Genworth

BULLETIN:

NY DFS Announcement Clarifying Relief on Regulation 216 Notice Requirements for Producers

April 14, 2020

Effective – Immediately

States – New York

Contact: If you have any questions, please contact Customer Service at 888.325.5433

On March 29, 2020, Governor Andrew M. Cuomo issued Executive Order 202.13, which, among other things, temporarily suspended or modified Insurance Law sections 1116, 3203, 3219, 3220, and 4510 and articles 34, 53, 54, and 55 and Workers' Compensation Law sections 54 and 226. In particular, this Executive Order modified Insurance Law to extend the grace period for the payment of premiums and fees to 90 days for any life policyholder facing a financial hardship as a result of the COVID-19 pandemic.

On March 30, 2020, the Superintendent of Financial Services for New York, Linda A. Lacewell, issued Regulation 216, the full text of which can be found at https://www.dfs.ny.gov/system/files/documents/2020/03/re_consolidated_amend_pt_405_27a_27c_new_216_text.pdf. We are sending this bulletin to your attention pursuant to Section 229.5, which, among other things, requires that:

(a) An insurer shall permit a policyholder who did not make a timely premium payment due to financial hardship as a result of the COVID-19 pandemic, including a policyholder to whom the insurer issued a nonpayment cancellation notice prior to the effective date of the Executive Order, and who can still demonstrate financial hardship as a result of the COVID-19 pandemic, to pay such premium over a 12-month period. An insurer also shall:

(1) within ten business days following the promulgation of this Part, provide notice with each insurance premium bill of the provisions of this Part and a toll-free number that the policyholder may call to discuss billing and make alternative payment arrangements; and

(2) notify insurance producers and any third-party administrators with whom the insurer does business of the provisions of this Part.

(b) A licensed insurance producer who services an in-force life insurance policy, annuity contract, or fraternal benefit society certificate or who procured the property/casualty insurance policy for the property policyholder shall mail or deliver notice to the policyholder of the provisions of this Part and section 405.6 of Part 405 of Title 3 within ten business days following the promulgation of this Part.

[continued]

Genworth companies include:
Genworth Life and Annuity Insurance Company, Richmond, VA
Genworth Life Insurance Company, Richmond, VA
Genworth Life Insurance Company of New York, New York, NY
Only Genworth Life Insurance Company of New York is admitted in and conducts business in New York.

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We are writing to let you know that Genworth Life Insurance Company of New York is offering all life insurance policies this 90 day grace period. The company is also implementing the notices on billing as required above as quickly as possible. This bulletin is our notice to our Brokerage General Agents as required above and also to alert you to the requirement for individual producers to deliver notice to their policyholders. We are also enclosing a link posted to the Department of Financial Services website on April 7, 2020 that provides guidance on the delivery of notices (in particular allowing e-mail). https://www.dfs.ny.gov/industry_guidance/insurers/electronic_delivery_notice