

**304.2-250 Examination reports -- Contents -- Prima facie evidence in certain proceedings -- Confidentiality.**

- (1) Upon completion of an examination, the examiner in charge shall make a true report thereof which shall comprise only facts appearing upon the books, records or other documents of the person examined, or as ascertained from the sworn testimony of its officers or agents or other individuals examined concerning its affairs, and such conclusions and recommendations as may reasonably be warranted from such facts.
- (2) The report of examination of an insurer shall be prima facie evidence in any action or proceeding for the receivership, conservation or liquidation of the insurer brought in the name of the state against the insurer, its officers or agents upon the facts stated therein, and whether or not the report has then been filed in the department as provided in KRS 304.2-260.
- (3) Except as provided in KRS 304.2-260 and 304.2-270, documents, materials, or other information, including examination workpapers, in the possession or control of the commissioner that are created, produced, or obtained by or disclosed to the commissioner or any other person in the course of an examination made under this subtitle, or in the course of an examination made under KRS 304.2-210 to 304.2-300, or in the course of analysis by the commissioner of the financial condition, or market conduct of an insurer shall be confidential by law and privileged but may be used, received, and shared in accordance with KRS 304.2-210.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 942, effective July 15, 2010. -- Amended 2008 Ky. Acts ch. 152, sec. 3, effective July 15, 2008. -- Created 1970 Ky. Acts ch. 301, subtit. 2, sec. 25, effective June 18, 1970.