



State of Vermont
Department of Financial Regulation
89 Main Street
Montpelier, VT 05620-3101

For consumer assistance:
[Banking] 888-568-4547
[Insurance] 800-964-1784
[Securities] 877-550-3907
www.dfr.vermont.gov

March 31, 2023

Office of the Secretary of State
128 State Street
Montpelier, VT 056933

Re: Changes to Privacy of Consumer Financial and Health Information (Regulation IH-2002-01) since Proposed Filing and Responsiveness Summary

To whom it may concern,

In response to a comment received by a representative for the Vermont Association of Domestic Property & Casualty Insurance Companies during the public comment period and included here in the Final Proposed Filing, the Department of Financial Regulation (“Department”) made the following changes to Section 6.D.(1)(c) of the rule on Privacy of Consumer Financial and Health Information (the “Rule”):

- (c) Posts its current privacy notice continuously and in a clear and conspicuous manner on a page of its website on which the only content is the privacy notice and instructions for a consumer to revoke a prior opt-in direction ~~or initiate an opt-in direction~~ with respect to the licensee’s sharing of the consumer’s nonpublic personal information, ~~if applicable, under the Vermont Fair Credit Reporting Act, 9 V.S.A. § 2480e,~~ and which is accessible without requiring a consumer to provide any information such as a login name or password or agree to any conditions to access the page

In reviewing the comment and Section 6.D.(1)(c), the Department determined that the reference to the Vermont Fair Credit Reporting Act in this section had been an error. The Department’s intent is for consumers to be notified of their ability to revoke their opt-in for sharing nonpublic personal information to nonaffiliated third parties as provided for in Sections 8 and 11 of the Rule and consistent with the defined term “opt in.” The intent was not to require notification to the consumer of an ability to withdraw consent previously provided to an insurance company or other regulated entity or individual to have obtained the consumer’s credit reports pursuant to the Vermont Fair Credit Reporting Act.



The Department also corrected two typographical errors. The cover page of the Rule was corrected to correctly reflect that the rule will continue to be referenced within the Department as Regulation IH-2001-01 with the addition of “(Revised)” at the end. The other correction is a citation reference on page 7 that was changed to correctly reference 9 V.S.A. § 2480a(4) instead of 2480a(3). Additionally, the defined term “opt in” was clarified to define both “opt in” and “opt-in.”

No other changes have been made to the Rule since the Proposed Filing.

Sincerely,

A handwritten signature in blue ink that reads "Diane Sherman". The signature is written in a cursive style with a light blue shadow effect behind the text.

Diane M. Sherman
Assistant General Counsel