



January 13, 2017

NY ISSUES REGULATION REVISING COMMERCIAL CRIME COVERAGE EXCLUSIONS

BACKGROUND	<p>The New York State Department of Financial Services has issued regulation 11 NYCRR 76.</p> <p>This regulation states that no policy, renewed or delivered in the State, that provides commercial crime coverage, may exclude or limit coverage for loss or damage caused by an employee on the basis that the employee was convicted of one or more criminal offenses in the state or any other jurisdiction prior to being employed by the employer if, after learning about an employee's past criminal conviction or convictions, the employer made a determination to hire or retain the employee utilizing the factors set out in Correction Law Article 23-A.</p>
MSO ACTION	<p>None. MSO crime coverages do not include these types of exclusions.</p>
EFFECTIVE DATE	<p>July 1, 2017</p>
REGULATION AVAILABILITY	<p>11 NYCRR 76 can be accessed on the Department's website: http://www.dfs.ny.gov/insurance/r_finala/2016/rf209txt.pdf</p>
QUESTIONS	<p>Contact Joy Lucas at (800) 935-6900.</p>