

RCW 42.56.400 Insurance and financial institutions. The following information relating to insurance and financial institutions is exempt from disclosure under this chapter:

(1) Records maintained by the board of industrial insurance appeals that are related to appeals of crime victims' compensation claims filed with the board under RCW 7.68.110;

(2) Information obtained and exempted or withheld from public inspection by the health care authority under RCW 41.05.026, whether retained by the authority, transferred to another state purchased health care program by the authority, or transferred by the authority to a technical review committee created to facilitate the development, acquisition, or implementation of state purchased health care under chapter 41.05 RCW;

(3) The names and individual identification data of either all owners or all insureds, or both, received by the insurance commissioner under chapter 48.102 RCW;

(4) Information provided under RCW 48.30A.045 through 48.30A.060;

(5) Information provided under RCW 48.05.510 through 48.05.535, 48.43.200 through 48.43.225, 48.44.530 through 48.44.555, and 48.46.600 through 48.46.625;

(6) Examination reports and information obtained by the department of financial institutions from banks under RCW 30A.04.075, from savings banks under RCW 32.04.220, from savings and loan associations under RCW 33.04.110, from credit unions under RCW 31.12.565, from check cashers and sellers under RCW 31.45.030(3), and from securities brokers and investment advisers under RCW 21.20.100, information that could reasonably be expected to reveal the identity of a whistleblower under RCW 21.40.090, and information received under RCW 43.320.190, all of which are confidential and privileged information;

(7) Information provided to the insurance commissioner under RCW 48.110.040(3);

(8) Documents, materials, or information obtained by the insurance commissioner under RCW 48.02.065, all of which are confidential and privileged;

(9) Documents, materials, or information obtained or provided by the insurance commissioner under RCW 48.31B.015(2) (l) and (m), 48.31B.025, 48.31B.030, 48.31B.035, and 48.31B.036, all of which are confidential and privileged;

(10) Data filed under RCW 48.140.020, 48.140.030, 48.140.050, and 7.70.140 that, alone or in combination with any other data, may reveal the identity of a claimant, health care provider, health care facility, insuring entity, or self-insurer involved in a particular claim or a collection of claims. For the purposes of this subsection:

(a) "Claimant" has the same meaning as in RCW 48.140.010(2).

(b) "Health care facility" has the same meaning as in RCW 48.140.010(6).

(c) "Health care provider" has the same meaning as in RCW 48.140.010(7).

(d) "Insuring entity" has the same meaning as in RCW 48.140.010(8).

(e) "Self-insurer" has the same meaning as in RCW 48.140.010(11);

(11) Documents, materials, or information obtained by the insurance commissioner under RCW 48.135.060;

(12) Documents, materials, or information obtained by the insurance commissioner under RCW 48.37.060;

