

Request from Re. Sibilis to leg council for information on cybersecurity, data privacy, bitcoin, and AI initiatives in the past three years. This doc is Attorney's Wasserman, Carbee and Royle – separate doc for David Hall

## Broadband Internet Privacy

Issue – Privacy rules applicable to broadband providers

Attorney – Maria Royle

Committee – House Energy and Technology

Status – H.863 was referred to House Energy and Technology. I cannot recall any testimony on the bill.

Year - 2017

### Telecommunications Privacy and Data Security

Issue – Privacy and data security rules applicable to all telecommunications service providers, including broadband providers and edge providers

Attorney – Maria Royle

Committees – House Energy and Technology and Senate Finance

Status – H.535 was introduced as a short-form bill. It required the AG, in consultation with the Commissioner of Public Service, to adopt privacy and data security rules applicable to all telecommunications service providers, including internet service providers. I do not recall testimony on this bill.

Status – S.147 required the AG, in consultation with the Commissioner of Public Service, to adopt privacy and data security rules applicable to all telecommunications service providers, including internet service providers. I do not recall testimony on this bill.

Status – Act 66 (S.72) was enacted in 2017 and required the AG to submit a report on whether and to what extent the State should adopt privacy and data security rules applicable to telecommunications service providers, including broadband providers, and also edge (i.e., content) providers. The report was due December 2018. A link to the report is below.

<https://ago.vermont.gov/wp-content/uploads/2018/12/AGO-Privacy-Report.pdf>

## Year – 2019

### Agency of Digital Security – Cybersecurity, data privacy, IT reporting

- Issue – statutorily created the Agency of Digital Services
- Attorney – Becky Wasserman
- Committees – House Energy and Technology, Senate Government Operations
- Status – H. 135 became [Act 49](#) on June 10, 2019.

## Health Information Technology

- Issue – Vermont Health Information Exchange (VHIE) consent policy
- Attorney – Jen Carbee
- Committees – House Health Care, Senate Health and Welfare
- Most involved legislators (as I recall) – Reps. Lippert, Donahue, Jickling; Sen. Lyons
- Status – S.31 became [Act 53](#) – Secs. 4 and 5 change default consent policy for sharing of electronic health information through VHIE from opt-in to opt-out, effective March 1, 2020. The act requires a stakeholder engagement process and development of a consent policy implementation strategy, with interim reports due by [August 1](#) and November 1, 2019 and a final report by January 15, 2020.
- Issue – health information technology portion of health care claims tax
- Attorney – Jen Carbee (though language went in Peter Griffin’s bill)
- Committees – House Health Care, House Ways and Means, Senate Finance
- Most involved legislators (as I recall) – Rep. Ancel, Sen. Cummings
- Status – [Act 71](#), the revenue bill, again delayed the sunset on the health information technology portion of the health care claims tax, this time until July 1, 2021.

## **Year – 2018**

### Artificial Intelligence

- Issue – Artificial Intelligence Task Force
- Attorney – Becky Wasserman
- Committees – House Energy and Technology, Senate Government Operations
- Most involved legislator – Rep. Cina
- Status – H. 378 became [Act 137](#) on July 1, 2018.

### Data Privacy

- Issue – Data brokers
- Attorney(s) – David Hall, Becky Wasserman
- Committees – House Committee on Commerce and Economic Development. Senate Economic Development, Housing and General Affairs
- Status – H. 764 became [Act 171](#), with various effective dates beginning May 22, 2018.

## Health Information Technology

- Issue – VITL/Vermont Health Information Technology Plan

- Attorney – Jen Carbee
- Committees – House Health Care, House Ways and Means, Senate Health and Welfare, Senate Finance
- Status – [Act 187](#) required Department of Vermont Health Access (DVHA) and Vermont Information Technology Leaders, Inc. (VITL) to submit several reports to legislative committees of jurisdiction and Green Mountain Care Board before 2019 legislative session. It shifted responsibility over Vermont's Health Information Technology Plan from Agency of Administration to DVHA and modified membership of VITL's Board of Directors. It extended health information technology portion of health care claims tax for additional year, through July 1, 2019. It expressed legislative intent to eliminate VITL's statutory designation to operate Vermont's statewide health information exchange network if Act 73 (of 2017) report recommendations were not successfully implemented in thorough and timely manner. It required DVHA, in consultation with interested stakeholders, to provide recommendations by January 15, 2019 regarding consent policy for exchange of health care information through VHIE and ways to improve utility and interoperability of electronic health records and health information exchange in Vermont. Act 187 was also one of the 2018 acts to establish the Joint Information Technology Oversight Committee.