

MOTION: Commissioner McCown moved that the minutes of the October 9, 2024 meeting be

approved. The motion passed unanimously, with Commissioner Squires being absent. [Please refer to 00:00:29 in the recording to hear the motion.]

3. Subcommittee Reports

- a. Legislative Subcommittee supplemental recommendations – Chair Sonnenreich presented supplemental recommendations from the Legislative Subcommittee. The recommendations are intended to be submitted to the Judiciary Interim Committee upon commission approval. The main items in the supplement include verifiable digital credentials, clarity for data transfers, and clarity as to informed consent for cookies, tracking, and data sharing.

The commissioners discussed the difficulties associated with VDCs and data transfers. Christi Henshaw, the Utah County Republican Party Chair, made a public comment in appreciation of the commission’s efforts to address privacy in the state of Utah. She also detailed the concerns of Utah County citizens, who believe privacy is an inherent right and have concerns about government and corporate collection and selling of private data.

The commission also discussed how Utah is an “opt-out” state, meaning that if users do not want to share their information, they have to opt out of that on websites and in using government services. Having an “opt-in” model would mean that people would default to a more private setting and have the ability to opt into sharing data.

MOTION: Commissioner McCown moved to amend the first paragraph of the report supplement as suggested by Chair Sonnenreich. The motion passed unanimously. [Please refer to 00:55:25 in the recording to hear the motion.]

MOTION: Commissioner Shelton moved to adopt the report supplement presented by Chair Sonnenreich. The motion passed unanimously. [Please refer to 00:56:15 in the recording to hear the motion.]

- b. Education Subcommittee Report – Commissioner Shelton reported that the Education and Training Subcommittee has met and established future meeting times with the Office of Data Privacy every month.

[Please refer to 00:01:30 to hear the full discussion.]

4. Reports from the Office of Data Privacy

Chief Privacy Officer Christopher Bramwell presented on the Office of Data Privacy’s (ODP) Strategic Data Privacy Program framework, which is intended to assist government agencies developing compliant and mature privacy programs. Standing in for Denise Farnsworth, CPO Bramwell also presented the ODP’s privacy assessments currently in beta testing.

Training Director Shane Paul gave an overview of the learning methods to be used by the Office of Data Privacy in training government agencies in data privacy. The overall approach will be a holistic learning experience, the main steps including context awareness, content development, and engagement and application. Director Paul summarized the resources designed to follow the main steps, which included storylines, slide decks, and microtrainings.

[Please refer to 00:59:00 to hear presentations and discussions.]

5. Report from the Deputy State Privacy Officer – The Use of AI in Healthcare

Deputy State Privacy Officer Nora Kurzova presented a summary of how AI is being used in healthcare, particularly in the University of Utah's Research Foundation. Researchers hope to use AI for diagnoses, research, and other useful applications. However, one of the major concerns with applying AI technology to healthcare is finding a way to protect private data and prevent data corruption.

[Please refer to 01:28:15 to hear this presentation and discussion.]

8. Other Business

Chair Sonnenreich notified the commission that the first data privacy ombudsman for the State of Utah is Lana Taylor, formerly with the AG's Office.

Tim Ruff entered a public comment that the commission is performing valuable work, and also expressed concerns related to government gathering private information.

9. Adjourn

Chair Sonnenreich called for a motion to adjourn the meeting.

MOTION: Commissioner Squires moved to adjourn the meeting. The motion passed unanimously.