



**STATE OF NEW YORK
INSURANCE DEPARTMENT
160 WEST BROADWAY
NEW YORK, NEW YORK 10013**

**Circular Letter No. 8 (1995)
June 7, 1995**

TO: All Licensed Property and Casualty Insurers

RE: The Use of Certificates of Insurance

It has come to our attention that some cities, counties, and other organizations require as a condition of doing business that insured parties produce certificates of insurance on forms that appear to alter the terms of the actual policy. Some of these certificates incorporate "hold harmless" agreements or other clauses that alter the language of the policy, or include statements that the wording of the certificate will control in the event of any inconsistency or conflict between the certificate and the policy.

Insurers are advised that certificates of insurance should be used only to provide evidence of insurance in lieu of an actual copy of the applicable insurance policy. Certificates should not be used to amend, expand, or otherwise alter the terms of the actual policy.

A certificate of insurance that lists the pertinent coverage terms as they appear in the actual policy is not considered a policy form that requires the Superintendent's prior approval. However, one that amends, expands or otherwise alters the terms of the applicable insurance policy constitutes a policy form, which must be filed with the Superintendent of Insurance in accordance with Section 2307(b) of the Insurance Law.

Questions or comments on this subject may be directed to:

Alwyn Codrington, Senior Examiner
Property & Casualty Insurance Bureau
New York State Insurance Department
160 West Broadway
New York, NY 10013
Phone: 212-602-8744 FAX: 212-602-8825