

Article - Insurance

2-209.

(g) (1) Subject to paragraph (2) of this subsection, the Commissioner may disclose a preliminary examination report, [examination report,] investigation report, or any other matter related to an examination made under § 2-205 or § 2-206 of this subtitle or § XX-XXX of this article [48A § 486B] ONLY to the insurance regulatory agency of another state or to a federal, State, local, or other law enforcement agency.

(2) A disclosure may be made under paragraph (1) of this subsection only if:

(i) the disclosure is made for regulatory, law enforcement, or prosecutorial purposes;

(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.

~~(4) EXCEPT FOR AN INSURANCE REGULATORY AGENCY OF ANOTHER STATE OR A FEDERAL, STATE, LOCAL, OR OTHER LAW ENFORCEMENT AGENCY, A PERSON MAY NOT SUBPOENA:~~

~~(I) A PRELIMINARY EXAMINATION REPORT, INVESTIGATION REPORT, FINANCIAL ANALYSIS, WORK PAPER, OR ANY OTHER MATTER RELATED TO AN EXAMINATION MADE UNDER § 2-205 OR § 2-206 OF THIS SUBTITLE OR § XX-XXX OF THIS ARTICLE [48A § 486B]; OR~~

~~(II) INFORMATION DESCRIBED UNDER SUBSECTION (II) OF THIS SECTION.~~

(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 § XX-XXX OF THIS ARTICLE [48A § 486B].

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 1996.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 1997.