

**NEW YORK STATE
INSURANCE DEPARTMENT**

**FIRST AMENDMENT TO REGULATION NO. 78
(11 NYCRR 55)**

**NOTICE TO EMPLOYEES CONCERNING TERMINATION OF GROUP
ACCIDENT AND HEALTH INSURANCE POLICIES**

I, Gregory V. Serio, Superintendent of Insurance of the State of New York, pursuant to the authority granted by Sections 201, 301, and 4235 of the Insurance Law, do hereby promulgate the following First Amendment to Part 55 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Regulation No. 78), to take effect upon publication in the State Register, to read as follows:

(Matter in brackets is deleted; new matter is underlined)

The statutory authority references for Part 55 are repealed and a new statutory authority is added to read as follows:

Insurance Law Sections 201, 301, and 4235

Section 55.1 is amended to read as follows:

§55.1 Definitions.

(a) *Policyholder* shall have the meaning set forth in Labor Law, section 217(2)(a)[, namely “any person, co-partnership, corporation, trade association, joint stock association, incorporated or unincorporated association, trustees or labor organization as defined in subdivision three and eight respectively of section thirty-seven-a of the Insurance Law to whom a policy or contract of group accident, group health or group accident and health insurance has been issued.”].

(b) *Certificate holder* shall have the meaning set forth in Labor Law, section 217(2)(b)[, namely “any person insured, on either a contributory or noncontributory basis, by a policy or contract of group accident, group health or group accident and health insurance.”].

(c) *Terminate* or *termination* shall mean nonrenew or cancel.

(d) *Group accident insurance policy, group health insurance policy and group accident and health insurance policy* shall have the meanings set forth in [subdivision (1) of the Insurance Law, section 221] subsection (a) of section 4225 of the Insurance Law (group accident and health insurance defined).

Subparagraph (ii) of Section 55.2(f)(2) is amended to read as follows:

(ii) Affidavits filed with the Superintendent of Insurance shall refer to Labor Law, section 217 and this Part, and shall be addressed to:

Chief, Health [and Life Policy] Bureau
New York State Insurance Department
Agency Building 1
Empire State Plaza
Albany, NY[12223] 12257