

**NEW YORK STATE
INSURANCE DEPARTMENT**

**FIRST AMENDMENT TO REGULATION NO. 106
(11 NYCRR 240)**

**CONFIDENTIALITY OF INFORMATION FURNISHED BY SOCIAL SERVICES
AGENCIES**

I, Gregory V. Serio, Superintendent of Insurance of the State of New York, pursuant to the authority granted by Sections 109, 201, 301, 320, and 4311 of the Insurance Law, do hereby promulgate the following First Amendment to Part 240 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Regulation No. 106), to take effect upon publication in the State Register, to read as follows:

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

The regulatory authority references for Part 240 are repealed and a new statutory authority is added to read as follows:

Insurance Law Sections 109, 201, 301, 320, and 4311

The opening paragraph and subdivisions (c) and (e) of section 240.1 are amended to read as follows:

The following guidelines are established with respect to preserving the confidentiality of information furnished by social services agencies to entities subject to the provisions of section [251-a or 26-b] 4311 or 320 of the Insurance Law:

(c) Every such entity shall designate in writing to the Superintendent of Insurance the officer who shall be primarily responsible for maintaining the security and confidentiality of information received in effectuation of the mandate of sections [251-a and 26-b] 4311 and 320 of the Insurance Law.

(e) No person shall be authorized to have access to or make use of the information furnished by the social services agencies aforesaid unless that person shall first have been advised that violation of the strictures herein set forth may result in criminal prosecution, pursuant to section [5] 109 of the Insurance Law.