

# For New York Residents – National Indemnity Group Confidentiality Protocol for Victims of Domestic Violence

This information is posted as required by New York Insurance Law § 2612 and 11 NYCRR 244 – Regulation 168.

New York Insurance Law § 2612 provides that if any person covered by an insurance policy issued to another person as the policyholder delivers to the insurer that issued the policy, at its home office, a valid order of protection against the policyholder, issued by a court of competent jurisdiction in New York, the insurer is prohibited for the duration of the order from disclosing to the policyholder the address and telephone number of the insured or of any person or entity providing covered services to the insured.

**New York State Domestic and Sexual Violence Hotline - 1-800-942-6906**

## POLICY

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This policy applies to the National Indemnity group of insurance companies, including these companies:

- Columbia Insurance Company
- First Berkshire Hathaway Life Insurance Company
- National Fire & Marine Insurance Company
- National Indemnity Company
- National Indemnity Company of Mid-America
- National Indemnity Company of the South
- National Liability & Fire Insurance Company
- Berkshire Hathaway Specialty Insurance Company

If an individual victim of domestic violence (“individual”) delivers a valid order of protection to the National Indemnity Company group of insurance companies (“the Company”), all employees, agents and representatives of the Company will endeavor to keep the following information (“confidential information”) confidential for the duration of the protection order:

- The addresses and telephone numbers of the individual and any child residing with the individual.
- The name, address and telephone number of any person providing covered services to the individual.

We will not disclose any of the information listed above to a policyholder or another insured under the policy against whom the individual has a valid order of protection without the express consent of the individual.

## PROCEDURES

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Upon the Company’s receipt of a valid protection order, the applicable policy will be marked as a confidential policy.

An individual may provide an alternative address, telephone number or other method of contact to the Company by phone, mail, email or fax.

Any alternate contact information will be stored in the policy file in a folder marked as confidential. The folder will contain instructions that for the duration of the protection order, the information contained therein is not to be disclosed without the express permission of the individual unless disclosure is in the limited circumstance enumerated below pertaining to warrants, subpoenas and court orders.

For the duration of the protection order, any subsequent correspondence related to a policy marked as confidential will be reviewed for confidential information. Any confidential information will be removed prior to release of any correspondence.

Within three days of the Company’s receipt of a protection order, the employee, agent or representative tasked with processing the protection order will notify any other employees, agents and representatives likely to have contact with the policy file that the confidentiality protocol outlined herein is to be followed with respect to that policy.

In the event of a claim arising out of a policy marked confidential, independent claim adjusters and other relevant personnel will be notified that certain information is confidential and not to be disclosed without further instructions from the Company.

When releasing confidential information pursuant to a warrant, subpoena or court order:

- Prior to releasing the confidential information, the Company will notify the individual, as soon as reasonably practicable, that it intends to release the information. The Company will specify what information it intends to release unless specificity is prohibited by the warrant, subpoena or court order.
- The Company will advise the recipient of the information that the information is confidential and that the recipient should maintain its confidentiality to the furthest extent possible.

Policies marked confidential will be logged in a limited access file on the Company's internal network. On an annual basis, company compliance personnel will review the policies logged therein for compliance with the protocol outlined herein. The policy review will be documented in the policy log.