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

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:

Section 1. The insurance law is amended by adding a new section 3242 to read as follows:

S 3242. NON-INSURANCE BENEFITS AND SERVICES AS PART OF A POLICY OR CERTIFICATE OF GROUP LIFE OR GROUP OR BLANKET ACCIDENT AND HEALTH INSURANCE. (A) AN INSURER LICENSED TO WRITE LIFE INSURANCE AND ACCIDENT AND HEALTH INSURANCE MAY INCLUDE CERTAIN NON-INSURANCE BENEFITS OR SERVICES IN CONJUNCTION WITH ITS ISSUANCE OF A GROUP LIFE INSURANCE OR GROUP OR BLANKET ACCIDENT AND HEALTH INSURANCE POLICY. IF INCLUDED, SUCH NON-INSURANCE BENEFITS OR SERVICES SHALL BE MADE AVAILABLE TO SIMILARLY-SITUATED MEMBERS OF THE GROUP. ANY NON-INSURANCE BENEFITS OR SERVICES MADE AVAILABLE UNDER THE POLICY SHALL BE SET FORTH IN THE POLICY AND THE CERTIFICATE.

(B) NON-INSURANCE BENEFITS AND SERVICES PERMITTED UNDER THIS SECTION SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

(1) FINANCIAL AND ESTATE PLANNING SERVICES;

(2) FINANCIAL COUNSELING FOR BENEFICIARIES;

(3) TRAVEL ASSISTANCE SERVICES;

(4) GRIEF COUNSELING SERVICES;

(5) FUNERAL PLANNING SERVICES;

(6) IDENTITY THEFT SERVICES; AND

(7) ANY OTHER BENEFIT OR SERVICE THAT MAY BE APPROVED BY THE SUPERINTENDENT.

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

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

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

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

(c) Except as permitted by section three thousand two hundred thirty-nine OR THREE THOUSAND TWO HUNDRED FORTY-TWO of this chapter or subsection (f) of this section, no such life insurance company and no such savings and insurance bank and no officer, agent, solicitor or representative thereof and no such insurer doing in this state the business of accident and health insurance and no officer, agent, solicitor or representative thereof, and no licensed insurance broker and no employee or other representative of any such insurer, agent or broker, shall pay, allow or give, or offer to pay, allow or give, directly or indirectly, as an inducement to any person to insure, or shall give, sell or purchase, or offer to give, sell or purchase, as such inducement, or interdependent with any policy of life insurance or annuity contract or policy of accident and health insurance, any stocks, bonds, or other securities, or any dividends or profits accruing or to accrue thereon, or any valuable consideration or inducement whatever not specified in such policy or contract other than any valuable consideration, including but not limited to merchandise or periodical subscriptions, not exceeding twenty-five dollars in value; nor shall any person in this state knowingly receive as such inducement, any rebate of premium or policy fee or any special favor or advantage in the dividends or other benefits to accrue on any such policy or contract, or knowingly receive any paid employment or contract for services of any kind, or any valuable consideration or inducement whatever which is not specified in such policy or contract.

S 3. This act shall take effect immediately.