



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

Circular Letter No. 14 (1996)
September 4, 1996

TO: All Insurers Licensed to Write Motor Vehicle Liability Insurance in New York State
RE: Section 5103(g) of the New York State Insurance Law Substitution of a
Policyholder's Health Insurance Coverage for No-Fault Health Care Coverage

Section 5103(g) of the New York State Insurance Law Substitution of a policyholder's health insurance coverage for no-fault health care coverage Section 5103(g) of the Insurance Law provides that an Accident and Health insurer or an Article 43 corporation, individually or jointly, with the approval of the Superintendent, may provide for all items of basic economic loss specified in paragraph one of subsection (a) of Section 5102 which includes all medical and health related benefits. To date, no Accident and Health insurer or Article 43 corporation has filed with this Department a request to have their coverage used as a substitute for No-Fault medical/health coverage.

It has been brought to the Department's attention that some No-Fault insurers are permitting policyholders to substitute their own health insurance coverage in return for a premium discount. Since at this time no health insurance plan has been approved to provide such coverage, No-Fault insurers may not exclude medical and health related benefits from No-Fault coverage and no premium reduction should be granted.

Any questions regarding this circular letter should be directed to Ms. Hoda Nairooz at (212) 602-0334.

Please acknowledge receipt of this circular letter to:

Ms. H. Nairooz, Senior Examiner
Property/Casualty Bureau
New York State Insurance Department
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New York, NY 10013-3383