§ 3111. Special provisions relating to senior citizens. (a) Every insurer that has in force any policy of insurance subject to the provisions of section three thousand four hundred twenty-five of this chapter shall permit senior citizen insureds to designate a third party to whom the insurer shall transmit notices of cancellation, nonrenewal and conditional renewal. The senior citizen insured shall notify the insurer that a third party has been so designated. Such notification shall be delivered to the insurer by certified mail, return receipt requested, and shall be effective not later than ten business days from the date of receipt by the insurer. The notification must contain, in writing, an acceptance by the third party designee to receive notices of cancellation, nonrenewal and conditional renewal from the insurer. Should the third party designee desire to terminate his or her status as a third party designee, such designee shall provide written notice to both the insurer and the senior citizen insured. Should the senior citizen insured desire to terminate the third party designation, the insured shall provide written notice to the insurer. The transmission to the third party designee of any notice of cancellation, nonrenewal or conditional renewal shall be in addition to a copy of such document transmitted to the senior citizen insured and when a third party is so designated all such notices shall be mailed in an envelope clearly marked on its face with the following: "IMPORTANT INSURANCE POLICY INFORMATION: OPEN IMMEDIATELY". Designation as a third party shall not constitute acceptance of any liability on the third party for services provided to such senior citizen. The insurer shall notify its senior citizen insureds annually in writing of the availability of the third party designee notice procedure and provide information on how the insured can commence this procedure, however, such notice need not be provided once a senior citizen has made a designation.

(b) Every insurer that has in force a premium paying individual life insurance policy on the life of a senior citizen insured, who has made a designation in accordance with paragraph one of subsection (b) of section three thousand two hundred eleven of this chapter, shall upon appropriate notification as described herein, provide such senior citizen with a copy of the notice of cancellation for nonpayment of premiums before the lapse date of the policy. The senior citizen insured shall notify the insurer that in addition to the person designated in

accordance with paragraph one of subsection (b) of section three thousand two hundred eleven of this chapter, a copy of such notices of cancellation shall be transmitted to the senior citizen insured and when a third party is so designated all such notices shall be mailed in an envelope clearly marked on its face with the following: "IMPORTANT INSURANCE POLICY INFORMATION: OPEN IMMEDIATELY". Such notification to the insurer shall be in writing delivered to the insurer by certified mail, return receipt requested and shall be effective not later than ten business days from the date of receipt by the insurer. Should the senior citizen insured desire to terminate receipt of such notices of cancellation, such senior citizen shall provide written notice to the insurer. The insurer shall at the time the senior citizen insured makes a designation in accordance with paragraph one of subsection (b) of section three thousand two hundred eleven of this chapter inform the senior citizen in writing about the notice procedure and provide information on how the insured can commence this procedure.

(c) Every insurer, corporation organized under article forty-three of this chapter or organization certified pursuant to article forty-four of the public health law that has in force a health insurance policy or medicare supplemental insurance policy as defined in section three thousand two hundred eighteen of this chapter the premiums for which are paid directly to the insurer by the senior citizen insured shall permit senior citizen insureds to designate a third party to whom the insurer shall transmit notices of nonpayment of premiums due or notice of cancellation for nonpayment of premiums, as determined by the insurer. The senior citizen shall notify the insurer that a third party has been so designated. Such notification shall be delivered to the insurer by certified mail, return receipt requested, and shall be effective not later than ten business days from the date of receipt by the insurer. The notification must contain, in writing, an acceptance by the third party designee to receive such notices of cancellation. Should the third party designee desire to terminate his or her status as a third party designee, such designee shall provide written notice to both the insurer and the senior citizen insured. Should the senior citizen insured desire to terminate the third party designation, the insured shall provide written notice to the insurer. The transmission to the third party designee of any such notice of cancellation shall be in addition to a

copy of such document transmitted to the senior citizen insured and when a third party is so designated all such notices shall be mailed in an envelope clearly marked on its face with the following: "IMPORTANT INSURANCE POLICY INFORMATION: OPEN IMMEDIATELY". Designation as a third party shall not constitute acceptance of any liability on the third party for services provided to such senior citizen. The insurer shall notify its senior citizen insureds annually in writing of the availability of the third party designee notice procedure and provide information on how the insured can commence this procedure; however, such notice need not be provided once a senior citizen has made a designation.

