

**NEW YORK STATE
INSURANCE DEPARTMENT
41st AMENDMENT TO REGULATION 62
(11 NYCRR 52)**

**MINIMUM STANDARDS FOR THE FORM, CONTENT AND SALE OF HEALTH INSURANCE,
INCLUDING STANDARDS OF FULL AND FAIR DISCLOSURE**

I, JAMES J. WRYNN, Superintendent of Insurance of the State of New York, pursuant to the authority granted by Sections 201, 301, 1109 and 3234 of the Insurance Law, do hereby promulgate the following 41st Amendment to Part 52 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Regulation 62), to take effect upon publication in the State Register, to read as follows:

(NEW MATTER IS UNDERSCORED)

Section 52.70(e)(2) is amended to read as follows:

(2) Except for dental insurance, disability income insurance subject to section 3234 of the Insurance Law as added by L.1993, c. 650, insurance written under section 4235(c)(1)(H) of the Insurance Law (unless such insurance is as described in paragraph (3) of this subdivision), and to the extent that insurance written under section 4235(c)(1)(B) and (D) of the Insurance Law insures employees of an employer with less than 300 employees (unless such insurance is as described in paragraph (3) of this subdivision), any group insuring 300 or more persons, excluding dependents, shall insure all persons without evidence of individual insurability, provided that coverage is elected during an initial period of eligibility of at least 30 days.

I, JAMES J. WRYNN, Superintendent of Insurance of the State of New York, do hereby certify that the foregoing is the 41st Amendment to Part 52 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Regulation 62), entitled Minimum Standards For The Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure, promulgated by me on November 18, 2009, pursuant to the authority granted by Sections 201, 301, 1109 and 3234 of the Insurance Law, to take effect upon publication in the State Register.

Pursuant to the provisions of the State Administrative Procedure Act, prior notice of the proposed amendment was published in the State Register on September 9, 2009. No other publication or prior notice is required by statute.

James J. Wrynn
Superintendent of Insurance

November 18, 2009