

3343

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. COOK, ORTIZ, PHEFFER, ZEBROWSKI -- Multi-Sponsored by -- M. of A. GALEF, GOTTFRIED, MAISEL, PEOPLES, POWELL, J. RIVERA, SCHROEDER -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to the cancellation of life insurance policies

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The insurance law is amended by adding a new section 3240
2 to read as follows:
3 S 3240. CANCELLATION OF LIFE INSURANCE POLICIES. NOTWITHSTANDING ANY
4 PROVISION OF LAW TO THE CONTRARY, ANY PERSON WHO MAKES APPLICATION FOR A
5 POLICY OF LIFE INSURANCE ISSUED UNDER THE PROVISIONS OF THIS CHAPTER
6 SHALL SUBMIT TO THE INSURER OR AN AGENT OF THE INSURER, AT THE TIME OF
7 SUCH APPLICATION, A STATEMENT FROM A PHYSICIAN LICENSED TO PRACTICE
8 MEDICINE UNDER THE LAWS OF THIS STATE, OR THE MEDICAL RECORDS OF SUCH
9 PERSON, WHICH CONTAIN THE MEDICAL HISTORY OF SUCH PERSON. IF THE INSURER
10 OR HIS AGENT ACCEPTS AN APPLICATION FROM A PERSON WHO HAS PROVIDED SUCH
11 A STATEMENT OR SUCH MEDICAL RECORDS, THEN THE INSURER AND/OR HIS AGENT
12 SHALL BE PROHIBITED FROM SUBSEQUENTLY REJECTING SUCH APPLICATION OR
13 CANCELLING ANY POLICY ISSUED ON THE GROUNDS THAT THE INSURED HAS A
14 CERTAIN MEDICAL CONDITION PROVIDED THAT SUCH CONDITION WAS DISCLOSED IN
15 THE STATEMENT OR MEDICAL RECORDS SUBMITTED.
16 S 2. This act shall take effect immediately.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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