STATE OF NEW YORK

5354

2025-2026 Regular Sessions

IN SENATE

February 20, 2025

Introduced by Sen. COMRIE -- 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 life, accident and health insurance; discriminating and rebating; prohibited inducements and independent sales

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

Section 1. Subsection (f) of section 4224 of the insurance law is amended by adding a new paragraph 3 to read as follows:

(3) Notwithstanding subsection (c) of this section, a licensed agent or insurance broker may provide the following services without charging a service fee or, in the case of a licensed insurance broker, for a separate service fee pursuant to a written memorandum made in accordance with subsection (c) of section two thousand one hundred nineteen of this chapter, if such services are provided in a fair and nondiscriminatory manner and incidental to a group or blanket policy or contract sold by the insurance agent or insurance broker:

(i) risk assessment, including identifying sources of risk and developing strategies for eliminating or limiting those risks;

(ii) insurance consulting services or other insurance-related advice;

(iii) insurance-related regulatory and legislative updates;

(iv) certain claims assistance services (including the preparation of claims forms), but excluding adjustment, unless the exceptions set forth in subsection (g) of section two thousand one hundred one of this chapter are satisfied;

(v) tax preparation on behalf of an employer of schedule A of the internal revenue service form fifty-five hundred annual return/report of employee benefit plan, which requests information regarding insurance contract coverage, fees, and commissions, investment and annuity contracts, and welfare benefit contracts;

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

LBD09488-01-5

(vi) information to group policy or contract holders and members under group insurance policies currently in place, as well as forms needed for plan administration, enrollment in a plan, insurer website links, and answers to frequently asked questions related to the insurance (including, for example, access through a website, created by the insurance producer, to an employee benefit portal that contains such information);

(vii) certain services performed pursuant to the federal consolidated omnibus budget reconciliation act (COBRA), such as billing former employees, collecting the insurance premiums, and forwarding the aggregate premiums to the employer policy or contract holder or to the insurer, when offered in connection with the provision of accident and health insurance; and

(viii) certain services provided in accordance with the federal health insurance portability and accountability act, such as those pertaining to health care access, portability, and renewability, when offered in connection with the provision of accident and health insurance.

§ 2. This act shall take effect immediately.