

**NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES  
FIRST AMENDMENT TO 11 NYCRR 89  
(INSURANCE REGULATION 118)**

**AUDITED FINANCIAL STATEMENTS**

I, Benjamin M. Lawskey, Superintendent of Financial Services, pursuant to the authority granted by Sections 202 and 302 of the Financial Services Law and Sections 301 and 307 of the Insurance Law, do hereby promulgate the following amendment to Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York, to take effect upon publication in the State Register, to read as follows:

**(MATTER IN BRACKETS IS DELETED; NEW MATTER IS UNDERLINED)**

**Section 89.4(c)(2) is amended as follows:**

(2) the company shall submit a letter to the superintendent within 15 business days of the event [detailing with specificity the nature and extent of] stating whether there were any disagreements at the decision-making level with the former CPA within the previous two years (whether or not resolved to the CPA's satisfaction) on any matter of accounting principles or practices, financial statement disclosure, or auditing scope or procedure that might or could have been referenced in the CPA's opinion attached to the audited financial report[.] and detailing with specificity the nature and extent of any such disagreements;



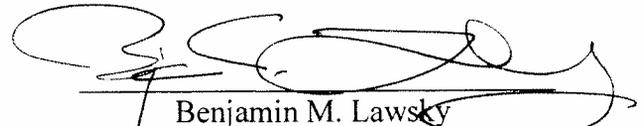
NEW YORK STATE  
DEPARTMENT *of*  
FINANCIAL SERVICES

Andrew M. Cuomo  
Governor

Benjamin M. Lawskey  
Superintendent

I, Benjamin M. Lawskey, Superintendent of Financial Services, do hereby certify that the foregoing is the First Amendment to Part 89 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Insurance Regulation 118), promulgated by me on March 14, 2014, pursuant to the authority granted by Sections 202 and 302 of the Financial Services Law and Sections 301 and 307 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 March 27, 2013. No other publication or prior notice is required by statute.



Benjamin M. Lawskey  
Superintendent of Financial Services

Date: March 14, 2014