

STATE OF NEW YORK

9393

IN SENATE

March 9, 2026

Introduced by Sen. JACKSON -- 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 requiring insurance carriers to provide access to underwriting models or granular claim data to the department of financial services

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

1 Section 1. The insurance law is amended by adding a new section 338 to
2 read as follows:

3 § 338. Access to underwriting models and claim data. (a) Definitions.
4 For purposes of this section:

5 (1) "Underwriting model" means any algorithm, formula, or structured
6 methodology used by an insurance carrier to assess risk, determine
7 premiums, or evaluate eligibility for coverage.

8 (2) "Granular claim data" means detailed, record-level information
9 regarding claims, including but not limited to claim type, amount, date,
10 geographic location, and resolution status.

11 (3) "Mutually agreed department staff" means employees or agents of
12 the department designated by the superintendent and agreed upon with the
13 insurance carrier for purposes of review.

14 (b) Access to underwriting models. Every insurance carrier authorized
15 to do business in this state shall provide access to its underwriting
16 models to mutually agreed department staff, upon request of the super-
17 intendent.

18 (c) Access to granular claim data. In the event that underwriting
19 models are not available, an insurance carrier shall provide access to
20 granular claim data to mutually agreed department staff, sufficient to
21 allow the department to evaluate underwriting practices and risk assess-
22 ment methodologies.

23 (d) Confidentiality. Information provided under this section shall be
24 subject to confidentiality protections consistent with applicable state
25 and federal law. Department staff shall maintain such information solely
26 for regulatory purposes.

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

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1 (e) Compliance. Failure to comply with this section shall constitute a
2 violation and may subject the insurance carrier to penalties under
3 section one hundred nine of this chapter, including fines, suspension,
4 or revocation of license.

5 § 2. This act shall take effect on the ninetieth day after it shall
6 have become a law.