

**NEW YORK STATE
DEPARTMENT OF FINANCIAL SERVICES
PROPOSED
SIXTY-SIXTH 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, Superintendent of Financial Services, pursuant to the authority granted by Sections 202 and 302 of the Financial Services Law and Sections 301 and 1117 of the Insurance Law do hereby promulgate the Sixty-Sixth Amendment to Part 62 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:

(NEW MATTER UNDERSCORED, DELETED MATTER IN BRACKETS)

Section 52.65(10) is amended as follows:

((a) State the total annual premium for the policy or certificate[;].

(b) State [whether or not] that the [company has a right to change premium, and if such a right exists] policy or certificate may be subject to future premium rate increases, describe clearly and concisely each circumstance under which premium may change, and state that such rate increases shall be subject to the approval or modification of the superintendent. Include a list of the premium rate history for the policy or certificate over the previous 10 years. If the company did not offer the policy or certificate over the previous 10 years, the company shall use the past premium rate history for policies or certificates offering similar benefits over the previous 10 years.[.]

(c) Include a statement that the policy or certificate either does or does not contain provisions providing for a refund or partial refund of premium upon the death of an insured, [or] surrender of the policy or certificate, or upon the cancellation of the policy or certificate. If the policy or certificate contains such provisions, include a description of [them] their terms.[.]

(d) [(If the premium varies with an applicant's choice among benefit options, indicate the annual premium associated with each benefit option.[.]

(e) Provide directions on how to obtain information about the department's review of any premium rate filing or application, contact information for the department, and information on how to contact the insurer for more information.

(f) State whether there is a period in which premium will not change, and if so, when that period expires.

(g) Include a description of the options insureds will have to mitigate any premium increases, and a description of the options insureds will have if the premium increases and the insured deems it in the insured's best interest to cancel the policy or certificate.

(h) Include a statement that the insured will be given at least 90 days' notice before any premium change takes effect.

(i) Include a statement that if the insurer seeks to increase the premium rate, the department will post notice of rate filing on its website prior to any determination by the department.

(j) Include information regarding the rights of prospective insureds to submit public comments on any rate filing or application regarding premium rates on the department's website.)