

How Advertisers Must Adapt to Rising Privacy Standards

Highlights from Dstillery's June 13, 2023 webinar, hosted by Michael Beebe, CEO of Dstillery, and Alan Chapell, President of Chapell Associates. [Click here for webinar recording.](#)

- Google's January 2020 decision to retire third-party cookies from its Chrome browser marked a turning point for consumer privacy, but **changes in privacy standards extend beyond cookie deprecation** to include three significant drivers of identity signal loss: state laws, regulations, and platform rules.
- **US states**, led by California, have introduced comprehensive privacy regulations, with others like Washington, Colorado, Connecticut, Utah, Virginia, Florida, and Texas following suit.
 - The expanded definition of personal data and data subject access & deletion rights are key themes in these state laws.
 - Sensitive data, including race, ethnicity, religion, and health information, is now subject to stricter regulations and may require affirmative consent for processing.
 - California's privacy law enforcement starting July 1st, 2023, will be closely watched and may influence federal privacy legislation.
- The Federal Trade Commission (FTC), US Department of Health and Human Services, and other regulatory bodies have become more active in enforcement and have **increased the scope of what is considered sensitive health data**.
- The **healthcare targeting space will significantly change over the next 2-3 years**; it is hard to see how the current status quo will exist. With the broadening definition of sensitive data, it will become increasingly problematic to create profiles that contain health-related information, even by inference.
- Healthcare and pharmaceutical brands must rethink strategies and **ensure privacy-safe solutions** that are not reliant upon building user profiles.
- Precise **lat-lon based location data** is being treated by some states as sensitive data, and the required consents may make it very difficult for the industry to continue to use this data.
- The nature of all these changes may necessitate adjustments in the **industry self-regulatory bodies**. These self-regulatory organizations may ultimately need to shift from providing their own rule sets to offering guidance on adhering to rules imposed by platforms, regulations, or laws, while also helping companies navigate challenges such as defining personal data, de-identified data, and health data.
- **Data clean rooms**, seen as a privacy-protected environments, may not provide adequate protection from changing privacy laws to the degree the industry may expect; while data is not being passed, it is still being processed.



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PRESENTED BY



ALAN CHAPPELL
President
Chapell Associates



MICHAEL BEEBE
CEO
Dstillery

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