

STATE OF NEW YORK

7584

2017-2018 Regular Sessions

IN ASSEMBLY

May 3, 2017

Introduced by M. of A. CRESPO -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to accelerated life insurance payments for certain chronic conditions

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subparagraphs (C) and (D) of paragraph 1 of subsection (a)
2 of section 1113 of the insurance law, as amended by chapter 465 of the
3 laws of 2014, are amended to read as follows:

4 (C) certification by a licensed health care practitioner [~~of any~~
5 ~~condition which requires continuous care for the remainder of the~~
6 ~~insured's life in an eligible facility or at home~~] when the insured is
7 chronically ill for a period of at least ninety days as defined by
8 Section 7702(B) of the Internal Revenue Code and regulations thereunder,
9 [~~provided the accelerated payments qualify under Section 101(g)(3) of~~
10 ~~the Internal Revenue Code and all other applicable sections of federal~~
11 ~~law in order to maintain favorable tax treatment,~~]

12 (D) certification by a licensed health care practitioner that the
13 insured is chronically ill for a period of at least ninety days as
14 defined by Section 7702 (B) of the Internal Revenue Code and regulations
15 thereunder, [~~provided the accelerated payments qualify under Section~~
16 ~~101(g)(3) of the Internal Revenue Code and all other applicable sections~~
17 ~~of federal law in order to maintain favorable tax treatment]~~ and the
18 insurer that issues such policy is a qualified long term care insurance
19 carrier under Section 4980c of the Internal Revenue Code or provide a
20 special surrender value, upon total and permanent disability of the
21 insured, and optional modes of settlement of proceeds,

22 § 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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