
DIGEST

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HB 185 Reengrossed

2015 Regular Session

Lorusso

Abstract: Provides relative to the authority of the insurance commissioner to maintain and to share confidential information with certain state, federal, and international entities.

Present law requires the insurance commissioner to maintain as confidential any document received from certain entities which is confidential under the law of the state that sent the document or the applicable laws and regulations of the federal agency.

Proposed law additionally requires the commissioner to maintain as confidential those documents that are confidential under the laws of jurisdictions other than a state or a federal agency.

Present law authorizes the commissioner to share such documents, including otherwise confidential documents, with such entities if the recipient agrees to maintain the confidentiality of those documents which are confidential under the laws of this state.

Proposed law additionally requires that the receiving entity have the legal ability to agree to maintain confidentiality of the documents.

Present law specifies the following entities:

- (1) The National Association of Insurance Commissioners (NAIC).
- (2) Insurance departments of other states.
- (3) International, federal, or state law enforcement agencies.
- (4) International, federal, or state regulatory agencies with statutory oversight over the financial services industry.

Proposed law additionally includes the following entities:

- (1) Affiliates of the NAIC.
- (2) Insurance departments of foreign countries.
- (3) Other agencies of this state or the U.S.

Present law provides that this sharing of confidential documents is not a waiver of privilege or confidentiality. Further authorizes the commissioner to use such confidential documents in any official regulatory or legal action.

Proposed law retains present law.

Present law provides relative to confidentiality of information in the custody of the Dept. of Insurance, including prohibiting the disclosure of such information pursuant to the Public Records Law. Specifies confidential identifiers, including names, birth dates, social security numbers, and zip codes.

Proposed law prohibits the commissioner from sharing with agencies or entities outside the jurisdiction of the U. S. an individual's identifying information as provided in present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 22:2(B))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the original bill:

1. Add the following to the list of entities with which the commissioner may share information: the National Assn. of Registered Agents and Brokers, the International Assn. of Insurance Supervisors, and the Bank for International Settlements.
2. Add the prohibition against the commissioner sharing with agencies or entities outside the jurisdiction of the U. S. an individual's identifying information as provided in present law.

The House Floor Amendments to the engrossed bill:

1. Delete the following from the list of entities with which the commissioner may share information: the National Assn. of Registered Agents and Brokers, the International Assn. of Insurance Supervisors, and the Bank for International Settlements.