

- (1) THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS;
- (2) A UNIT OF STATE OR FEDERAL GOVERNMENT; AND
- (3) A PERSON THAT IS THE SUBJECT OF THE INVESTIGATION.

(F) CONFIDENTIALITY OF TRADE SECRETS AND COMMERCIAL INFORMATION.

UNLESS DISCLOSURE IS REQUIRED BY A COURT OF COMPETENT JURISDICTION IN A LEGAL PROCEEDING, THE COMMISSIONER SHALL KEEP CONFIDENTIAL AND MAY NOT DISCLOSE A TRADE SECRET OR COMMERCIAL INFORMATION CONTAINED IN:

- (1) AN ADMINISTRATOR'S BOOKS, RECORDS, OR OTHER DOCUMENTS;
- OR
- (2) DATA PROVIDED BY THE ADMINISTRATOR, INCLUDING THE IDENTITY AND ADDRESS OF PERSONS COVERED BY A PLAN.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 690.

In subsection (a)(2) of this section, the phrase "on receipt of a complaint" is added for clarity.

In subsection (e) of this section, the introductory phrase, "[s]ubject to subsection (f) of this section", is added for clarity.

In subsection (f)(2) of this section, the phrase "but not limited to", which formerly modified "including", is deleted as unnecessary in light of Art. 1, § 30 of the Code, which provides that the term "including" is used "by way of illustration and not by way of limitation".

- Defined terms: "Administrator" § 8-301  
 "Commissioner" § 1-101  
 "Person" § 1-101  
 "Plan" § 8-301  
 "State" § 1-101

8-320. ENFORCEMENT OF SUBTITLE.

(A) IN GENERAL.

TO ENFORCE THIS SUBTITLE AND ANY REGULATION ADOPTED UNDER IT, THE COMMISSIONER MAY ISSUE AN ORDER THAT REQUIRES THE VIOLATOR TO:

- (1) CEASE AND DESIST FROM THE VIOLATION AND FURTHER SIMILAR VIOLATIONS; AND
- (2) TAKE SPECIFIC AFFIRMATIVE ACTION TO CORRECT THE VIOLATION, INCLUDING: