S T A T E O F N E W Y O R K

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I N S E N A T E

May 2, 2012

Introduced by Sen. SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to ensuring that identical calculations of group size are utilized by the department of financial services

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

Section 1. The insurance law is amended by adding a new section 3231-a to read as follows:

S 3231-A. REQUIRED USE OF AN IDENTICAL GROUP SIZE. NOTWITHSTANDING ANY PROVISION OF THIS CHAPTER, OR ANY LAW OR REGULATION TO THE CONTRARY, THE SUPERINTENDENT IS DIRECTED TO ENSURE THAT THE DEPARTMENT UTILIZES THE IDENTICAL MEASUREMENT OF GROUP SIZE WHEN (A) REVIEWING PREMIUM RATE INCREASES OR DECREASES PURSUANT TO THIS CHAPTER, AND (B) WHEN DETERMINING WHETHER THE INSURER NEEDS TO ISSUE A DIVIDEND OR CREDIT AGAINST FUTURE PREMIUMS FOR ALL POLICY HOLDERS. THIS REQUIREMENT SHALL ALSO APPLY TO HEALTH INSURANCE PREMIUMS IN EFFECT THAT HAVE BEEN APPROVED BY THE DEPARTMENT PURSUANT TO THIS CHAPTER.

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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