§ 2806. Filing. (a) Insurers that use insurance scores to underwrite and rate risks must file their scoring models (or other scoring processes) with the superintendent. Any subsequent revision to the scoring models will require the insurer to file a summary of the revision with the superintendent within forty-five days. A third party may file scoring models on behalf of insurers. A filing that includes insurance scoring may include loss experience justifying the use of credit information.

(b) Any filing relating to credit information filed and in the possession of the superintendent shall remain the property of the insurer and shall not be subject to any disclosure or production under article six or six-A of the public officers law or any other law of the state which authorizes or requires the superintendent to disclose or produce records to an outside party. This information is privileged information and is not discoverable or admissible as evidence in any legal action in any civil, criminal or administrative proceeding. The privilege created herein is a matter of substantive law of this state and is not merely a procedural matter governing civil or criminal procedures in the courts of this state and this information shall remain subject to all applicable statutory or common law privileges.