



**STATE OF NEW YORK
INSURANCE DEPARTMENT
160 WEST BROADWAY
NEW YORK, NEW YORK 10013**

**Circular Letter No. 16 (1995)
October 31, 1995**

TO: All Insurers Licensed to Write Automobile and/or Accident and Health Insurance in New York State
RE: Annual Rankings of Automobile and Health Insurance Complaints

The Insurance Department has revised its methodology for calculating annual complaint ratios for automobile and accident and health insurers. As a result, beginning with rankings issued in 1995, only closed upheld complaints will be counted against a company in determining its annual complaint ratio. Complaints that raise questions of fact or those that were suspended because the disputes had moved to arbitration or to the courts will no longer be used to calculate a company's complaint ratio.

As a result, the Insurance Department is rescinding Circular Letter No. 21, dated December 23, 1993, which describes procedures by which Consumer Services Bureau staff reviewed with insurers their annual listings of closed complaints. The Department is issuing Circular Letter No. 16 to advise all insurers licensed to write automobile and/or accident and health insurance in New York State that the Consumer Services Bureau can no longer re-evaluate the dispositions of complaints on a case-by-case basis. However, the Bureau will continue to provide quarterly computer listings of closed complaints when requested.

Any insurer that detects an error (such as an incorrect line-of-insurance code) on its computer listing should write to Salvatore Castiglione, Chief, Consumer Services Bureau, at the Department's New York City Office.

All insurance companies are reminded that all replies to Department correspondence must identify the name of the insurance company against which the complaint should be charged. This is particularly important when the respondent company is part of a group. In the case of health insurance, the respondent company is requested to indicate whether the complaint involves a self-insured plan or an HMO. In the case of automobile insurance, the respondent company is requested to indicate if its policy is commercial or noncommercial.

Questions concerning this Circular Letter may be directed to Barry Bistreich at 212-602-0510.