

# STATE OF NEW YORK

10746--A

## IN ASSEMBLY

March 27, 2026

Introduced by M. of A. DINOWITZ -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to notifying an insured of a rate filing increase or decrease for long term care

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

1 Section 1. Subparagraph (O) of paragraph 6 of subsection (b) of  
2 section 1117 of the insurance law, as added by chapter 655 of the laws  
3 of 2023, is amended and a new subparagraph (O-1) is added to read as  
4 follows:

5 (O) A statement that if the authorized insurer, corporation, health  
6 maintenance organization or fraternal benefit society seeks to increase  
7 or decrease the premium rate, the department will post notice of the  
8 rate filing on its website prior to any determination by the department;  
9 [~~and~~]

10 (O-1) A statement that if the authorized insurer, corporation, health  
11 maintenance organization or fraternal benefit society seeks to increase  
12 or decrease the premium rate, such authorized insurer, corporation,  
13 health maintenance organization or fraternal benefit society will send  
14 notification of the rate filing to the insured at the time of the rate  
15 filing with the department, together with clear instructions on how to  
16 submit comments on the rate filing or application regarding premium  
17 rates to the department, through the department's website, by mail,  
18 and/or by other means; and

19 § 2. Subsection (i) of section 1117 of the insurance law, as added by  
20 chapter 655 of the laws of 2023, is amended to read as follows:

21 (i) Whenever an authorized insurer, corporation, health maintenance  
22 organization or fraternal benefit society submits a rate filing or  
23 application to the superintendent to increase or decrease premium rates  
24 for any policy or certificate subject to this section, such authorized  
25 insurer, corporation, health maintenance organization or fraternal bene-  
26 fit society shall also send notification of the rate filing or applica-  
27 tion to the policy holder together with clear instructions on how to

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

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1 submit comments on the rate filing or application regarding premium  
2 rates to the department, through the department's website, by mail,  
3 and/or by other means; and the superintendent shall post a public notice  
4 of the rate filing or application on the department's website within  
5 fourteen days. The superintendent shall provide for a process for the  
6 public to provide comments on such rate filing or application electron-  
7 ically or in writing for a period of thirty days after such public  
8 notice is posted on the department's website.

9 § 3. Subsections (k) and (l) of section 1117 of the insurance law, as  
10 added by chapter 655 of the laws of 2023, are amended to read as  
11 follows:

12 (k) Upon receipt by an authorized insurer, corporation, health mainte-  
13 nance organization or fraternal benefit society covered by the  
14 provisions of this section of an approval or modification decision by  
15 the superintendent with respect to a rate filing application with the  
16 department, such authorized insurer, corporation, health maintenance  
17 organization or fraternal benefit society shall notify policyholders and  
18 certificate holders of such decision no later than ninety days prior to  
19 the effective date of the premium rate increase or decrease. Such  
20 notification shall include:

21 (1) a description of such decision; and

22 (2) a written statement conforming to the requirements set forth in  
23 subparagraph (G) of paragraph six of subsection (b) of this section.

24 (l) The provisions set forth in subparagraphs (G), (H), (I), (J), (K),  
25 (L), (M), (N), (O), (O-1), and (P) of paragraph six of subsection (b) of  
26 this section shall not apply to policies or certificates that are exempt  
27 from premium rate increases or decreases.

28 § 4. This act shall take effect immediately.