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:

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

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

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

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

(i) Whenever an authorized insurer, corporation, health maintenance organization or fraternal benefit society submits a rate filing or application to the superintendent to increase or decrease premium rates for any policy or certificate subject to this section, **such authorized insurer, corporation, health maintenance organization or fraternal benefit society shall also send notification of the rate filing or application 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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submit comments on the rate filing or application regarding premium rates to the department, through the department's website, by mail, and/or by other means; and the superintendent shall post a public notice of the rate filing or application on the department's website within fourteen days. The superintendent shall provide for a process for the public to provide comments on such rate filing or application electronically or in writing for a period of thirty days after such public notice is posted on the department's website.

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

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

(1) a description of such decision; and

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

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

§ 4. This act shall take effect immediately.