

**Public Records Exceptions For Review by RTKAC in 2022:
 Exceptions in Titles 23, 24 and 24-A**

REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
79	23 MRSA §63	Title 23, section 63, relating to records regarding negotiations for and appraisals of property and engineering estimates held by the Department of Transportation and the Maine Turnpike Authority	Department of Transportation	No change	
80	23 MRSA §1980, sub-§2-B	Title 23, section 1980, subsection 2-B, relating to recorded images used to enforce tolls on the Maine Turnpike	Maine Turnpike Authority	No change	
81	23 MRSA §1982	Title 23, section 1982, relating to patrons of the Maine Turnpike	Maine Turnpike Authority	No change	
82	23 MRSA §4244, sub-§3 and 4	Title 23, section 4244, subsections 3 and 4, relating to design-build contracting proposals	Department of Transportation	No change	
83	23 MRSA §4251, sub-§10-A	Title 23, section 4251, subsection 10-A, relating to records in connection with public-private transportation project proposals of at least \$25,000,000 or imposing new tolls	Department of Transportation	No change	
84	23 MRSA §8115-A	Title 23, section 8115-A, relating to records of the Northern New England Passenger Rail Authority	Northern New England Passenger Rail Authority	No change	
85	24 MRSA §2302-A, sub-§3	Title 24, section 2302-A, sub-§ 3, relating to utilization review data provided by nonprofit hospital or medical service organization	DPFR, Bureau of Insurance	No change	
86	24 MRSA §2307, sub-§3	Title 24, section 2307, subsection 3, relating to an accountant's work papers concerning nonprofit hospital or medical service organizations	DPFR, Bureau of Insurance	No change	
87	24 MRSA §2329, sub-§8	Title 24, section 2329, subsection 8, relating to alcoholism and drug treatment patient records of nonprofit hospitals and medical service organizations	DPFR, Bureau of Insurance	No change	

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88	24 MRSA §2510, sub-§1	Title 24, section 2510, subsection 1, relating to professional competence reports under the Maine Health Security Act	DFPR, Office of Professional and Occupational Regulation; Board of Dental Practice; Board of Licensure in Medicine	No change	
89	24 MRSA §2510-A	Title 24, section 2510-A, relating to professional competence review records under the Maine Health Security Act	DFPR, Office of Professional and Occupational Regulation; Board of Dental Practice; Board of Licensure in Medicine	No change	
90	24 MRSA §2604	Title 24, section 2604, relating to liability claims reports under the Maine Health Security Act	DPFR, Bureau of Insurance	No change	
91	24 MRSA §2853, sub-§1-A	Title 24, section 2853, subsection 1-A, relating to action for professional negligence under the Maine Health Security Act	Judicial Branch	No change	
92	24 MRSA §2857, sub-§1 and 2	Title 24, section 2857, subsections 1 and 2, relating to mandatory prelitigation screening and mediation panels	Judicial Branch Attorney General	No change	
93	24 MRSA §2896, sub-§2	Title 24, section 2986, subsection 2, relating to billing for forensic examinations for alleged victims of gross sexual assault	DPFR, Bureau of Insurance Attorney General	No change	
94	24 MRSA §2896, sub-§3	Title 24, section 2986, subsection 3, relating to District Court hearings on storing or processing forensic examination kit of gross sexual assault	Judicial Branch	No change	
95	24-A MRSA §216, sub-§2 and 5	Title 24-A, section 216, subsections 2 and 5, relating to records of the Bureau of Insurance	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
*96	24-A MRSA §222, sub-§13	Title 24-A, section 222, subsection 13, relating to insurance information filed with the Superintendent of Insurance	Repealed	Repealed	No Action Needed

