

STATUTES RELATING TO IMMUNITY

18 Pa. C.S.A. § 4117(f) (Crimes Code)

Insurance fraud

Immunity.—An insurer, and any agent, servant or employee thereof acting in the course and scope of his employment shall be immune from civil or criminal liability arising from the supply or release of written or oral information to any entity duly authorized to receive such information by Federal or State law, or by Insurance Department regulations.

40 P.S. § 325.47 (Insurance)

Immunity

(a) **General rule.**—In the absence of malice, persons or organizations providing information to or otherwise cooperating with the section, its employees, agents or designees shall not be subject to civil or criminal liability for supplying the information.

(b) **Civil and criminal liability.**—

(1) In the absence of malice, persons or organizations shall not be subject to civil or criminal liability for complying with an order issued by a court of competent jurisdiction acting in response to a request by the section.

40 P.S. § 474.1 (Insurance)

Immunity from liability

(a) In the absence of fraud or bad faith, no person or his employees or agents shall be subject to civil liability and no civil cause of action shall arise against any of them for any of the following:

(1) Information relating to suspected fraudulent insurance acts or persons suspected of engaging in such acts furnished by them to or received from Federal, State or local law enforcement officials, their agents and employees and designees.

(2) Information relating to suspected fraudulent insurance acts or persons suspected of engaging in such acts furnished by them to or received from other persons subject to the provisions of this act.

(3) Information furnished by them or received from a Federal, State or local agency, the National Association of Insurance Commissioners or another organization established to detect and prevent fraudulent insurance acts, their agents, employees or designees or a recognized comprehensive database system approved by the Insurance Department.

(a.1) In the absence of fraud or bad faith, the immunity granted in subsection (a) shall also apply to persons identified as designated employees of insurers, self-insurers or insurance licensees whose responsibilities include the investigation and disposition of claims relating to suspected fraudulent insurance acts when sharing information on such acts or persons suspected of engaging in such acts with other designated employees of the same or other insurers, self-insurers or insurance licensees whose responsibilities include the investigation or disposition of claims relating to suspected fraudulent insurance acts.

(b) State agencies and their employees and designees, in the absence of fraud or bad faith, shall not be subject to civil liability for sharing information identified in subsection (a). No civil cause of action shall arise against any of them by virtue of the publication of a report or bulletin related to the official activities of the State agency.

75 Pa. C.S.A. § 1818 (Motor Vehicle)

Civil immunity

No person shall be subject to civil liability for libel, violation of privacy, or otherwise by virtue of the filing of reports or furnishing of other information, in good faith and without malice, required by this subchapter.

77 P.S. §1039.7 (Workers' Compensation)

Immunity from liability for supplying information in connection with allegations of fraud.

An insurer and any agent, servant or employe thereof acting in the course and scope of his employment shall be immune from civil or criminal liability arising from the supply or release of written or oral information to any entity duly authorized to receive such information by Federal or State law or by Insurance Department regulations only if the information is supplied to the agency in connection with an allegation of fraudulent conduct on the part of any person relating to a violation of this article and the insurer, agent, servant or employe has reason to believe that the information supplied is related to the allegation of fraud.

Other Statutes

40 P.S. § 325.44 (Duty to Cooperate)

Every insurer, every employee of an insurer and every licensed agent or broker shall cooperate fully with the section.

40 P.S. § 325.46 (Refusal to Cooperate)

It is unlawful for any person to...otherwise interfere with section investigators in the duties imposed upon them by this article or by any other applicable law.