

(C) THE COMMISSIONER MAY MAKE AVAILABLE INFORMATION CONCERNING ANY MATTER THAT MAY BE SUBJECT TO AN INVESTIGATION TO:

- (1) THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS;
- (2) ANY STATE OR FEDERAL GOVERNMENT AGENCY; AND
- (3) ANY PERSON WHO IS THE SUBJECT OF THE INVESTIGATION.

(D) UNLESS THE COMMISSIONER HAS REASONABLE CAUSE TO BELIEVE THAT THERE MAY EXIST A VIOLATION OF THIS SUBTITLE OF ANY REGULATION OR ORDER THEREUNDER, THE COMMISSIONER MAY NOT REQUIRE AN ADMINISTRATOR TO SUBMIT TO THE COMMISSIONER ANY BOOKS OR RECORDS OF A PLAN ADMINISTERED BY THE ADMINISTRATOR MORE THAN ONCE WITHIN A 12-MONTH PERIOD FOR THE PURPOSE OF CONDUCTING AN INVESTIGATION UNDER THIS SECTION.

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

(1) AN ADMINISTRATOR'S BOOKS, RECORDS, OR OTHER DOCUMENTS; OR

(2) DATA PROVIDED BY THE ADMINISTRATOR INCLUDING, BUT NOT LIMITED TO, THE IDENTITY AND ADDRESS OF PERSONS COVERED BY A PLAN.

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(A) (1) WITH RESPECT TO ANY PLAN, AN ADMINISTRATOR MAY NOT, DIRECTLY OR INDIRECTLY:

(I) DEAL WITH THE ASSETS OF THE PLAN IN THE ADMINISTRATOR'S OWN INTEREST OR FOR THE ADMINISTRATOR'S OWN ACCOUNT;

(II) IN ANY TRANSACTION INVOLVING THE PLAN, ACT IN ANY CAPACITY ON BEHALF OF OR REPRESENT IN ANY CAPACITY A PARTY WHOSE INTERESTS ARE ADVERSE TO THE INTERESTS OF THE PLAN OR OF THE PLAN'S PARTICIPANTS OR BENEFICIARIES;

(III) OTHER THAN COMMISSIONS OR SERVICE FEES RECEIVED FROM AN INSURER, RECEIVE ANY CONSIDERATION FOR THE ADMINISTRATOR'S OWN PERSONAL ACCOUNT FROM ANY PARTY DEALING WITH THE PLAN IN CONNECTION WITH A TRANSACTION INVOLVING THE ASSETS OF THE PLAN; OR