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Amendments to New York Comprehensive Insurance Disclosure Act Signed Into Law

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Amendments to the New York Comprehensive Insurance Disclosure Act, reducing the initial burden on insurers and defendants set forth in the initial bill, was signed into law on February 24, 2022. New York Civil Practice and Rules Section 3101(f) still requires mandatory disclosures, but the requirements have been lessened. Below is a summary of the new CPLR provision:

- Disclosures are due 90 days after service of the answer for lawsuits filed on or after December 31, 2021, and include:
 - All primary, excess and umbrella policies relating to the claims being litigated shall be disclosed. A declaration page may be accepted if agreed to in writing. The application is not required to be produced. The production is not an admission that the policy covers the injury or damage.
 - The contact information (name and e-mail address) of an individual responsible for adjusting the claim at issue.
 - The available policy limits
- The defendant must make “reasonable efforts” to ensure the information remains accurate and complete. Updates must be made after the filing of the note of issue, when entering into any formal settlement negotiations, at mediation, when the case is called to trial, and for 60 days after settlement or judgment.
- The disclosure rules do not apply to actions seeking to recover PIP benefits.

Click [here](#) to view the full text of the bill. Traub Lieberman attorneys will work with carriers and clients to ensure that, for the affected suits, the proper disclosures are made and that privileged information is withheld.

Our previous updates on this bill are linked below:

- [New York’s Comprehensive Insurance Disclosure Act Imposes Increased Disclosure Requirements On Defendants at the Beginning of Lawsuits \(January 7, 2022\)](#)
- [Changes to Comprehensive Insurance Disclosure Act in New York Introduced \(January 19, 2022\)](#)
- [New York State Senate Passes Amendments to the Comprehensive Insurance Disclosure Act \(January 28, 2022\)](#)
- [Changes to New York Comprehensive Insurance Disclosure Act Slightly Amended on Senate Floor \(February 15, 2022\)](#)
- [SB 7882, Amending New York’s Comprehensive Insurance Disclosure Act, Passes Assembly, Awaits Governor’s Signature \(February 18, 2022\)](#)