



<b>Project Name:</b>	SFA Non-Public Materials Flag
<b>Business Need:</b>	Allow states to expose to SERFF Filing Access (SFA) users when a Filing or Binder contains material that was not made available to the public, to facilitate follow up inquiries as appropriate.
<b>Origination:</b>	Enhancement was originally requested by Birny Birnbaum, NAIC Consumer Liaison. The Speed to Market (EX) Task Force asked the SERFF team to review the request and provide information to facilitate additional discussion.
<b>Assumptions and Constraints:</b>	<ul style="list-style-type: none"> <li>• Changes would be made only to SFA and not to the legacy public access system or to the Health Filing Access Interface, both of which are on the path to being retired and replaced by SFA.</li> <li>• This feature will be optional for states, by instance.</li> <li>• It is assumed that if a state instance enables this setting, they wish it to apply to all Filings and Binders, and not on a case-by-case basis.</li> </ul>
<b>Requirements:</b>	<ol style="list-style-type: none"> <li>1. Each state instance in SERFF will have a setting that will allow the state to indicate whether or not they want to provide notification of the presence of confidential or non-public information.             <ol style="list-style-type: none"> <li>a. The setting will default to No (disabled.)</li> <li>b. If enabled, the state instance will have one to many entry fields for the state to provide text related to specific policies, rules or regulations that cover withholding information from public access.</li> <li>c. One entry field will be marked for use as the default reason.</li> </ol> </li> <li>2. When marking a Filing or Binder as available for public access, the state user will be prompted to select a reason for each item not marked as available to the public.             <ol style="list-style-type: none"> <li>a. If the state user does not select a reason, the default reason will be used.</li> <li>b. If the filing is marked as public access via automation settings and there are items that are not marked as public access, the default reason will be used for those items.</li> <li>c. The state user will be able to update the reason selected at any time.</li> </ol> </li> <li>3. In SFA, a new section will be added to the state customizable text for the entry page. This section will be optional and will allow states to provide additional information related to their policies and procedures for confidential information and to provide information on how the public can inquire about these items.</li> <li>4. The Filing and Binder Summary in SFA will be modified to indicate the presence of confidential material, if the state instance to which that Filing or Binder was submitted has the feature enabled.             <ol style="list-style-type: none"> <li>a. The summary page will include a list of items that are not available via public access, with details including the item type (Form, Correspondence, etc.), item name, and date submitted.</li> <li>b. For each item listed, the reason for withholding – either selected or default – will be displayed.</li> <li>c. If an item was superseded – meaning there is a more current version of it – it will not be displayed in this list.</li> </ol> </li> <li>5. SFA search will be modified to return a record for Filings and Binders that meet the search criteria when the entire Filing or Binder is marked confidential, if the state to which that Filing or Binder was submitted has the feature enabled. Upon selecting these filings from the search results, the user will see the reason for withholding and an additional message indicating that the entire filing is withheld from public access.             <ol style="list-style-type: none"> <li>a. This will only apply when the entire filing is marked confidential by industry request and not overridden by the state.</li> </ol> </li> <li>6. This will not apply when the filing has not been yet marked public, for example, the filing was not marked public by default and confidentiality was not requested. The downloaded PDF from SFA will include a confidential information page, containing the state confidential information text and the list of items that are marked confidential.</li> </ol>