

# Data Privacy: Designing to Differentiate

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IIA TAC



The Institute of  
**Internal Auditors**



# The talk

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# Instructions



# Rate your U.S. privacy law knowledge

11

12

0

Master

1

Expert

12

Proficient

54

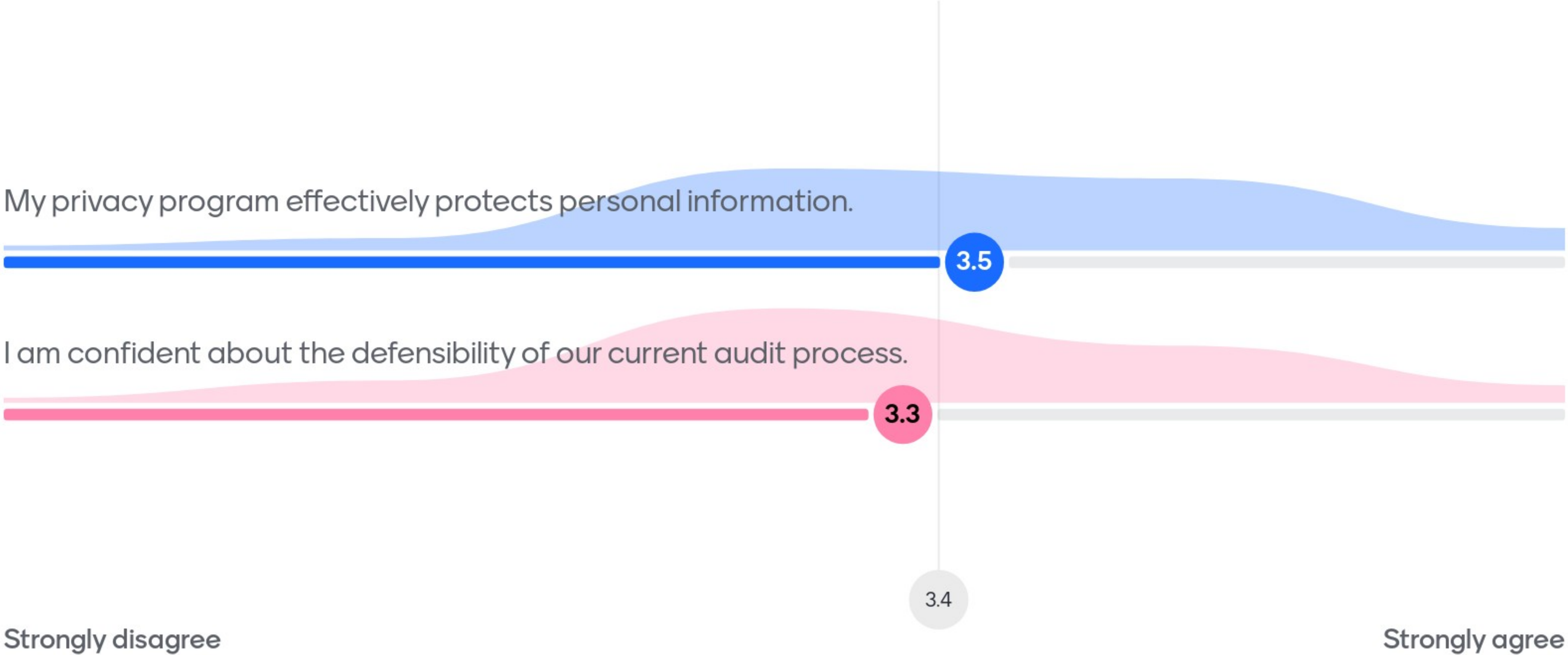
Learning

11

None

54

# Rate the following statements:





**In one word, describe IA's role in your company privacy program:**

110 responses



# Current State of Play





U.S. privacy legislation and regulation