- (13) Confidential and privileged documents obtained or produced by the insurance commissioner and identified in RCW 48.37.080;
- (14) Documents, materials, or information obtained by the insurance commissioner under RCW 48.37.140;
- (15) Documents, materials, or information obtained by the insurance commissioner under RCW 48.17.595;
- (16) Documents, materials, or information obtained by the insurance commissioner under RCW 48.102.051(1) and 48.102.140 (3) and (7) (a) (ii);
- (17) Documents, materials, or information obtained by the insurance commissioner in the commissioner's capacity as receiver under RCW 48.31.025 and 48.99.017, which are records under the jurisdiction and control of the receivership court. The commissioner is not required to search for, log, produce, or otherwise comply with the public records act for any records that the commissioner obtains under chapters 48.31 and 48.99 RCW in the commissioner's capacity as a receiver, except as directed by the receivership court;
- (18) Documents, materials, or information obtained by the insurance commissioner under RCW 48.13.151;
- (19) Data, information, and documents provided by a carrier pursuant to section 1, chapter 172, Laws of 2010;
- (20) Information in a filing of usage-based insurance about the usage-based component of the rate pursuant to RCW 48.19.040(5) (b);
- (21) Data, information, and documents that are submitted to the office of the insurance commissioner by an entity providing health care coverage pursuant to RCW 28A.400.275;
- (22) Data, information, and documents obtained by the insurance commissioner under RCW 48.29.017;
- (23) Information not subject to public inspection or public disclosure under RCW 48.43.730(5);
- (24) Documents, materials, or information obtained by the insurance commissioner under chapter 48.05A RCW;
- (25) Documents, materials, or information obtained by the insurance commissioner under RCW 48.74.025, 48.74.028, 48.74.100(6), 48.74.110(2) (b) and (c), and 48.74.120 to the extent such documents, materials, or information independently qualify for exemption from disclosure as documents, materials, or information in possession of the commissioner pursuant to a financial conduct examination and exempt from disclosure under RCW 48.02.065;
- (26) Nonpublic personal health information obtained by, disclosed to, or in the custody of the insurance commissioner, as provided in RCW 48.02.068;
- (27) Data, information, and documents obtained by the insurance commissioner under RCW 48.02.230;
- (28) Documents, materials, or other information, including the corporate annual disclosure obtained by the insurance commissioner under RCW 48.195.020;
- (29) Findings and orders disapproving acquisition of a trust institution under RCW 30B.53.100(3);
- (30) All claims data, including health care and financial related data received under RCW 41.05.890, received and held by the health care authority; and
- (31) Contracts not subject to public disclosure under RCW 48.200.040 and 48.43.731. [2023 c 149 s 12; 2022 c 8 s 2. Prior: 2020 c 243 s 4; 2020 c 240 s 9; 2019 c 389 s 102; prior: 2018 c 260 s 32; 2018 c 30 s 9; prior: 2017 3rd sp.s. c 30 s 2; 2017 c 193 s 2; prior: 2016 c 142 s 20; (2016 c 142 s 19 expired July 1, 2017); 2016 c 122 s

4; prior: 2015 c 122 s 14; 2015 c 122 s 13; 2015 c 17 s 11; 2015 c 17 s 10; prior: 2013 c 277 s 5; 2013 c 65 s 5; 2012 2nd sp.s. c 3 s 8; 2012 c 222 s 2; 2011 c 188 s 21; prior: 2010 c 172 s 2; 2010 c 97 s 3; 2009 c 104 s 23; prior: 2007 c 197 s 7; 2007 c 117 s 36; 2007 c 82 s 17; prior: 2006 c 284 s 17; 2006 c 8 s 210; 2005 c 274 s 420.]

Rule making—Effective date—2020 c 240: See RCW 48.200.900 and 48.200.901.

Effective date—2018 c 260 ss 14, 22, 23, 31, and 32: See note following RCW 41.05.075.

Effective date—2018 c 30: See note following RCW 48.195.005.

Effective date—2017 3rd sp.s. c 30: See note following RCW 48.02.230.

Effective date—2016 c 142 s 20: "Section 20 of this act takes effect July 1, 2017." [2016 c 142 s 23.]

Expiration date—2016 c 142 s 19: "Section 19 of this act expires July 1, 2017." [2016 c 142 s 22.]

Effective date—2016 c 142: See note following RCW 48.74.010.

Intent—2016 c 122: See note following RCW 48.46.243.

Effective dates—2015 c 122: See note following RCW 48.31B.005.

Short title—Effective dates—2015 c 17: See RCW 48.05A.900 and 48.05A.901.

Findings—Goals—Intent—2012 2nd sp.s. c 3: See note following RCW 28A.400.275.

Effective date—2011 c 188: See RCW 48.13.900.

Effective date—2007 c 117: See RCW 48.17.901.

Effective date—2006 c 284: See RCW 48.135.901.

Effective date—2006 c 8 ss 112 and 210: See note following RCW 42.56.360.

Findings—Intent—Part headings and subheadings not law—Severability—2006 c 8: See notes following RCW 5.64.010.