

(ii) the agency receiving the disclosure agrees in writing to keep the disclosure confidential and in a manner consistent with this section; and

(iii) the Commissioner is satisfied that the agency will preserve the confidential nature of the information.

(3) Notwithstanding the provisions of this subsection, final reports of examinations are considered public documents and may be disclosed to the public.

(h) The Commissioner may not disclose any information obtained from another state if the information is:

(1) related to an examination made by the other state on an insurer domiciled in that state; and

(2) of a nature that would be considered confidential under paragraph (1) of this subsection if the examination had been made by this State under § 2-205 or § 2-206 of this subtitle or § 23-103 [or], § 15-10B-19, OR § 15-10B-20 of this article. 15-10B-20.

(A) IN ADDITION TO THE REQUIREMENTS UNDER § 15-10B-19 OF THIS SUBTITLE, THE COMMISSIONER SHALL CONDUCT AN EXAMINATION OF ANY PHARMACY BENEFIT MANAGER REGISTERED AS A PRIVATE REVIEW AGENT TO DETERMINE WHETHER THE PHARMACY BENEFIT MANAGER IS ACTING IN COMPLIANCE WITH THIS SUBTITLE.

(B) THE EXAMINATION SHALL BE CONDUCTED:

(1) IN ACCORDANCE WITH § 2-207 OF THIS ARTICLE; AND

(2) AT LEAST ONCE EVERY 3 YEARS.

(C) THE EXPENSE OF THE EXAMINATION SHALL BE PAID IN ACCORDANCE WITH § 2-208 OF THIS ARTICLE.

(D) THE REPORTS OF THE EXAMINATION SHALL BE ISSUED IN ACCORDANCE WITH § 2-209 OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Insurance Commissioner shall, in accordance with § 2-1246 of the State Government Article, submit a copy of the final report of the examination required under Section 1 of this Act to the Senate Finance Committee and the House Health and Government Operations Committee within 30 days of the completion of the final report.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

Approved May 13, 2003.