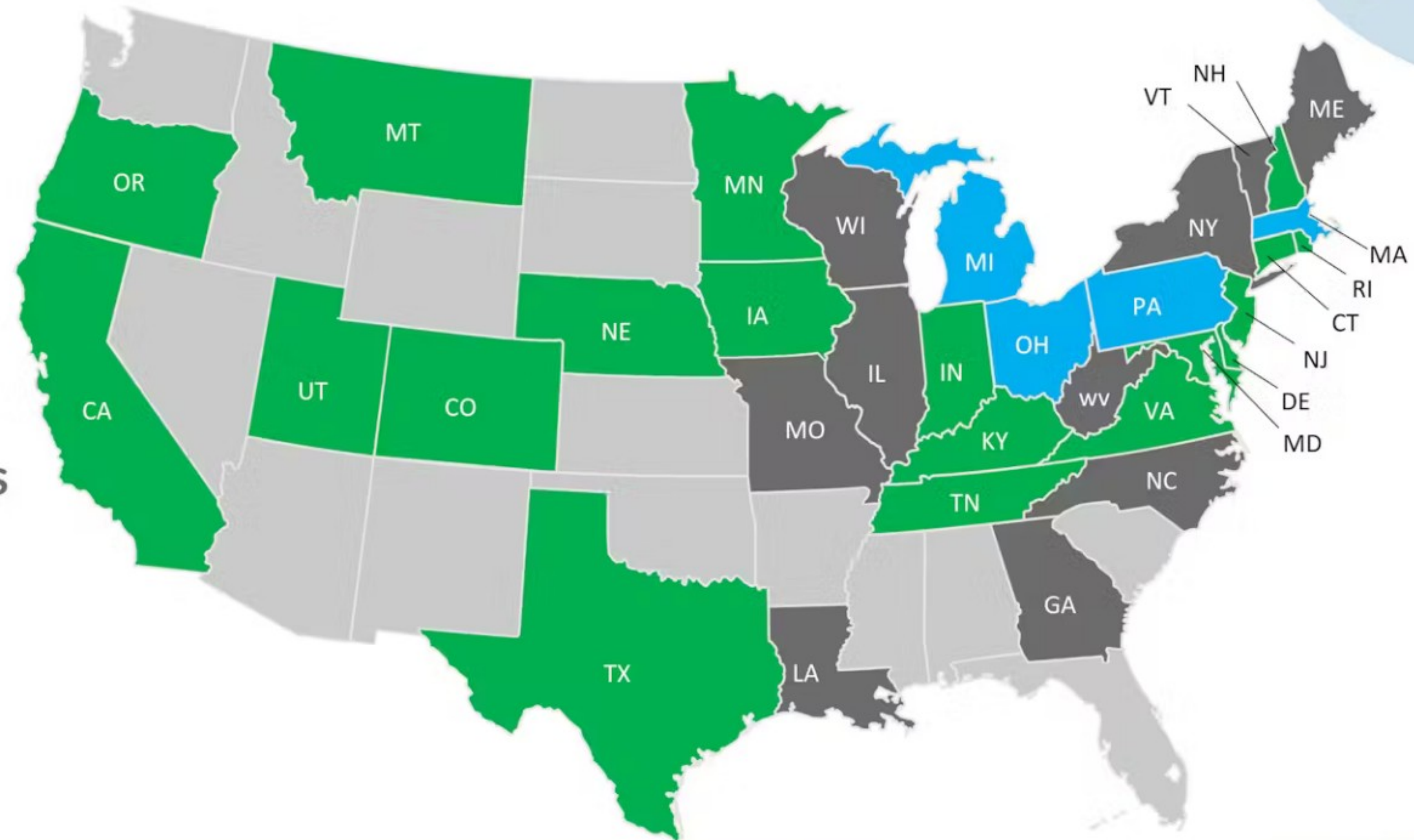


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# U.S. Privacy Legislation 2024

-  Signed
-  Active Legislation
-  Introduced, did not pass
-  No Bill Introduced





# State and Federal activity

- Federal privacy law did not pass, will likely be reintroduced.
- The 10 states that did not pass a privacy law this session will likely be back in 2025 session.
- Secondary laws that are nearly as comprehensive continue to pass: children's, health care, biometrics.
- Regulation, enforcement, and litigation will begin to increase as laws come into effect.

