



**DOMESTIC/FOREIGN INSURERS BULLETIN NO. 97**

**TO: ALL ADMITTED AND APPROVED DOMESTIC AND FOREIGN INSURANCE COMPANIES**

**RE: GRAMM LEACH BLILEY ACT ANNUAL PRIVACY NOTICES**

**DATED: December 28, 2017 (updated January 8, 2018)**

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On Dec. 4, 2015, the Fixing America's Surface Transportation (FAST) Act was enacted into law and became effective immediately. The FAST Act includes amendments to the GLBA to eliminate the requirement for financial institutions to provide GLBA annual notices, provided certain conditions are met. The amendments eliminate a duplicative and costly notification requirement. Financial institutions continue to be required to provide initial privacy notices as required under the GLBA.

In line with the changes to the GLBA, this Bulletin is intended to clarify that a licensee of the Delaware Department of Insurance that is subject to the GLBA annual notice requirement set forth in 18 **DE Admin. Code** § 904, Privacy of Consumer Financial and Health Information, is not required to provide the annual privacy notice required under 18 **DE Admin. Code** § 904-2.2 provided the licensee:

(i) Provides nonpublic personal information to nonaffiliated third parties only in accordance with 18 **DE Admin. Code** §§ 9, 10 and 11; and

(ii) Has not changed its policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers in accordance with 18 **DE Admin. Code** § 904-2.1 or 18 **DE Admin. Code** § 904-2.2.

At any time a licensee fails to comply with any of the criteria described in paragraph (i) or (ii) of this bulletin, the licensee shall be required to provide the annual privacy notice required under 18 **DE Admin. Code** § 904-2.2.

This bulletin does not affect the requirements for providing initial privacy notices. All licensees shall continue to be required to provide GLBA initial privacy notices as required under 18 **DE Admin. Code** § 904-2.1.

Questions regarding this notice should be directed to Consumer Services at [consumer@state.de.us](mailto:consumer@state.de.us).

This Bulletin shall be effective immediately and shall remain in effect unless withdrawn or superseded by subsequent law, regulation or bulletin.

Handwritten signature of Trinidad Navarro in blue ink.

Trinidad Navarro  
Delaware Insurance Commissioner

*NOTE: This Bulletin is intended solely for informational purposes. It is not intended to set forth legal rights, duties, or privileges, nor is it intended to provide legal advice. Readers should consult applicable statutes and rules and contact the Delaware Department of Insurance if additional information is needed.*