

Assessment of Public Comments for Amendment of Part 9 (Insurance Regulation 46); Amendment of Part 65-3 (Insurance Regulation 68-C); Amendment of Part 216 (Insurance Regulation 64); Amendment of Part 218 (Insurance Regulation 90); Amendment of Part 241 (Insurance Regulation 71).

After providing notice of adoption of amendments to multiple Parts of 11 NYCRR by publication in the New York State Register, but prior to the rule's effective date, the Department had received a comment from a trade association for insurers ("Association") stating that "until regulations are officially promulgated, companies do not initiate system/IT orders in case there are revisions or amendments to the regulation. The regulations take effect March 1 (two weeks) and companies just received notice today. Companies have expressed concern regarding the changes to the NF-10 form. Specifically if the newly adopted form is not utilized by March 1, these no-fault denial of claim forms may be challenged or considered invalid." The Association had asked the Department to change the effective date of the regulation from March 1, 2013 to April 1, 2013. The Department submitted an amended Notice of Adoption revising the effective date of the rule to April 1, 2013.

Thereafter, the Department was informed that information in the revised NF-10 form was incorrect. The Department had amended the NF-10 form to correct, among other things, the address of the American Arbitration Association ("AAA"). However, the AAA had provided the Department with an incorrect zip code. The NF-10 form is revised to correct the AAA's zip code, and also to update the Department's New York City address.

After discussing the matter with the insurer Association and other trade associations, the Department is extending the effective date of the rule to June 1, 2013, to ensure that insurers have sufficient time to update their systems and make use of the revised NF-10 form.