# Things to keep an eye on

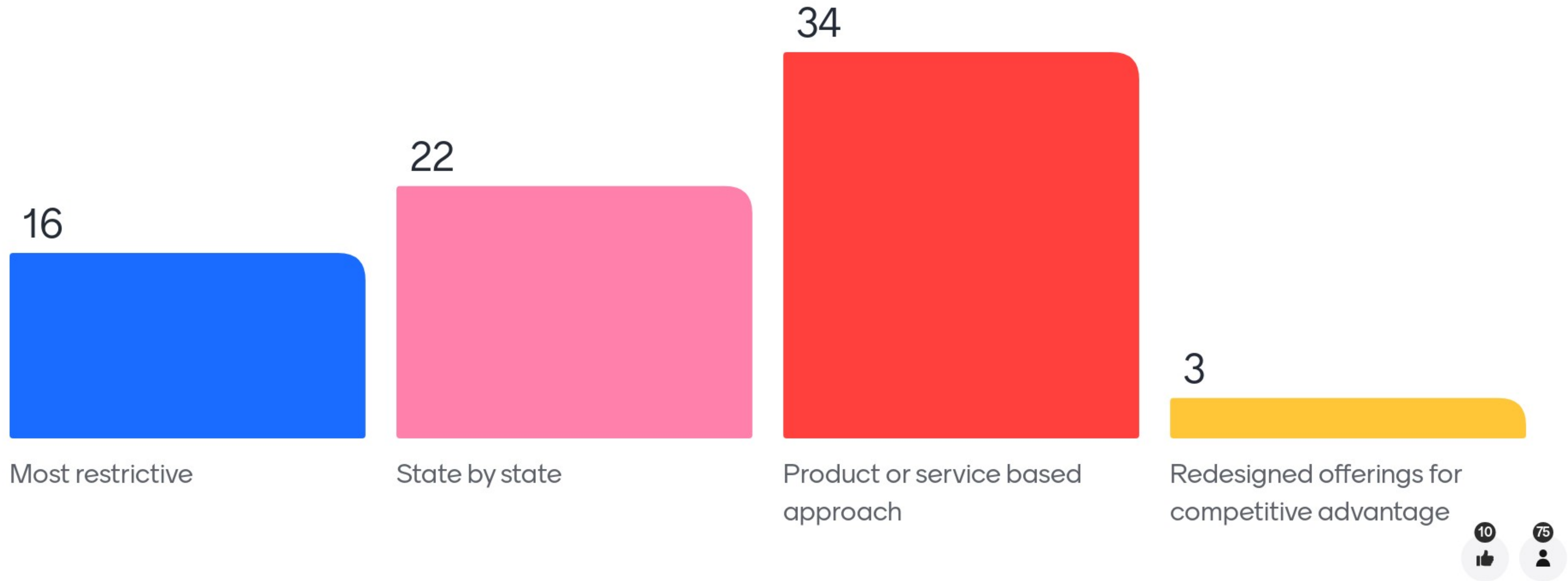
- The time between a privacy law being passed and becoming active and enforceable is starting to compress.
- The field is getting crowded; multi-state and national companies are subject to multiple privacy laws with different requirements.
- Not-quite comprehensive privacy laws, like the Illinois Biometric Information Privacy Act are also creating substantial risk.
- AI systems are creating new privacy risks, many of them difficult to detect and assess.



# Multiple industry approaches

1. Most restrictive compliance.
2. State by state approach.
3. Product and service-based approach.
4. Products and services redesigned for a competitive advantage.

# Which approach has your company adopted?





# Audit: Designing to Differentiate



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# Driving questions about privacy

1. What is your enterprise approach to privacy?
2. How can Internal Audit help?



# How to differentiate your IA team

1. Learn (just enough) about privacy.
2. Engage early.
3. Expect and design for change.

# Learn (just enough) about privacy

1. Learn from your privacy team.
2. Lean on experts as you grow.
3. Privacy is complex, not complicated.



# Engage early

1. Partner at the start of the program.
2. Invest resources
3. Design audit into the controls

# Expect and design for change

1. Develop a process to absorb constant change.
2. Plan for constant scope increase from new laws.
3. Build and run is a long way off. Build and rebuild.



# Interactive Q&A



I've always wanted to ask a privacy expert...

16 questions  
19 upvotes



# Thank you for your time!

