



Corporate Privacy

California Consumer Privacy Act and August Amendments

What is the latest legislative activity on CCPA?

On June 28, 2018, California enacted the biggest and boldest expansion of U.S. privacy law in years: the California Consumer Privacy Act (CCPA) – referred to by CA Legislature as “First in Nation.” An amendment was signed on September 23, 2018, limiting the impact of CCPA by exempting customer data that relates to products already subject to Gramm-Leach Bliley Act (GLBA) and the Health Insurance Portability and Accountability Act (HIPAA). Additionally, the amendment delays enforcement of the CCPA until six months after the publication of the Attorney General’s final regulations or July 1, 2020, whichever is sooner.

What does this mean for Guardian?

The CCPA exemptions referenced above are data-specific, rather than product or entity-specific. As an overview, given the enactment of the Amendments, the following Guardian data may be exempt from CCPA:

1. Protected Health Information (PHI) collected to provide Guardian Dental, Vision, or Long Term Care products.
2. PHI collected to provide administrative services for self-insured Dental and Vision clients.
3. Personal Information collected to provide insurance products and services, which may include:
 - Life Insurance
 - Annuities
 - Dental
 - Vision
 - Disability
 - Supplemental Health (i.e. Accident, Critical Illness, Hospital Indemnity, and Cancer Insurance).



What personal information is still in scope?

Under the Amendments, the following data may still fall under the CCPA:

- Personal information under administrative services only agreements (not including dental and/or vision plans).
- Personal information for employee leave management services (e.g., data collected under self-insured short- and long-term disability programs).
- Personal information related to any claim for benefits by an insured (e.g., data related to disability claim benefits and beneficiary information).
- Personal information of visitors to Guardian's online properties (e.g., websites, mobile apps, etc.).
- Personal information about our employees.

What's next?

Additional legislative action is expected, so Guardian continues to work on multiple tracks including partnership on industry advocacy efforts and assessing and scoping of implementation actions.