

Attachment B

NOTICE REQUIRED BY LABOR LAW SECTION 217 AND
SECTION 55.2 OF REGULATION 78 (11 NYCRR 55)

Pursuant to Labor Law section 217 and section 55.2 of Insurance Regulation 78 (11 NYCRR 55), you must give written notice of the intended termination to each certificate holder resident in New York State insured under the group policy by hand-delivering or mailing to the certificate holder a copy of [ISSUER'S] notice of termination and a covering letter advising the certificate holder of the intended termination. The written notice to each certificate holder must be:

- (1) hand-delivered by you to the certificate holder at the certificate holder's place of employment (e.g., by including the notice in the certificate holder's pay envelope) at least nine days prior to the intended date of termination; or
- (2) mailed by you to each certificate holder at the certificate holder's last known residential address at least nine days prior to the intended date of termination.

You must also post a copy of [ISSUER'S] notice of intent to terminate and the required covering letter in conspicuous locations chosen as most likely to give notice to the certificate holders. The notice shall be posted at least nine days prior to the intended date of termination.

These requirements do not apply if, at least 10 days prior to the date of the intended termination, as specified in [ISSUER'S] notice of intent to terminate, you have:

- (1) taken necessary steps whereby the intended termination is rendered null and void; or
- (2) replaced your [ISSUER] policy with similar coverage for the same certificate holders, and filed an affidavit with the Commissioner of Labor and Superintendent of Financial Services to that effect.

Affidavits filed with the Commissioner of Labor shall refer to Labor Law, Section 217, and be addressed to:

Director of Labor Standards
Department of Labor
Agency Building 12
State Office Building Campus
Albany, NY 12240

Affidavits filed with the Superintendent of the Department of Financial Services shall refer to Labor Law section 217 and to the Codes, Rules, and Regulations of the State of New York, Title 11, part 55.2 (11 NYCRR 55.2), and shall be addressed to:

Labor Law/Ins. Regulation 78
Notice for group policyholders

Chief, Health Bureau
New York State Department of Financial Services
One Commerce Plaza
Albany, NY 12257