

Consolidated Statement Setting Forth the Basis for the Finding that the Second Amendment to 11 NYCRR 420 (Insurance Regulation 169) Will Not Have a Substantial Adverse Impact on Jobs and Employment Opportunities.

The amendments to Insurance Regulation 169 should have no impact on jobs and employment opportunities. The amendments incorporate recent changes to federal privacy laws regarding information maintained by financial institutions. Under the Gramm-Leach Bliley Act (GLBA), financial institutions must provide certain notices to consumers and customers regarding the use of personal information. The Fixing America's Surface Transportation (FAST) Act, which was enacted into law on December 4, 2015, eliminated the requirement for financial institutions other than those in the insurance industry to provide GLBA annual notices under certain limited circumstances. Under GLBA, it remains up to each individual state to make conforming amendments in order to implement the change for the insurance industry. The National Association of Insurance Commissioners (NAIC) has proposed these changes for all insurance regulators to make. This amendment makes those exceptions applicable to licensees (as that term is defined in the regulation) under the Insurance Law that are subject to the regulation. The amendments eliminate a costly and duplicative requirement but the Department does not believe that its elimination will have a substantive impact on jobs.