

**NEW YORK STATE
DEPARTMENT OF FINANCIAL SERVICES
SIXTY-SECOND AMENDMENT TO 11 NYCRR 52
(INSURANCE REGULATION 62)**

**MINIMUM STANDARDS FOR FORM, CONTENT AND SALE OF HEALTH INSURANCE,
INCLUDING STANDARDS OF FULL AND FAIR DISCLOSURE**

I, Adrienne A. Harris, Acting Superintendent of Financial Services of the State of New York, pursuant to the authority granted by Sections 202 and 302 of the Financial Services Law and Sections 301, 3216, 3217, 3217-h, 3221, 4303, 4306-g of the Insurance Law, do hereby promulgate the Sixty-Second Amendment to Part 52 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Insurance Regulation 62), to take effect upon publication of the Notice of Adoption in the State Register, to read as follows:

(ALL MATERIAL IS NEW)

Section 52.17(d) is added as follows:

(d) Telehealth.

(1) *Telehealth* has the meaning set forth in Insurance Law sections 3217-h and 4306-g and includes audio-only visits.

(2) For the purposes of Insurance Law sections 3217-h and 4306-g, an insurer may engage in reasonable fraud, waste and abuse detection efforts, including to prevent payments for services that do not warrant separate reimbursement.

Section 52.18(h) is added as follows:

(h) Telehealth.

(1) *Telehealth* has the meaning set forth in Insurance Law sections 3217-h and 4306-g and includes audio-only visits.

(2) For the purposes of Insurance Law sections 3217-h and 4306-g, an insurer may engage in reasonable fraud, waste and abuse detection efforts, including to prevent payments for services that do not warrant separate reimbursement.



Department of Financial Services

KATHY HOCHUL
Governor

ADRIENNE A. HARRIS
Acting Superintendent

CERTIFICATION

I, Adrienne A. Harris, Acting Superintendent of Financial Services, do hereby certify that the foregoing is the Sixty-Second Amendment to Part 52 of Title 11 (Insurance Regulation 62) of the Official Compilation of Codes, Rules and Regulations of the State of New York, signed by me on December 6, 2021, pursuant to the authority granted by Sections 202 and 302 of the Financial Services Law and Sections 301, 3216, 3217, 3217-h, 3221, 4303, 4306-g of the Insurance Law, to take effect upon publication of the Notice of Adoption in the State Register.

Pursuant to the provisions of the State Administrative Procedure Act, prior notice of the proposed amendment was published in the New York State Register on September 22, 2021. No other publication or prior notice is required by statute.

Acting Superintendent of Financial Services

Dated: December 6, 2021