

521A.7A Announcements to the public — prohibition.

1. *a.* The group capital calculation and all supporting documentation filed pursuant to [section 521A.4, subsection 13](#), and the liquidity stress test results and all supporting documentation filed pursuant to [section 521A.4, subsection 14](#), shall be designated as regulatory tools utilized for the purpose of assessing group risks, and capital adequacy and group liquidity risks, respectively, and shall not be construed as a means to rank insurers or insurance holding company systems.

b. Except as otherwise required under [this chapter](#), an insurer, broker, or other person engaged in the business of insurance shall be prohibited from making an announcement to the public. For purposes of [this subsection](#), “*announcement to the public*” means the use, directly or indirectly, of any print media, broadcast media, electronic media, subscription internet site, internet site available to the public, or any other means to make a representation or statement related to any of the following:

(1) (a) An insurer’s or an insurer group’s filings made under [section 521A.4, subsection 13](#), including a group capital calculation and any supporting documentation.

(b) Any component derived from an insurer’s or an insurer group’s group capital calculation or supporting documentation filed under subparagraph division (a).

(c) Any comparison of an insurer’s or an insurer group’s group capital calculation, group capital ratio, or other metric calculated or derived from the insurer’s or insurer group’s filings under subparagraph division (a).

(2) (a) An insurer’s or an insurer group’s filings made under [section 521A.4, subsection 14](#), including the result of the liquidity stress test and any supporting documentation.

(b) Any component derived from the results of an insurer’s or an insurer group’s group liquidity stress test or supporting documentation filed under subparagraph division (a).

(c) Any comparison of an insurer’s or an insurer group’s liquidity stress test or other metric calculated or derived from the insurer’s or insurer group’s filings under subparagraph division (a).

2. If an insurer or an insurer group is able to demonstrate to the commissioner with substantial proof the material falsity or inappropriateness of an announcement made to the public under [subsection 1](#), paragraph “*b*”, by an insurer, broker, or other person engaged in the business of insurance, the insurer or insurer group may publish an announcement in a written publication if the sole purpose of the announcement is to rebut the materially false or inappropriate announcement made to the public by the insurer, broker, or other person engaged in the business of insurance.

[2022 Acts, ch 1050, §9](#)