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REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
		concerning registration statements, tender offers, requests or invitations for tender offers, options to purchase, agreements			
97	24-A MRSA §222, sub-§13-A	Title 24-A, section 222, subsection 13-A, paragraph A, subparagraph 2-A, relating to any group capital calculation or liquidity stress test and supporting information with respect to insurance holding company	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
98	24-A MRSA §225, sub-§3	Title 24-A, section 225, subsection 3, relating to insurance examination reports	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
99	24-A MRSA §226, sub-§2	Title 24-A, section 226, subsection 2, relating to insurance examination reports furnished to the Governor, the Attorney General and the Treasurer of State pending final decision	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
100	24-A MRSA §227	Title 24-A, section 227, relating to information pertaining to individuals in insurance examination reports	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
101	24-A MRSA §414, sub-§4 and 5	Title 24-A, section 414, subsections 4 and 5, relating to insurance certificate of authority audit work papers	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
102	24-A MRSA §423-C, sub-§4	Title 24-A, section 423-C, subsection 4, relating to insurance reports of material transactions	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
103	24-A MRSA §423-G, sub-§4	Title 24-A, section 423-G, subsection 4, relating to corporate governance annual disclosure filings	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
104	24-A MRSA §731-B, sub-§1	Title 24-A, section 731-B, subsection 1, paragraph B-2, relating to documents filed with BOI by an insurer assuming reinsurance	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)

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Exceptions in Titles 23, 24 and 24-A**

REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
105	24-A MRSA §796-A	Title 24-A, section 796-A, relating to proprietary business information of special purpose insurance vehicle filed with the Superintendent of Insurance	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
*106	24-A MRSA §952-A, sub-§4	Title 24-A, section 952-A, subsection 4, relating to actuarial opinion of reserves	Repealed	Repealed	No Action Needed
107	24-A MRSA §962	Title 24-A, section 962, relating to protected valuation information filed by insurers	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
108	24-A MRSA §994, sub-§2	Title 24-A, section 994, subsection 2, paragraph A, and subsection 4 relating to property and casualty actuarial report, work papers or actuarial opinion summary in possession or control of Bureau of Insurance	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
109	24-A MRSA §1420-N, sub-§6	Title 24-A, section 1420-N, subsection 6, relating to insurers and producers	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
110	24-A MRSA §1905, sub-§1	Title 24-A, section 1905, subsection 1, relating to credit and investigative reports concerning insurance administrator applicants	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
111	24-A MRSA §1911	Title 24-A, section 1911, relating to insurance audits and examinations	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
112	24-A MRSA §2169-B, sub-§6	Title 24-A, section 2169-B, subsection 6, insurance scoring model	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
113	24-A MRSA §2187, sub-§6	Title 24-A, section 2187, subsection 6, relating to insurance fraud reporting	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
114	24-A MRSA §2204, sub-§4	Title 24-A, section 2204, subsection 4, relating to insurance investigative information (definition)	DPFR, Bureau of Insurance	n/a but supports continuation	Voted 10-26-22: Accepted with no change (5-0)

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Exceptions in Titles 23, 24 and 24-A**

REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
115	24-A MRSA §2268, sub-§1	Title 24-A, section 2268, subsection 1, relating to documents, materials and other information provided to BOI about insurer's information security program	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
116	24-A MRSA §2304-A, sub-§7	Title 24-A, section 2304-A, subsection 7, relating to insurance rate filings	DPFR, Bureau of Insurance	No change	Voted 10-26-22: Accepted with no change (5-0)
*117	24-A MRSA §2315	Title 24-A, section 2315, relating to information submitted to fire insurance advisory organizations	Repealed	Repealed	No Action Needed
118	24-A MRSA §2323, sub-§4	Title 24-A, section 2323, subsection 4, relating to reports of insurers concerning loss and expense experience	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
119	24-A MRSA §2325-B, sub-§9	Title 24-A, section 2325-B, subsection 9, relating to modified policy forms and rate filings of the mandatory property and casualty insurance market assistance program	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
120	24-A MRSA §2384-B, sub-§8	Title 24-A, section 2384-B, subsection 8, relating to workers' compensation insurance rating concerning claims and self-insurance	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
121	24-A MRSA §2384-C, sub-§7	Title 24-A, section 2384-C, subsection 7, relating to workers' compensation insurance concerning claims and self-insurance	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
122	24-A MRSA §2393, sub-§2	Title 24-A, section 2393, subsection 2, relating to workers' compensation pool self-insurance and surcharges	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
123	24-A MRSA §2412, sub-§8	Title 24-A, section 2412, subsection 8, relating to insurance contracts and forms	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)

