

**§5409. Records**

Except as provided in this section or by other provision of law, information obtained by the marketplace under this chapter is a public record within the meaning of Title 1, chapter 13, subchapter 1. [PL 2019, c. 653, Pt. A, §1 (NEW).]

**1. Financial information.** Any personally identifiable financial information, supporting data or tax return of any person obtained by the marketplace under this chapter is confidential pursuant to 26 United States Code, Section 6103 and Title 36, section 191. [PL 2023, c. 637, §5 (AMD).]

**2. Health information.** Health information obtained by the marketplace under this chapter that is covered by the federal Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, or information covered by section 1711-C is confidential. [PL 2023, c. 637, §5 (AMD).]

**3. Personally identifiable information.** Personally identifiable information not otherwise described in subsection 1 or 2 that is obtained by the marketplace under this chapter is confidential. As used in this subsection, "personally identifiable information" means information that permits the identity of an individual to whom the information applies to be able to be reasonably inferred or known by either direct or indirect means. [PL 2023, c. 637, §5 (NEW).]

**SECTION HISTORY**

PL 2019, c. 653, Pt. A, §1 (NEW). PL 2023, c. 637, §5 (AMD).

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