



Trade Secrets Policy

Effective July 13, 2020

To properly claim trade secret status when making any submission to the Ohio Department of Insurance all of the following is required at the time of submission:

1. **PROPERLY MARK DOCUMENTS:** Mark “Trade Secret Status Claimed” on each page or part of each document for which protected status is claimed. Note—Any other general marking, such as “confidential” and/or “protected information” is not sufficient to assert a claim for trade secret protection. When a document contains both trade secrets and public information, claim trade secrets status **only** for information that qualifies as a trade secret under Ohio law;
2. **FACTUAL STATEMENT/DESCRIPTION OF INFORMATION WITH LEGAL REFERENCE:** Provide a factual statement that describes each item of information for which trade secret protection is being claimed and that specifically identifies the location of each item in the underlying documents. For each item for which trade secret protection is being claimed the statement shall include sufficient details to demonstrate the item is entitled to trade secrets status under Ohio Revised Code 1333.61(D) and interpretive case law;
3. **ATTESTATION:** Provide a sworn or affirmed signature attesting that the statements made in the factual statement are true and accurate;
4. **UNREDACTED COPY:** Provide an unredacted copy (identified as such);
5. **REDACTED COPY:** Provide a redacted public copy (identified as such) of the underlying document with the claimed trade secrets made unreadable;
6. **CONTEMPORANEOUS SUBMISSION:** Submit all documents (unredacted copy of documents with “Trade Secret Status Requested” properly marked; redacted copy of documents with “Trade Secret Status Requested” properly marked; and sworn or affirmed factual statement/description and legal reference), contemporaneously.

If a public records request is received for documents for which trade secrets status was properly claimed, notice of the Department’s intent to release the records/documents pursuant to R.C. 149.43 will be sent to the contact in the company’s most recent financial statement. The Department will delay release for fifteen (15) calendar days after the date of mailing of the notice to permit the company to pursue any legal options available to prevent release of the information. Failure to take timely action will result in release of the documents after consultation with the Department’s Chief Legal Counsel. The failure to properly claim trade secret status may result in a waiver of the claim of trade secrets. Additionally, failure to properly claim trade secret status when filing documents for Department approval may result in the filing being considered incomplete.

Accredited by the National Association of Insurance Commissioners (NAIC)

Consumer Hotline: 1-800-686-1526

Fraud Hotline: 1-800-686-1527

OSHIIP Hotline: 1-800-686-1578

TDD Line: (614) 644-3745

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