



**STATE OF NEW YORK
INSURANCE DEPARTMENT**
25 BEAVER STREET
NEW YORK, NEW YORK 10004

**Circular Letter No. 4 (2001)
February 15, 2001**

- TO: All Licensed Fraternal, Life and Accident and Health, Title, Property/Casualty, Reciprocal, Financial Guaranty and Mortgage Guaranty Insurers, Medical Malpractice Insurance Association, Cooperative Property/Casualty Insurers Operating on the Advance Premium Plan, Assessment Cooperative Companies, The State Insurance Fund, United States Branches, Accredited Reinsurers of the Aforementioned Types of Companies, Hospital, Medical, and Dental Service or Indemnity Article 43 Corporations, and Public Health Law Article 44 Health Maintenance Organizations**
- RE: Electronic Filing via the Internet of National Form (NAIC) and New York Supplement Annual and Quarterly Statements**

STATUTE AND REGULATION REFERENCES:

Section 307 and Section 308 of Insurance Law; Section 4409.2 of the Public Health Law; Public Health Regulation Part 98-1.16 (i.e., 10 NYCRR 98-1.16)

[Circular Letter No. 4 \(2000\)](#), issued January 31, 2000, adopted significant changes regarding electronic filing of Annual Statements and Quarterly Statements with the New York State Insurance Department (Department). It provided for Electronic Filing via the Internet of all National Form (NAIC) Annual and Quarterly Statements with the NAIC.

[Supplement No. 1 to Circular Letter No. 4 \(2000\)](#) adopted further important changes regarding electronic filing of Annual Statements and Quarterly Statements with the Department. It provided for Electronic Filing via the Internet of New York Supplement Annual and Quarterly Statements with the NAIC.

This Circular Letter No. 4 of 2001 integrates all of the material included in Circular Letter No. 4 (2000) and Supplement 1 to Circular Letter No. 4 (2000). This Circular Letter No. 4 (2001) extends Electronic Filing via the Internet of National Form (NAIC) and New York Supplement Annual and Quarterly Statements in a number of ways. Effective this year insurers making their national (NAIC) filings will have fulfilled their New York electronic filing requirement by filing with the NAIC whether that filing is made over the Internet **or** via diskette. This Circular Letter also extends the language of electronic filing to cover the new national Health Blank commencing with the first quarter of 2001 and the New York Fraternal Supplement.

Insurers making their national (NAIC) filings will have fulfilled their New York electronic filing requirement by filing with the NAIC over the Internet or via diskette. New York Supplements, as well as Fraternal and Title Quarterlies will still require a diskette be filed with New York if these filings are not made with the NAIC via the Internet.

Filing of Annual Statement for Fraternal; Life, Accident and Health; Property and Casualty; and Title Companies

Effective with the 2000 Annual Statement filing due March 1, 2001, and annually thereafter, all insurers that file their annual statements pursuant to Section 307 or 308 of the New York Insurance Law on the Fraternal; Life, Accident and Health; Property and Casualty; and Title blanks, are strongly encouraged to file electronically with the NAIC via the Internet or on diskette. By filing with the NAIC an insurer will have fulfilled its **electronic** filing requirement with New York and therefore should not file a diskette with the Department.

Filing of Annual Statement for the Hospital, Medical & Dental Service or Indemnity Companies

For the 2000 Annual Statement filing due March 1, 2001, all insurers that file their annual statements pursuant to Section 307 or 308 of the New York Insurance Law on the Hospital, Medical & Dental Service or Indemnity blanks, are strongly encouraged to file electronically with the NAIC via the Internet or on diskette. Effective with the 2001 Annual Statement filing due March 1, 2002, and annually thereafter, Hospital, Medical & Dental Service or Indemnity Article 43 Corporations that file their annual statements pursuant to Section 307 or 308 of the New York Insurance Law on the Health blanks, are strongly encouraged to file electronically with the NAIC via the Internet or on diskette. By filing with the NAIC an insurer will have fulfilled its **electronic** filing requirement with New York and therefore should not file a diskette with the Department.

Filing of Annual Statement for Public Health Law Article 44 HMO's

For the 2000 Annual Statement filing due April 1, 2001, Public Health Law Article 44 HMO's that file their NAIC Annual Statement pursuant to the New York Public Health Law and Regulations and Section 308 of the New York Insurance Law, are strongly encouraged to file electronically with the NAIC over the Internet or on diskette. Effective with the 2001 Annual Statement filing due April 1, 2002 Public Health Law Article 44 HMO's that file their annual statements pursuant to Section 307 or 308 of the New York Insurance Law on the Health blanks are strongly encouraged to file electronically with the NAIC via the Internet or on diskette. By filing with the NAIC, a Health Maintenance Organization will have fulfilled its **electronic** filing requirement with New York and should not file a diskette with the Department.

