

# PROPOSED REGULATION OF THE COMMISSIONER OF INSURANCE

## LCB File No. R028-12

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: NRS 679B.130

A REGULATION relating to the confidentiality of records or other information obtained during an examination.

**Section 1.** NAC 679B.034 is hereby amended to read as follows:

1. Except as otherwise provided in this section or required by NRS 679B.280:

(a) Any records or other information obtained pursuant to NRS 679B.250 shall be deemed to be obtained by the Commissioner or examiner upon the express condition that they remain confidential.

(b) The Commissioner will classify those records and that other information as confidential during the period:

(1) Before completion of the examination unless the Commissioner determines that the interests of the public, or of the policyholders or shareholders of the person being examined, will be served by allowing public inspection of the records and other information at that time.

(2) After completion of the examination unless:

(I) The Commissioner takes disciplinary action based upon the results of the examination;

(II) ~~The Advocate for Insurance Customers requests release of the records and other information for public inspection;~~

~~(III)~~ The person who was being examined submits to the Commissioner a written request to release the records and other information for public inspection; or

*(III)* ~~(IV)~~ A law enforcement agency requests release of the records and other information for public inspection.

2. No records or other information may be released for public inspection pursuant to subparagraph (2) of paragraph (b) of subsection 1 except upon the written order of the Commissioner.

3. The Commissioner will not classify as confidential any records or other information he authorizes the Advocate for Insurance Customers to examine pursuant to NRS 686B.420.