

Dear Policyholder,

On April 7, 2020, the Governor issued Executive Order (EO) No. 202.14, which temporarily modified Insurance Law Sections 3216(d)(1)(C) and 4306(g), and also granted the Superintendent of Financial Services the authority to promulgate Emergency Amendments to Insurance Regulation 62 to implement such EO, subject to consideration by the Superintendent of the liquidity and solvency of the applicable health insurer or health maintenance organization (HMO), to extend the period for the payment of premiums to the later of the expiration of the applicable contractual grace period and 11:59 p.m. on June 1, 2020 for any comprehensive health insurance policyholder or contract holder under an individual policy and for any small group or student blanket comprehensive health insurance policy, or any child health insurance plan policy where the policyholder or contract holder pays the entire premium, for any such policyholder or contract holder who is facing a financial hardship as a result of the COVID-19 pandemic; require that such insurer or HMO be responsible for the payment of claims during such period; and bar such insurer or HMO from retroactively terminating the insurance policy for non-payment of premium during such period.

Further, with regard to any such individual, small group, or student blanket comprehensive health insurance policyholder or contract holder who does not make a timely premium payment and can demonstrate financial hardship as a result of the COVID-19 pandemic, the applicable insurer, HMO, or student health plan: (1) shall not impose any late fees relating to such premium payment; (2) shall not report the policyholder or contract holder to a credit reporting agency or refer the policyholder or contract holder to a debt collection agency with respect to such premium payment; and (3) shall provide information to the policyholder or contract holder regarding alternate policies available from the insurer, HMO, or student health plan and provide contact information for the NY State of Health.

A copy of Executive Order No. 202.14 can be found at

<https://www.governor.ny.gov/news/no-20214-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency>

and

Emergency Insurance Regulation 62 can be found at

https://www.dfs.ny.gov/system/files/documents/2020/04/re62_a59_text.pdf

These grace periods and rights are currently in effect but are temporary, though they may be extended further.

Please check the Department's website at <https://www.dfs.ny.gov/consumers/coronavirus> for updates.

If you have any questions regarding your rights under the Executive Order or Regulation, please contact your insurer, broker, or premium finance agency.