

SCAFFOLD LAW REFORM

TELL LEGISLATORS

- New York State needs to adopt a comparative negligence standard that more equitably distributes the burden to all responsible parties to an elevation related accident.
- New York is the only state in the union that retains this archaic pre-workers' compensation statute.
- Loss costs for insurance impacted by the Scaffold Law are as much as 5 times higher than places without the law.
- Scaffold Law Reform will reduce the costs of capital construction for the State, local governments, school districts and private sector construction projects across New York creating jobs and increasing economic development.
- Scaffold Law costs NY taxpayers \$785 million annually because of increased costs of construction on public projects.

ASK LEGISLATORS

- Support legislation, A.3737 (McDonald), that would reform the Scaffold Law to create a comparative negligence standard for elevation related accidents.

SINGLE PAYER HEALTH SYSTEM

TELL LEGISLATORS

- New York lawmakers are currently considering legislation, sponsored by Senator Rivera and Assemblyman Gottfried, which would create a single payer (government-run) health care system.
- Big I NY believes that any alternative to our current system should build upon the state's existing strengths and not recreate a whole new system.
- A government-run single payer system would be prohibitively expensive and would disrupt other insurance coverage, including Medicare coverage for seniors and existing employer-sponsored health insurance coverage.
- If a single payer scheme is enacted, the state would need to collect an additional \$197 billion in taxes to pay for it. This would be a 276% increase.
- While we oppose a single payer health system, we support any initiatives that will help to maintain a competitive and vibrant marketplace that will provide quality coverage at an affordable price and measures that will bring down the high costs of health care.

ASK LEGISLATORS

- To oppose A.5248 (Gottfried) and S.3577 (Rivera) and any legislation that would create a single payer health system in New York.

WORKPLACE SAFETY & LOSS PREVENTION PROGRAM

TELL LEGISLATORS

- The Workplace Safety & Loss Prevention Program, also known as Code Rule 59, was created in 1997 to reduce workplace injuries by requiring certain large employers to undergo workplace safety consultations and evaluations.
- The Program applies to employers whose most recent payroll exceeds \$800,000 and whose experience mod exceeds 1.2.
- The payroll threshold has not been updated since 1997, so smaller employers are now subject to this program and the costs associated with the consultation and evaluation, which can be substantial.
- The \$800,000 payroll threshold needs to be adjusted to reflect today's payroll costs, which would equate today to approximately \$1.2 million.

ASK LEGISLATORS

- Support Big I NY's legislation, A.3547 (Zebrowski) to change the payroll threshold from \$800,000 to \$1.2 million and to provide annual adjustments to this threshold to keep pace with inflation.

WORKERS COMP – 30 DAY NOTICE TO WITHDRAW

TELL LEGISLATORS

- Under current law, policyholders must provide NYSIF with 30 days of advance written notice before canceling a policy.
- The NYSIF is the largest writer of WC policies in NY, with almost 40% market share. Policyholders are not required to provide advance notice if they are withdrawing from a private insurer's WC policy.
- This disparity creates a barrier for businesses to switch carriers in order to obtain more competitive coverage. The rationale for the notice is that SIF requires a competitive advantage because it is the insurer of last resort. However, the need for an advantage is questionable as they are already the dominant player in the WC market.

ASK LEGISLATORS

- To support A.4350 (Zebrowski) and S.3516 (Breslin), which would remove the 30-day notice requirement for a policyholder to withdraw from the Fund if they have secured insurance with another carrier.

PHOTO INSPECTION LAW

TELL LEGISLATORS

- Section 3411 of the Insurance Law requires that all motor vehicles must be inspected before comprehensive or collision coverage can be provided.
- The reports require a photo inspection that is conducted by either the agent or broker or a third party such as CARCO.
- This law was put in place 25 years ago to reduce fraudulent physical damage claims. Since that time, technological advances and new fraud fighting tools have rendered this requirement useless. Insurance companies no longer rely on these inspections and the reports are rarely, if ever used.
- The cost of these mandatory inspection reports is passed on to drivers in the form of higher premiums. Not only do drivers have to pay higher premiums but a driver can inadvertently lose physical damage coverage if the inspection is not completed within a time period specified in the law.

ASK LEGISLATORS

- To support S.801 (Lanza) and A.2809 (Zebrowski) that repeals Insurance Law 3411 to allow insurance companies to determine when a vehicle photo inspection is required.

ANTI-ARSON LAW

TELL LEGISLATORS

- In the late 1970s there was an increase in arson activity in some major cities. This prompted the Legislature to create Section 3403 of the Insurance Law which directed the insurance superintendent to develop an “anti-arson application” for people seeking property insurance for fire or explosion to complete.
- The anti-arson application has outlived its usefulness. Insurance companies today are required by law to have fraud prevention plans, which are filed with the State, on how they detect, investigate, and prevent fraudulent activities.
- Many policyholders simply forget or fail to complete the form in time, forcing the company to cancel the policy unnecessarily.
- The law is just a paperwork burden for policyholders who risk losing coverage if the paperwork is not completed.

ASK LEGISLATORS

- To support A.1167 (D. Rosenthal), which would repeal the anti-arson law.