

3011

2015-2016 Regular Sessions

I N S E N A T E

February 2, 2015

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 authorizing non-insurance benefits or services to be offered as part of a group life or group or blanket accident and health insurance policy

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 3242  
2 to read as follows:  
3 S 3242. NON-INSURANCE BENEFITS AND SERVICES AS PART OF A POLICY OR  
4 CERTIFICATE OF GROUP LIFE OR GROUP OR BLANKET ACCIDENT AND HEALTH INSUR-  
5 ANCE. (A) AN INSURER LICENSED TO WRITE LIFE INSURANCE AND ACCIDENT AND  
6 HEALTH INSURANCE MAY INCLUDE CERTAIN NON-INSURANCE BENEFITS OR SERVICES  
7 IN CONJUNCTION WITH ITS ISSUANCE OF A GROUP LIFE INSURANCE OR GROUP OR  
8 BLANKET ACCIDENT AND HEALTH INSURANCE POLICY. IF INCLUDED, SUCH NON-IN-  
9 SURANCE BENEFITS OR SERVICES SHALL BE MADE AVAILABLE TO SIMILARLY-SITU-  
10 ATED MEMBERS OF THE GROUP. ANY NON-INSURANCE BENEFITS OR SERVICES MADE  
11 AVAILABLE UNDER THE POLICY SHALL BE SET FORTH IN THE POLICY AND THE  
12 CERTIFICATE.  
13 (B) NON-INSURANCE BENEFITS AND SERVICES PERMITTED UNDER THIS SECTION  
14 SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:  
15 (1) FINANCIAL AND ESTATE PLANNING SERVICES;  
16 (2) FINANCIAL COUNSELING FOR BENEFICIARIES;  
17 (3) TRAVEL ASSISTANCE SERVICES;  
18 (4) GRIEF COUNSELING SERVICES;  
19 (5) FUNERAL PLANNING SERVICES;  
20 (6) IDENTITY THEFT SERVICES; AND  
21 (7) ANY OTHER BENEFIT OR SERVICE THAT MAY BE APPROVED BY THE SUPER-  
22 INTENDENT.

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

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1 (C) ANY ENTITY PROVIDING NON-INSURANCE BENEFITS OR SERVICES PERMITTED  
2 UNDER THIS SECTION MUST BE APPROPRIATELY LICENSED TO PROVIDE SUCH BENE-  
3 FITS OR SERVICES.

4 (D) THE SUPERINTENDENT MAY ADOPT RULES TO REGULATE THE DISCLOSURE IN  
5 THE POLICY AND CERTIFICATE RELATED TO THE NON-INSURANCE BENEFITS OR  
6 SERVICES PERMITTED UNDER THIS SECTION AND INCLUDED IN THE POLICY.

7 S 2. Subsection (c) of section 4224 of the insurance law, as amended  
8 by chapter 496 of the laws of 2013, is amended to read as follows:

9 (c) Except as permitted by section three thousand two hundred thirty-  
10 nine OR THREE THOUSAND TWO HUNDRED FORTY-TWO of this chapter or  
11 subsection (f) of this section, no such life insurance company and no  
12 such savings and insurance bank and no officer, agent, solicitor or  
13 representative thereof and no such insurer doing in this state the busi-  
14 ness of accident and health insurance and no officer, agent, solicitor  
15 or representative thereof, and no licensed insurance broker and no  
16 employee or other representative of any such insurer, agent or broker,  
17 shall pay, allow or give, or offer to pay, allow or give, directly or  
18 indirectly, as an inducement to any person to insure, or shall give,  
19 sell or purchase, or offer to give, sell or purchase, as such induce-  
20 ment, or interdependent with any policy of life insurance or annuity  
21 contract or policy of accident and health insurance, any stocks, bonds,  
22 or other securities, or any dividends or profits accruing or to accrue  
23 thereon, or any valuable consideration or inducement whatever not speci-  
24 fied in such policy or contract other than any valuable consideration,  
25 including but not limited to merchandise or periodical subscriptions,  
26 not exceeding twenty-five dollars in value; nor shall any person in this  
27 state knowingly receive as such inducement, any rebate of premium or  
28 policy fee or any special favor or advantage in the dividends or other  
29 benefits to accrue on any such policy or contract, or knowingly receive  
30 any paid employment or contract for services of any kind, or any valu-  
31 able consideration or inducement whatever which is not specified in such  
32 policy or contract.

33 S 3. This act shall take effect immediately.