

Superseded 10/1/2015

31A-16-109 Confidentiality of information obtained by commissioner.

All information, documents, and copies of these which are obtained by or disclosed to the commissioner or any other person in the course of an examination or investigation made under Section 31A-16-108, and all information reported under Section 31A-16-105, is confidential. It is not subject to subpoena and may not be made public by the commissioner or any other person, except it may be provided to the insurance departments of other states, without the prior written consent of the insurer to which it pertains. The confidentiality of this section does not apply if the commissioner, after giving the insurer and its affiliates who would be affected by the disclosure, proper notice and an opportunity to be heard, and determines that the interests of policyholders, shareholders, or the public will be served by the publication of the information. In this situation, the commissioner may publish all or any part of the information in any manner he considers appropriate.