

Summary of proposed Seventh Amendment to 11 NYCRR 16 (Insurance Regulation 86).

Matter in brackets is deleted; matter underlined is new.

Section 16.12(e) is amended as follows:

Statistical Code	Classification
2-02038	Television <u>Broadcast Interruption</u> [Breakdown-Closed Circuits] Covers the reduction in gross admission fees caused by interruption by breakdown, failure, malfunctioning or any disorder of equipment lines and appurtenances thereto, which prevents presentation of the audio or showing of [the] <u>a</u> telecast.
[2-04002	Federal Crime Program - Excess on Commercial Risks Coverage in excess of coverage available through state or federal crime insurance programs.]
2-14042	[Data Processors—Programmers and Analysts] <u>Technology Products & Services</u> <u>Includes data processors, programmers, analysts, software developers, information and network service providers, cloud service providers, website hosting services and similar professional technology products and services. Errors or omissions in the performance of (or failure to perform) services in connection with the insured’s information and network technology products or services (including hardware or software).</u>
2-14174	Joint Hospital and Voluntary Attending Physicians Excess Professional Liability Insurance [“Voluntary Attending Physician Program” (channeling)] <u>“Voluntary Attending Physician Program” (channeling)</u> means a program recognized by Section 3436(a) of the Insurance Law which insures one or more hospital and includes, as additional named insureds, persons who are voluntary attending physicians, with coverage applicable to both practice

conducted at a hospital with such program and the physicians' outside office practice, subject to the following minimum requirements:

- (1) coverage for the primary level shall be, at the minimum, \$1 million per occurrence/\$3 million in the aggregate, for each hospital, including its participating attending physicians;
- (2) coverage for excess layers shall be in excess of the primary layer specified in paragraph (1) of this subdivision;
- (3) each hospital participant must be a licensed general hospital as defined in Section 2801 of the Public Health Law of the State of New York;
- (4) the hospitals shall maintain a joint educational program;
- (5) the hospitals shall subscribe to common guidelines for quality care assurance;
- (6) the hospitals shall share in, and commonly develop, safety programs;
- (7) there are demonstrable savings resulting from the joint insurance program;
- (8) the producer of record shall obtain a statement from each hospital to the effect that the aggregate limits of all coverage will, in the opinion of the directors or trustees (or their equivalent) of each hospital, be adequate for the risk exposure;
- (9) each hospital shall maintain full affiliation with the sponsoring program;
- (10) coverage shall be issued either individually to the hospitals or on a group basis but, in either case, the attending physicians shall be issued certificates of insurance evidencing their coverage;
- (11) each such channeling program, as an experimental program, shall be limited to no more than 1,500 attending physicians, in actual practice, but a physician who retires from practice shall not be included in the computation and another physician may be enrolled in such case; and

(12) the channeling program shall have been permitted by the superintendent prior to the enactment of section 3436(a) of the Insurance Law on July 1, 1986. No new program shall be authorized, and no additional hospital shall join any existing program after such date.

2-14197

Commercial and Residential Real Estate Agents and Brokers and Property Management Services

Policies covering the liability of real estate agents and brokers and property managers who are engaged in large commercial and residential real estate projects. The policies would include, but are not limited to, liability coverage for acts arising out of the brokerage of sales and lease of real estate, property management, construction management and consulting, general consulting, franchising, joint ventures, mortgage brokering, appraisals, auction, referrals, business brokerage activities and the development of owned commercial and residential real estate.

2-22002

[Automobile] Motorsports Racing Liability

Liability coverage for owners or lessors of motorsports racing venues (e.g. race tracks for oval track events, drag races, monster truck rallies, motocross, motorcycle, boat or snowmobile racing, and other types of motorized vehicle competitive events).

2-22003

[Auto] Motorsports Racing and [Automobile Race Track] Motorsports Liability

Coverage for claims of spectators, participants or other third parties in connection with the operation of [an automobile race track or drag strip] motorsports venues, or the staging or conduct of [an automobile race] motorsports events or participation therein by teams and individuals.

2-50011

Crowdfunding Platforms – Directors and Officers Liability Insurance, Professional/Errors & Omissions Liability, or Fiduciary Liability Policies providing liability coverage for companies providing a platform, frequently a website or internet application, used to fund projects or ventures by raising monetary contributions from a large number of people.

2-50010

Directors and Officers Liability Insurance – Biotech & Nanotechnology. Policies providing liability coverage for directors and officers of biotechnology and nanotechnology companies.