



Senate

General Assembly

File No. 519

January Session, 2003

Substitute Senate Bill No. 836

Senate, April 24, 2003

The Committee on Government Administration and Elections reported through SEN. DEFRONZO of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING THE CONFIDENTIALITY OF INSURANCE
DEPARTMENT INFORMATION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-8 of the general statutes is amended by adding
2 subsection (f) as follows (*Effective October 1, 2003*):

3 (NEW) (f) The commissioner shall maintain, as confidential,
4 information obtained, collected or prepared in connection with
5 examinations, inspections or investigations, and complaints from the
6 public received by the Insurance Department if such records are
7 protected from disclosure under federal law or state statute or, in the
8 opinion of the commissioner, such records would disclose, or would
9 reasonably lead to the disclosure of: (1) Investigative information the
10 disclosure of which would be prejudicial to such investigation, until
11 such time as the investigation and all related administrative and legal
12 actions are concluded; (2) personal, financial or medical information,

13 without the written consent of the person or persons to whom the
14 information pertains; or (3) information that would affect the safety
15 and soundness of any person whose activities in this state are subject
16 to the regulation of the commissioner, and the disclosure of such
17 information would not be in the public interest.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>

GAE *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Insurance Dept.	IF - None	None	None

Note: IF=Insurance Fund

Municipal Impact: None

Explanation

The bill affects the disclosure of information by the Insurance Commissioner and would not result in a fiscal impact.

OLR Bill Analysis

sSB 836

AN ACT CONCERNING THE CONFIDENTIALITY OF INSURANCE DEPARTMENT INFORMATION**SUMMARY:**

This bill requires the insurance commissioner to maintain certain records as confidential if (1) they are protected from disclosure under federal law or state statute or (2) in her opinion, they would disclose, or would reasonably lead to the disclosure of certain (a) investigative, personal, financial, or medical information or (b) information affecting the safety and soundness of a business.

EFFECTIVE DATE: October 1, 2003

CONFIDENTIAL INFORMATION

The bill requires the commissioner to maintain as confidential (1) information obtained, collected, or prepared in connection with an examination, inspection, or investigation and (2) public complaints received by the Insurance Department. The bill prohibits the disclosure of this information if federal or state law protects it. It also prohibits disclosure if, in the commissioner's opinion, it would reveal or would reasonably lead to the disclosure of:

1. investigative information that would prejudice an investigation, until the investigation and all related administrative and legal actions are concluded;
2. personal, financial, or medical information without the written consent of the person(s) to whom the information pertains; or
3. information that would affect the safety and soundness of a person's business activities in the state that are subject to regulation by the commissioner, unless disclosure is in the public interest.

BACKGROUND

Legislative History

On April 9, the Senate referred the bill to the Government Administration and Elections Committee. On April 15, the committee voted favorably a substitute bill, which eliminated the Insurance Commissioner's discretion to prevent the disclosure of information harmful to the reputation of someone engaged in the insurance business.

COMMITTEE ACTION

Insurance and Real Estate Committee

Joint Favorable Substitute

Yea 10 Nay 4

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 16 Nay 0