

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 1377

4
5 By: Representative Hunt
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For An Act To Be Entitled

9 AN ACT TO ENABLE THE INSURANCE COMMISSIONER TO ADOPT
10 REGULATIONS PERTAINING TO THE PRIVACY OF CONSUMER
11 FINANCIAL AND HEALTH INFORMATION; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14 AN ACT TO ENABLE THE INSURANCE
15 COMMISSIONER TO ADOPT REGULATIONS
16 PERTAINING TO THE PRIVACY OF CONSUMER
17 FINANCIAL AND HEALTH INFORMATION.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. No person shall disclose any nonpublic personal information
24 contrary to the provisions of Title V of the Gramm-Leach-Bliley Act of 1999,
25 Public Law 106-102. The Insurance Commissioner may adopt rules and regulations
26 necessary to carry out this section. The rules and regulations shall be
27 consistent with and not more restrictive than the model regulation adopted by
28 the National Association of Insurance Commissioners entitled "Privacy of
29 Consumer Financial and Health Information Regulation". Nothing in this section
30 shall be construed to create a private cause of action.
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32 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the Eighty-
33 third General Assembly that there is an immediate need for the Insurance
34 Commissioner to enact regulations providing for the treatment of nonpublic
35 health information by licensees. This action would be in the best interest of
36 the public, because the regulations will protect the public's personal

1 nonpublic health information, and will also assist the states in achieving
2 uniformity in the regulation of the insurance business. Therefore, an
3 emergency is declared to exist and this act being immediately necessary for
4 the preservation of the public peace, health and safety shall become effective
5 on the date of its approval by the Governor. If the bill is neither approved
6 nor vetoed by the Governor, it shall become effective on the expiration of the
7 period of time during which the Governor may veto the bill. If the bill is
8 vetoed by the Governor and the veto is overridden, it shall become effective
9 on the date the last house overrides the veto.

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