

2043

Sponsor(s): Representatives Bush and Grant

Brief Title: Encouraging insurer self-audits.

HB 2043 - DIGEST

Finds and declares that efforts by insurers to comply voluntarily with state and federal statutory and regulatory requirements are vital to the public interest; that possible discovery and use in civil litigation of work produced in connection with such voluntary compliance efforts has an undesirable chilling effect on the use, scope, and effectiveness of voluntary compliance efforts by insurers; and that the public interest in encouraging aggressive voluntary compliance review outweighs the value of this work product in civil litigation.

Declares that: (1) Compliance review documents are confidential and are not discoverable or admissible as evidence in any civil action; and

(2) compliance review personnel shall not be required to testify at deposition or trial in any civil action concerning the contents of or matters addressed in any compliance review or any compliance review documents, nor as to the actions or activities undertaken by or at the direction of the insurer or affiliate in connection with a compliance review.