

INSURANCE DEPARTMENT OF THE STATE OF NEW YORK
3rd AMENDMENT TO REGULATION NO. 34
(11 NYCRR 215)
ADVERTISEMENTS OF ACCIDENT AND HEALTH INSURANCE

I, James J. Wrynn, Superintendent of Insurance of the State of New York, pursuant to the authority granted by the federal Social Security Act (42 U.S.C. section 1395ss) and by Sections 201, 301, 3201, 3216, 3217, 3218, 3221, 3231, 3232, and 4235, and Article 43 of the Insurance Law, do hereby promulgate the following 3rd amendment to Part 215 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Regulation No. 34), to take effect upon publication in the State Register.

(NEW MATTER UNDERLINED; DELETED MATTER IN BRACKETS)

Paragraph (7) of subdivision (a) of section 215.6 is amended to read as follows:

(7) The terms [Medicare supplement, Medigap] Medicare supplement, Medigap and words of similar import shall not be used in any advertisement of a policy, nor shall such advertisement otherwise imply or state that the policy is supplemental to Medicare unless that policy is issued in compliance with [11 NYCRR] section 52.11 and [52.22 (Regulation 62)] Part 58 of this Title.

I, James J. Wrynn, Superintendent of Insurance of the State of New York, do hereby certify that the foregoing is the Third Amendment to Part 215 of Title 11 (Regulation No. 34) promulgated by me on April 19, 2010, pursuant to the authority granted by the federal Social Security Act (42 U.S.C. section 1395ss) and by Sections 201, 301, 3201, 3216, 3217, 3218, 3221, 3231, 3232, and 4235, and Article 43 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 regulation was published in the State Register on February 24, 2010. No other publication or prior notice is required by statute.

James J. Wrynn
Superintendent of Insurance

April 19, 2010

