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25 Beaver Street New York, N.Y. 10004**

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**FOR IMMEDIATE RELEASE**

**Guidance For Filing Responses To The Department’s July 2011 Request For Special Reports Pursuant To Section 308 Of The New York Insurance Law Relating To Investigating Claims And Locating Beneficiaries With Respect To Death Benefits Under Life Insurance Policies, Annuity Contracts And Retained Asset Accounts**

On July 5, 2011, the New York State Insurance Department, now the Department of Financial Services (the “Department”), issued a letter pursuant to Section 308 of the New York Insurance Law (“308 letter”) advising all authorized life insurers and fraternal benefit societies (“life insurers”) that a cross-check of all life insurance policies, annuity contracts, and retained asset accounts on their administration data files, including group policies for which a life insurer maintains detailed insured records, should be performed with the latest updated version of the U.S. Social Security Administration’s Death Master File (“SSA Master File”), or another database or service that is at least as comprehensive as the SSA Master File, to identify any death benefit payments that may be due under life insurance policies, annuity contracts, or retained asset accounts as a result of the death of an insured or contract or account holder.

The 308 letter, supplemented by the Filing Guidance Note dated August 8, 2011, requires every life insurer to report to the Superintendent the First Stage Request results by no later than October 31, 2011 and provide Second Stage Request progress updates (including the final report) on the last day of each month from and including November 2011 through March 2012.

All life insurers shall use the Department’s Portal for the secure submission of the reports required pursuant to the Section 308 letter. A Portal Account is required in order to access the secured Portal application – Death Claims Practices Special Report – for the submission of such reports. All authorized life insurers should already have Department Portal accounts that were previously established in conjunction with other Life Bureau Portal applications, and thus should not create new accounts. When such Portal accounts were established, each life insurer designated a Trusted Source to manage requests for access to the life insurer’s Portal account. The Trusted Sources listed in the Department’s records for all authorized life insurers have been given access to the Death Claims Practices Special Report application. (Therefore, a request for access to the application by the Trusted Source should not be necessary.) The application will be listed under “My Applications” in “Application Access” tab in the Trusted Source’s Portal account. To submit the required reports, an authorized life insurer’s Trusted Source should sign into the Department’s Portal at <https://myportal.dfs.ny.gov>, select the “Death Claim Practices Special Report” application and complete the required information in the application.

Any organization that does not have a previously created Portal account must create such account to establish a Trusted Source for its organization. To create a Portal Application, an appropriate officer of the organization should sign into the Department's Portal at <https://myportal.dfs.ny.gov> and click on "Create Account" on the sign-in screen. Instructions for creating a Portal account are located on the Department's website at <https://myportal.dfs.ny.gov/create-account-instructions>. (Instructions for creating accounts also can be accessed from the Portal sign-in screen by placing the cursor on the word "Welcome" under the Department's seal.) In Step 7 of such instructions, access to the "Death Claims Practices Special Report" application (not pictured as an available application in the instructions) should be requested. When an organization's request is approved by the Department, the requestor will become the designated Trusted Source for the requesting organization and, as Trusted Source, will be able to submit the required reports.

A life insurer's Trusted Source may authorize another person to submit the required reports on behalf of the life insurer. The person requesting authority to submit the reports must create a Portal account and request access to the Death Claims Practices Special Report application for such life insurer. When such request is made, the Trusted Source will receive an email notification that a request is pending. Instructions for processing such requests are located on the Department's website at <https://myportal.dfs.ny.gov/trusted-source-instructions>. (Instructions for Trusted Sources also can be accessed from the Portal sign-in screen by placing the cursor on the word "Welcome" under the Department's seal.) If a request is received from a user who is not recognized by the Trusted Source or the user should not have the requested authority, the request should be rejected.

Upon submission of a required report, the submitter should receive a screen notification of the successful submission including a confirmation number. Please make note of the confirmation number.

All technical questions relating to the submission of the required reports through the Department's Portal, including, but not limited to, creation of new Portal accounts, access to existing Portal accounts, authorized actions of Trusted Sources and submission issues, should be directed to Sharon Ma, Principal Insurance Examiner, at (212) 480-4659. All other questions should be directed to Dennis Fernez, Assistant Chief, Life Bureau, at (212) 480-5032 or by email at [dennis.fernez@dfs.ny.gov](mailto:dennis.fernez@dfs.ny.gov)