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REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
124	24-A, MRSA §2479	Title 24-A, section 2479, relating to records of the Interstate Insurance Product Regulation Commission	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
125	24-A MRSA §2483, sub-§6	Title 24-A, section 2483, subsection 6, relating to the Interstate Insurance Product Regulation Commission work papers and information regarding privacy of individuals and proprietary information of insurers	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
126	24-A MRSA §2736, sub-§2	Title 24-A, section 2736, subsection 2, relating to rate filings on individual health insurance policies	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
127	24-A MRSA §2749, sub-§3	Title 24-A, section 2749, subsection 3, relating to utilization review data for health insurance contracts	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
128	24-A MRSA §2808-B, sub-§ 2-A	Title 24-A, section 2808-B, subsection 2-A, relating to rate filings for small group health plans	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
129	24-A MRSA §2842, sub-§8	Title 24-A, section 2842, subsection 8, relating to relating to alcoholism and drug treatment patient records for group and blanket health insurance	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
130	24-A MRSA §2847, sub-§3	Title 24-a, section 2847, subsection 3, relating to utilization review data for group and blanket health insurance	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
131	24-A MRSA §4204, sub-§2-A	Title 24-A, section 4204, subsection 2-A, relating to quality assurance programs of health maintenance organizations	DPFR, Bureau of Insurance	n/a	Voted 10-13-22: Accepted with no change (5-0)
132	24-A MRSA §4224, sub-§1 and 2	Title 24-A, section 4224, subsections 1 and 2, relating to quality assurance committees of health maintenance organizations	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
133	24-A MRSA §4228, sub-§3	Title 24-A, section 4228, subsection 3, relating to utilization review data for health maintenance organizations	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)

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REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
134	24-A MRSA §4233, sub-§2	Title 24-A, section 4233, subsection 2, relating to health maintenance organizations work papers filed with the Superintendent of Insurance	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
135	24-A MRSA §4245, sub-§1 and 3	Title 24-A, section 4245, subsections 1 and 3, relating to health maintenance organizations accreditation survey report	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
136	24-A MRSA §4312	Title 24-A, section 4312, relating to independent external review requests and proceedings	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
137	24-A MRSA §4320-S, sub-§ 4	Title 24-A, section 4320-S, subsection 4, relating to proprietary information reported by health insurance carriers related to compliance with mental health parity requirements	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
138	24-A MRSA, §4406, sub-§3	Title 24-A, section 4406, subsection 3, relating to delinquent insurers	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
139	24-A MRSA §4612-A, sub-§ 1	Title 24-A, section 4612-A, subsection 1, relating to information reported by the Superintendent of Insurance to the National Association of Insurance Commissioners Insurance Regulatory Information System board	DPFR, Bureau of Insurance	n/a but supports continuation	Voted 10-13-22: Accepted with no change (5-0)
140	24-A MRSA §6458, sub-§1	Title 24-A, section 6458, subsection 1, relating to risk-based capital standards for insurers	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
141	24-A MRSA §6708, sub-§2	Title 24-A, section 6708, subsection 2, relating to examination of documents relation to captive insurance companies	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
142	24-A MRSA §6715	Title 24-A, section 6715, relating to information submitted to the Superintendent of Insurance by captive insurance companies	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)

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143	24-A MRSA §6807, sub-§7	Title 24-A, section 6807, subsection 7, paragraph A, relating to individual identification data of viators	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
144	24-A MRSA §6818, sub-§6 and 8	Title 24-A, section 6818, subsections 6 and 8, relating to fraudulent viatical or life insurance settlements information provided for enforcement	DPFR, Bureau of Insurance	No change	Voted 10-13-22: Accepted with no change (5-0)
145	24-A MRSA §6907, sub-§2	Title 24-A, section 6907, subsection 2, relating to health information obtained by Dirigo Health covered by the federal Health Insurance Portability and Accountability Act of 1996, or c. 24, or T.22 section 1711-C			
146	24-A MRSA §6907, sub-§3	Title 24-A, section 6907, subsection 3, relating to practitioner-specific quality data collected, used, produced or maintained for measuring the professional performance of a health care practitioner by the Maine Quality Forum			
147	24-A MRSA §6907, sub-§1	Title 24-A, section 6907, subsection 1, relating to personally identifiable financial information obtained by Dirigo Health			