Filing of New York Supplement for Fraternal; Hospital, Medical & Dental Service or Indemnity; Life, Accident and Health; and Property and Casualty Companies

Effective with the 2000 New York Supplement due March 1, 2001, and annually thereafter, all insurers that file their annual statements pursuant to Section 307 or 308 of the New York Insurance Law on the Fraternal; Hospital, Medical & Dental Service or Indemnity; Life, Accident and Health and Property and Casualty blanks are strongly encouraged to file electronically with the NAIC via the Internet. By filing with the NAIC over the Internet an insurer will have fulfilled its **electronic** filing requirement with New York and therefore should not file a diskette with the Department. The filing of a **diskette** with the NAIC of the New York Supplement does **not** meet an insurer's electronic filing requirement with this Department and necessitates the filing of a diskette with New York.

Filing of New York Supplement for Public Health Law Article 44 HMO's

Effective with the 2000 Data Requirements for Health Maintenance Organizations due April 1, 2001, and annually thereafter, Public Health Law Article 44 HMO's that file their Data Requirements pursuant to the New York Public Health Law and Regulations and Section 308 of the New York Insurance Law, are strongly encouraged to file electronically with the NAIC over the Internet. By filing over the Internet with the NAIC a Health Maintenance Organization will have fulfilled its electronic filing requirement with New York and should not file a diskette with the Department. Filing a diskette with the NAIC for the New York Data Requirements does not meet an insurer's electronic filing requirement with this Department and necessitates the filing of a diskette with New York.

Filing of Quarterly Statement for the Health, Life, Accident and Health and Property and Casualty Companies

Effective with the 2001 1st Quarter Statement filing due May 15, 2001, and for each quarterly statement filing thereafter, all insurers that file their quarterly statements pursuant to Section 307 or 308 of the New York Insurance Law, on the Health; Life, Accident and Health and Property and Casualty blanks are strongly encouraged to file electronically with NAIC via the Internet or on diskette. By filing with the NAIC an insurer will have fulfilled its **electronic** filing requirement with New York and should not file a diskette with the Department.

Filing of Quarterly Statement for Fraternal and Title Companies

Effective with the 2001 1st Quarter Statement filing due May 15, 2001, and for each quarterly statement filing thereafter, all insurers that file their quarterly statements pursuant to Section 307 or 308 of the New York Insurance Law, on the **Fraternal** and **Title** blanks are strongly encouraged to file electronically with the NAIC via the Internet. By filing over the Internet with the NAIC an insurer will have fulfilled its **electronic** filing requirement with New York and should not file a diskette with the Department. Filing a **diskette** with the NAIC does not meet an insurer's electronic filing requirement with this Department and necessitate the filing of a diskette with New York.

Filing of Quarterly Supplements for Hospital, Medical & Dental Service or Indemnity companies and Public Health Law Article 44 HMO's

Effective with the 2001 1st Quarter Statement filing due May 15, 2001, and for each quarterly statement filing thereafter, Hospital, Medical and Dental Service or Indemnity insurers and Health Maintenance Organizations, that file their New York Supplement and Data Requirements quarterly statements respectively pursuant to Section 308 of the New York Insurance Law, are strongly encouraged to file electronically with the NAIC via the Internet. By filing over the Internet with the NAIC an insurer will have fulfilled its **electronic** filing requirement with New York and should not file a diskette with the Department. Filing a **diskette** with the NAIC does not meet an insurer's electronic filing requirement with this Department and necessitates the filing of a diskette with New York.

Instructions on filing over the Internet with the NAIC are available on their website at www.naic.org. Please click on the link for Internet Filings.

This Circular Letter does not apply to assessment cooperative property/casualty insurance companies having direct premiums written in this state of less than \$250,000 in the most recent calendar year and having less than 500 policyholders at the end of such calendar year nor to alien accredited reinsurers. This Circular Letter does not apply to four Health Maintenance Organizations that are lines of business of Article 43 Corporations.

Insurers unable to meet the electronic filing requirements specified in this Circular Letter for filing with the NAIC must write, in a timely manner, to the appropriate Regulatory Bureau indicating why they cannot meet those requirements. Insurers reporting on the Life or Fraternal statement blank should write to Stephen Pallas of the Life Bureau. Insurers reporting on the Property and Casualty or Title statement blank should write to Alfred Langner of the Property Bureau. Accident and Health insurers reporting on the Life and Accident and Health blank and insurers reporting on the, Hospital, Medical & Dental Service or Indemnity or Health Maintenance Organization statement blank should write to Robert Solomon of the Health Bureau. Each letter should be sent to the address on the letterhead of this Circular Letter.

Please be advised that this Circular Letter does not address hard copy filings. All Annual Statements, New York Supplements and Quarterly Statements are still required to be filed in hard copy with the Department, pursuant to Section 307 and 308 of the New York Insurance Law.

This Circular Letter only addresses requirements of the New York Insurance Department. **Compliance with this Circular Letter does not fulfill the requirements of the Department of Health** pertaining to filing of national form and New York Data Requirements financial statement information for Health Maintenance Organizations.

Questions concerning this Circular Letter may be directed to Robert Kerrigan, Associate Insurance Examiner at (212) 480-2333 or Susan Agcaoili, Senior Insurance Examiner at (518) 473-3775 or e-mail to systems@ins.state.ny.us, Subject: NAIC Internet Filing.

Very truly yours,

Neil D. Levin
Superintendent of Insurance