

# Notice to New York policyholders under comprehensive health insurance policies

A recent Executive Order issued by the Governor of the State of New York, together with a recent amendment to the New York insurance regulations (the “regulation”) issued by the New York State Department of Financial Services (“Department”), extend grace periods and give you other rights under your individual, small group or student blanket comprehensive health insurance policy if you can demonstrate financial hardship as a result of the novel coronavirus (“COVID-19”) pandemic. 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.

A copy of the Executive Order and regulation can be found at [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO\\_202.14\\_final.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202.14_final.pdf) and [https://www.dfs.ny.gov/system/files/documents/2020/04/re62\\_a59\\_text.pdf](https://www.dfs.ny.gov/system/files/documents/2020/04/re62_a59_text.pdf), respectively.

## **Insurance Payments - Grace Period**

If you can demonstrate financial hardship as a result of the COVID-19 pandemic, your insurer must extend the applicable grace period for the payment of premiums under your individual, small group or student blanket comprehensive health insurance policy to the later of the expiration of the applicable contractual grace period and 11:59 p.m. on June 1, 2020. If you do not make a timely premium payment and can demonstrate financial hardship as a result of the COVID-19 pandemic, your insurer may not impose any late fees relating to the premium payment or report you to a credit reporting agency or a debt collection agency regarding such premium payment, and must provide you with information regarding alternate insurance policies that are available and contact information for the NY State of Health.

## **How to Demonstrate Financial Hardship**

If you are unable to make a timely premium payment due to financial hardship as a result of the COVID-19 pandemic, you may submit to your insurer a statement that you swear or affirm in writing under penalty of perjury that you are experiencing financial hardship as a result of the COVID-19 pandemic, which the insurer shall accept as satisfactory proof. Such statement is not required to be notarized.

## **Questions**

If you have any questions regarding your rights under the Executive Order or regulation, please contact your insurer or broker.