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Filing Guidance for Combination Life and Accident & Health Submissions

- (A) Combination submissions are usually comprised of a group life insurance policy and certificate that provide one or more types of accident and health insurance benefits in addition to the principal life insurance benefit. Combination submissions may also include group or individual application forms and/or enrollment forms to apply for both life insurance and accident and health insurance coverage.
- (1) To simplify and expedite the review process, the addition of the accident and health insurance benefits to the life insurance policy and certificates should be done using a separate rider or insert page form. The accident and health insurance rider or insert page form must have a unique form number to distinguish it from the underlying life insurance policy and certificate forms. The policy/certificate, riders and insert pages should be such that those pertaining to life insurance contain no accident and health provisions and the policy/certificate, riders and insert pages that pertain to accident and health insurance contain no life insurance provisions. Forms that do not comply with this filing procedure will not be accepted, except as provided in section (C) below.
- (2) The policy forms dealing with life insurance should be submitted to the Life Bureau only and the policy forms dealing with accident and health insurance should be submitted to the Health Bureau only. The policy forms submitted to the Health Bureau must be accompanied by the requisite actuarial memorandum and rate manual pages.
- (B) Whether accidental death benefits should be submitted to the Life Bureau or to the Health Bureau will depend on the specifics of the benefit(s) being provided.
- (1) If the accidental death benefit is provided in conjunction with life insurance and does not include dismemberment, it is life insurance and should be submitted to the Life Bureau only. An additional benefit in the event of death by accident is defined as life insurance under §1113(a)(1) of the Insurance Law.

- (2) If the accidental death benefit is a stand alone benefit that can be purchased or maintained independently of life insurance coverage or if the benefit includes dismemberment, it is accident and health insurance and should be submitted to the Health Bureau only. Accident insurance benefits are recognized under Section 1113(a)(3) of the Insurance Law and Section 52.9 of Regulation No. 62 as a type of accident and health insurance.
- (C) Application and/or enrollment forms that may be used to apply for both life insurance and accident and health insurance coverage must be submitted to both the Life Bureau and to the Health Bureau for review and approval. Also, any riders, endorsements or revised memoranda of variable material to be used with previously approved combination forms must be submitted to both Bureaus.
- (1) The submission letter to each Bureau should clearly indicate that the form may be used with both life insurance and accident and health insurance. The submission letter should also state that an identical submission of the form has been made to both Bureaus.
 - (2) Any correspondence from the company during the course of the submission and any revised forms must be provided to both Bureaus.
 - (3) Each Bureau will send a separate approval letter to the company. The form may not be used until approval of the same version has been received from both Bureaus.
 - (4) It is the responsibility of the company making the submission to make sure that the same version of the form is approved by both Bureaus. Since each Bureau offers a variety of expedited submission methods and maintains separate filing queues, it may not be possible for both Bureaus to review the submissions simultaneously. For example, if the company uses an expedited process with one of the Bureaus and obtains an approval before the other Bureau has had an opportunity to review the form and the second Bureau requests changes to the form; the revised version of the form will need to be resubmitted to the first Bureau for approval. The only version of the form that may be used is the version that has been approved by both Bureaus.