(d) In the case of a medicare supplemental insurance policy as defined in section three thousand two hundred eighteen of this chapter offered by or through a group the premiums for which are paid to the insurer by the group policyholder or group remitting agent, the group policyholder or group remitting agent shall permit senior citizen insureds to designate a third party to whom the group policyholder or group remitting agent shall transmit notices of nonpayment of premiums due or notice of cancellation for nonpayment of premiums, as determined by the group policyholder or group remitting agent. The senior citizen shall notify the group policyholder or group remitting agent that a third party has been so designated. Such notification shall be delivered to the group policyholder or group remitting agent by mail, and shall be effective not later than ten business days from the date of receipt by the group policyholder or group remitting agent. The notification must contain, in writing, an acceptance by the third party designee to receive such notices of cancellation. Should the third party designee desire to terminate his or her status as a third party designee, such designee shall provide written notice to both the group policyholder or group remitting agent and the senior citizen insured. Should the senior citizen insured desire to terminate the third party designation, the insured shall provide written notice to the group policyholder or group remitting agent. The transmission to the third party designee of any such notice of cancellation shall be in addition to a copy of such document transmitted to the senior citizen insured and when a third party is so designated all such notices shall be mailed in an envelope clearly marked on its face with the following: "IMPORTANT INSURANCE

POLICY INFORMATION: OPEN IMMEDIATELY". Designation as a third party shall not constitute acceptance of any liability on the third party for services provided to such senior citizen. The group policyholder or group remitting agent shall notify its senior citizen insureds annually in writing of the availability of the third party designee notice procedure and provide information on how the insured can commence this procedure; however, such notice need not be provided once a senior citizen has made a designation.

(e) Every insurer that has in force a long-term care insurance policy as defined in section one thousand one hundred seventeen of this chapter the premiums for which are paid directly to the insurer by the senior citizen insured, except a policy that qualifies as a long-term care insurance contract as defined in Section 7702B of the Internal Revenue Code, shall permit senior citizen insureds to designate a third party to whom the insurer shall transmit notices of nonpayment of premiums due or notice of cancellation for nonpayment of premiums; provided that notice of cancellation for nonpayment of premium shall be sent no later than thirty days before the effective date of such cancellation. The senior citizen insured shall notify the insurer that a third party has been so designated. Such notification shall be delivered to the insurer either in the same envelope as the senior citizen insured's premium payment or by certified mail, return receipt requested, and shall be effective not later than ten business days from the date of receipt by the insurer. The notification must contain, in writing, an acceptance by the third party designee to receive such notices of cancellation. Should the third party designee desire to terminate his or her status as a third party designee, such designee shall provide written notice to both the insurer and the senior citizen insured. Should the senior citizen insured desire to terminate the third party designation, the insured shall provide written notice to the insurer. The transmission to the third party designee of any such notice of cancellation shall be in addition to a copy of such document transmitted to the senior citizen insured and when a third party is so designated all such notices shall be mailed in an envelope clearly marked on its face with the following: "IMPORTANT INSURANCE POLICY INFORMATION: OPEN IMMEDIATELY". Designation as a third party shall not constitute acceptance of any liability on the third party for services provided to such senior citizen. The insurer shall

notify its senior citizen insureds not less than annually in writing of the availability of the third party designee notice procedure and provide information on how the insured can commence this procedure. If a senior citizen insured has not made a third party designation, the insurer shall include a copy of the third party designation form with each premium statement sent to the senior citizen insured. If a senior citizen insured has made a designation, the insurer shall confirm with the senior citizen insured that the third party designee's contact information is correct. Upon receipt of a designation or termination of a designation, the insurer shall verify the designation or cancellation of designation with the senior citizen insured. Such verification may, but is not required to be, written and the insurer may use telephony to obtain an oral confirmation from the senior citizen insured so long as the insurer provides the senior citizen insured with written confirmation of the oral verification.

(f) For purposes of this section, "senior citizen insured" shall mean a New York resident who is the policyowner or the insured and is age sixty-five or older. The superintendent may promulgate regulations necessary to carry out the purposes of this section.