

STATE OF NEW YORK

1741

2021-2022 Regular Sessions

IN SENATE

January 14, 2021

Introduced by Sens. SKOUFIS, HOYLMAN, LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT extending certain payments and debt collections for the COVID-19 covered period

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

1 Section 1. For the purposes of this act, "COVID-19 covered period"
2 means March 7, 2020 until the date on which none of the provisions that
3 closed or otherwise restricted public or private businesses or places of
4 public accommodation, or required postponement or cancellation of all
5 non-essential gatherings of individuals of any size for any reason in
6 executive orders 202.3, 202.4, 202.5, 202.6, 202.7, 202.8, 202.10,
7 202.11, 202.13 or 202.14, as extended by executive orders 202.28 and
8 202.31 and as further extended by any future executive order, issued in
9 response to the COVID-19 pandemic continue to apply in the county of the
10 insurer or debtors residence.

11 § 2. Notwithstanding any provision of law to the contrary, the grace
12 period for insurance policies covered under sections 3203 and 4510 of
13 the insurance law for the deferral of payment of premiums and fees shall
14 be extended to the end of the COVID-19 covered period, for any life
15 insurance policyholder or fraternal benefit society certificate holder,
16 as those terms are used in such sections, facing a financial hardship as
17 a result of the COVID-19 pandemic.

18 § 3. Notwithstanding any provision of law to the contrary and subject
19 to the consideration by the superintendent of financial services of the
20 liquidity and solvency of the applicable insurer, corporations subject
21 to article 43 of the insurance law, or health maintenance organizations
22 certified pursuant to article 44 of the public health law, covered under
23 subparagraph (c) of paragraph 1 of subsection (d) of section 3216 and
24 subsection (g) of section 4306 of the insurance law shall:

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

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1 (1) extend the period for the deferral of payment of premiums to the
2 end of the COVID-19 covered period for any comprehensive health insur-
3 ance policy holder or contract holder under an individual policy or
4 contract, as those terms are used in such sections, who is facing a
5 financial hardship as a result of the COVID-19 pandemic; and

6 (2) require that the applicable insurer, corporation subject to arti-
7 cle 43 of the insurance law, or health maintenance organization certi-
8 fied pursuant to article 44 of the public health law shall be responsi-
9 ble for the payment of claims during such period and shall not
10 retroactively terminate the insurance policy or contract for non-payment
11 of premium during such period.

12 § 4. Notwithstanding any provision of law to the contrary, no insurer
13 covered under paragraphs 16, 17, 20, 21, 24, 26, and 30 of subsection
14 (a) of section 1113, section 1116 and articles 34, 53, 54, and 55 of the
15 insurance law and sections 54 and 226 of the workers' compensation law
16 shall cancel, not renew, or conditionally renew any insurance policy
17 issued to an individual or small business, or, in the case of a group
18 insurance policy, insuring certificate holders that are individuals or
19 small businesses, until the end of the COVID-19 covered period, for any
20 policyholder, or in the case of a group insurance policy, group policy-
21 holder or certificate holder, facing financial hardship as a result of
22 the COVID-19 pandemic. The foregoing relief shall also apply to the
23 kinds of insurance set forth in the insurance law.

24 § 5. This act shall take effect immediately.