

September 8, 1971

SUBJECT: INSURANCE

WITHDRAWN

Circular Letter No. 4 (1971)

O ALL INSURERS AUTHORIZED TO WRITE ACCIDENT AND HEALTH INSURANCE

Your attention is called to Chapter 899, Laws of 1971, which amends Sections 162, 164, 221 and 253 of the Insurance Law. These amendments are applicable to policies and contracts issued, renewed, modified, altered or amended after September 1st, 1971.

The amendments relate to (1) elimination of the Medicare gap for dependent wives or husbands by requiring continuation of coverage until they reach age 65 and are eligible for Medicare, and (2) provision for mandatory conversion rights for the dependent spouses upon divorce or annulment of marriage of the insured or subscriber.

To date very few companies have filed endorsements or revised policy forms required for compliance, presumably because of a general unawareness of this law. The Department will regard all policies and contracts issued, renewed, modified, altered or amended after September 1st, 1971 as providing these coverages, and any policies not appropriately endorsed with approved forms reflecting these amendments after November 1st, 1971 will be regarded as a willful violation of the Insurance Law.

Please acknowledge receipt of this letter to Deputy Superintendent Robert J. Bertrand, at 324 State Street, Albany, New York 12210.

[SIGNATURE]

BENJAMIN R. SCHENCK

Superintendent of Insurance