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New York State

PAID FAMILY LEAVE

{ AGENT / BROKER HIGHLIGHTS }

PFL EFFECTIVE DATE | 01/01/18

PFL BENEFITS DATE | 01/01/18

HIGHLIGHTS UPDATE | 08/01/17

NY STATE DISABILITY & PAID FAMILY LEAVE SERVICES
NY-PFL BULLETIN 08/01/17

POWERED BY



516.482.2696 / www.LiDAC.com

New York State Paid Family Leave

{AGENT / BROKER HIGHLIGHTS}

INSURANCE PROVIDERS / CARRIERS Services

SERIES X

CARRIER MARKET PARTICIPATION

Insurance carriers currently participating in underwriting New York State Statutory Disability (DBL) have confirmed their continued status to continue NYDBL and provide NYPFL effective 01/01/2018.

- Insurance carriers that make such declaration are required to offer Family Paid Leave (PFL), otherwise they must exit the NY State Disability (DBL) market. Further details may be available: **DFS II NYCRR 363, Section 363.6 (k) (1)**

CARRIER CONSIDERATIONS

Each insurance carrier participating in New York State Statutory (DBL) business **must consider all of the underwriting, administrative and service requirements** in order to provide Paid Family Leave Benefits.

- In order to administer PFL claims insurance carriers will be required to review, verify and approve that an employee's request for Paid Family Leave is valid and or medically justified.
- Insurance health care providers offering out-of-state or out-of-country coverage must have a valid license where they practice.
- In the event of these instances it will also require a review and certification that an employee's request for Paid Family Leave is valid and or medically justified.

Insurance Carriers will be required at significant cost to make necessary and timely adjustments to their systems, while training their sales, service and claims staff as well as address premium billing and collection changes that include but are not limited to:

- Documentation, reports and NY State mandated forms related to Paid Family Leave must be added to the current NYS DBL policy contracts



All insurance health care providers will be required to provide their license number with a description of their medical specialty and written documentation to the employee related to the state or country where they are licensed.

- All insurance health care providers based in United States must provide the ICD 10 primary and secondary codes detailing the diagnosis of a serious health condition.
- All Non-United States based insurance health care providers may be permitted to provide a diagnosis description determined to be sufficient in accordance with New York State Guidelines.

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INSURANCE PROVIDERS / CARRIERS Services-Cont'd

SERIES X

CONTINUITY OF COVERAGE

Effective January 1st, 2018 all insurance carriers underwriting New York's statutory disability must assume the coverage in offering Paid Family Leave (PFL).

- Any carrier that fails to offer the Paid Family Leave (PFL) will no longer underwrite any New York DBL coverage.
- The insurance carrier underwriting the DBL must also underwrite the PFL, which may not be underwritten separately under another carrier's policy.
- Insurance carriers are currently preparing the required PFL policy rider to be added to the NY DBL policy.

CARRIERS & EXISTING CLIENTS

In the event that any of the current NY DBL insurance carriers fail to declare that they wish to continue to underwrite the NY DBL together with the PFL benefits, they must advise their existing policyholders of their decision. Policyholders will be required to find an appropriate insurance company to replace their coverage on or before December 31st, 2017.



CARRIERS PFL CLAIMS

Once the carrier receives a completed request for paid family leave with the **necessary certification as identified in Subpart 380-4 of this Part**, the carrier must pay the claim or deny the claim within 18 days

- In the event that an employee makes a claim for Paid Family Leave upon an uninsured employer and is entitled to such benefits, the Special Fund for Disability Benefits shall make payment of the benefits to the employee.
- **The Special Fund for Disability Benefits** will attempt to seek reimbursement from the uninsured employer of any benefit payments made on behalf of the uninsured employer. If the Special Fund for Disability Benefits seeks reimbursement of such payments from the uninsured employer, the employer cannot seek contributions from its employees to pay the required reimbursement.

The above information provides a brief summary of guidelines related to recent updates as may be available from the State of New York under the Paid Family Leave Act. This is not intended to offer specific details, terms and / or conditions as it relates to the final passage of the law and or proposed changes as may be pending. You may request a copy of the NYS PFL law for additional information as may be required.

Looking for more information, please contact our sales and service office

New York Statutory Disability Services 516-482-2696 or info@LiDAC.com

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