

(5) THE EXAMINATION REPORT SHALL BE TREATED AS ARE OTHER EXAMINATION REPORTS.

(6) AN EXAMINATION REPORT MAY NOT BE RELEASED TO THE BOARD OF DIRECTORS BEFORE ITS RELEASE TO THE PUBLIC, BUT THIS DOES NOT EXCUSE THE COMMISSIONER FROM THE DUTY TO COMPLY WITH SUBSECTION (D) OF THIS SECTION.

(7) THE COMMISSIONER SHALL NOTIFY THE BOARD OF DIRECTORS WHEN THE EXAMINATION IS COMPLETED.

(8) (I) THE REQUEST FOR AN EXAMINATION SHALL BE KEPT ON FILE BY THE COMMISSIONER.

(II) A REQUEST FOR EXAMINATION MAY NOT BE OPEN TO PUBLIC INSPECTION BEFORE THE RELEASE OF THE EXAMINATION REPORT TO THE PUBLIC, AND SHALL BE RELEASED AT THAT TIME ONLY IF THE EXAMINATION DISCLOSES THAT THE EXAMINED MEMBER INSURER IS UNABLE OR POTENTIALLY UNABLE TO MEET ITS CONTRACTUAL OBLIGATIONS.

(D) SAME - REPORT BY COMMISSIONER.

THE COMMISSIONER SHALL REPORT TO THE BOARD OF DIRECTORS WHEN THE COMMISSIONER HAS REASONABLE CAUSE TO BELIEVE THAT A MEMBER INSURER, EXAMINED AT THE REQUEST OF THE BOARD OF DIRECTORS, MAY BE UNABLE OR POTENTIALLY UNABLE TO FULFILL ITS CONTRACTUAL OBLIGATIONS.

(E) REPORTS BY BOARD.

(1) ON A MAJORITY VOTE, THE BOARD OF DIRECTORS MAY MAKE REPORTS AND RECOMMENDATIONS TO THE COMMISSIONER ON ANY MATTER GERMANE TO THE SOLVENCY, LIQUIDATION, REHABILITATION, OR CONSERVATION OF A MEMBER INSURER.

(2) A REPORT OR RECOMMENDATION MADE UNDER THIS SUBSECTION IS NOT A PUBLIC DOCUMENT.

(F) RECOMMENDATIONS BY BOARD.

ON A MAJORITY VOTE, THE BOARD OF DIRECTORS MAY MAKE RECOMMENDATIONS TO THE COMMISSIONER FOR THE DETECTION AND PREVENTION OF INSURER IMPAIRMENTS.

(G) REPORT BY BOARD AFTER INSURER IMPAIRMENT.

AT THE CONCLUSION OF AN INSURER IMPAIRMENT IN WHICH THE CORPORATION CARRIED OUT ITS DUTIES OR EXERCISED ITS POWERS UNDER THIS SUBTITLE, THE BOARD OF DIRECTORS SHALL PREPARE AND SUBMIT TO THE COMMISSIONER A REPORT ON THE HISTORY AND CAUSES OF THE IMPAIRMENT, BASED ON THE INFORMATION AVAILABLE TO THE CORPORATION.