

Bulletin No. 2021-21

August 31, 2021

RE: NEW COVERAGE CODES

As detailed in [Bulletin No. 2021-01](#) and [Bulletin No. 2021-19](#), New York has recently authorized paid surrogacy insurance for intended parents and excess business disability insurance, respectively. These coverages may be placed with excess line insurers subject to diligent effort and other requirements of the excess line laws. The Department of Financial Services has assigned the following excess line coverage codes. Please use them where applicable when filing policies with ELANY:

<u>73</u>	EXCESS BUSINESS DISABILITY
7301	EXCESS OF A PRIMARY BUSINESS-RELATED DISABILITY POLICY
7302	PRIMARY BUSINESS-RELATED COVERAGE INCLUDED
<u>74</u>	DONOR MEDICAL EXPENSE INSURANCE
7400	DONOR MEDICAL EXPENSE COVERAGE

In addition, [Insurance Law §1113\(17\)](#) has been amended to permit coverage for non-performance under a surrogacy contract. This coverage may be placed with excess line insurers subject to diligent effort and other requirements of the excess line laws. Policies providing this coverage should be filed with ELANY using coverage code 6801 – **ALL CLASSES/CREDIT INSURANCE**.

Should you have any questions regarding the content of this bulletin, please direct them to Howard Greene at hgreene@elany.org or (646) 292-5591.