



General Assembly

January Session, 2003

Raised Bill No. 6377

LCO No. 2807

Referred to Committee on Insurance and Real Estate

Introduced by:
(INS)

AN ACT CONCERNING FINANCIAL OVERSIGHT OF INSURERS.

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

1 Section 1. (NEW) (*Effective October 1, 2003*) (a) The Insurance
2 Commissioner shall maintain as confidential any documents, materials
3 or other information received from (1) the National Association of
4 Insurance Commissioners or the International Association of Insurance
5 Supervisors, or (2) regulatory or law enforcement officials of this state
6 or other jurisdictions when the documents, materials or other
7 information are confidential by law in those jurisdictions. Such
8 documents, materials or other information obtained by the
9 commissioner shall be given confidential treatment, shall not be subject
10 to subpoena and shall not be made public by the commissioner or any
11 other person except that the commissioner may share the documents,
12 materials or other information in accordance with subsection (b) of this
13 section.

14 (b) The commissioner may share such confidential documents,
15 materials or other information with regulatory or law enforcement
16 officials of this state or other jurisdictions, or with the National
17 Association of Insurance Commissioners or the International

18 Association of Insurance Supervisors if, prior to sharing the
19 documents, materials or other information, the officials or association
20 demonstrate by written statement the necessary authority and intent to
21 provide to the documents, materials or other information the same
22 confidential treatment required of the commissioner under subsection
23 (a) of this section.

24 Sec. 2. Subsection (d) of section 38a-8 of the general statutes is
25 repealed and the following is substituted in lieu thereof (*Effective*
26 *October 1, 2003*):

27 (d) The commissioner shall develop a program of periodic review to
28 ensure compliance by the Insurance Department with the minimum
29 standards established by the National Association of Insurance
30 Commissioners for effective financial surveillance and regulation of
31 insurance companies operating in this state. The commissioner shall
32 adopt regulations, in accordance with the provisions of chapter 54,
33 pertaining to the financial surveillance and solvency regulation of
34 insurance companies and health care centers as are reasonable and
35 necessary to obtain or maintain the accreditation of the Insurance
36 Department by the National Association of Insurance Commissioners.
37 [The commissioner shall maintain, as confidential, any confidential
38 documents or information received from the National Association of
39 Insurance Commissioners, or the International Association of
40 Insurance Supervisors, or any documents or information received from
41 state or federal insurance, banking or securities regulators or similar
42 regulators in a foreign country which are confidential in such
43 jurisdictions. The commissioner may share any information, including
44 confidential information, with the National Association of Insurance
45 Commissioners, the International Association of Insurance
46 Supervisors, or state or federal insurance, banking or securities
47 regulators or similar regulators in a foreign country so long as the
48 commissioner determines that such entities agree to maintain the same
49 level of confidentiality in their jurisdiction as is available in this state.]
50 The commissioner may engage the services of, at the expense of a

51 domestic, alien or foreign insurer, attorneys, actuaries, accountants
52 and other experts not otherwise part of the commissioner's staff as may
53 be necessary to assist the commissioner in the financial analysis of the
54 insurer, the review of the insurer's license applications, and the review
55 of transactions within a holding company system involving an insurer
56 domiciled in this state.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>

INS *Joint Favorable*