

Brighthouse Life Insurance Company of NY and New England Life Insurance Company Positions on New York Regulation 187 for Life Insurance

This memo describes the position of Brighthouse Life Insurance Company of NY and New England Life Insurance Company (together, “Brighthouse”) on New York Regulation 187 (the “Regulation”) as it applies to the sale and servicing of life insurance policies issued by Brighthouse and delivered in New York.

Sales and In-Force Transactions

Brighthouse considers any purchase or replacement of a life insurance policy to be a *sales transaction*, as defined under Section 224.3(j) of the Regulation. In addition, Brighthouse has determined that subsequent transactions such as term conversions, policy changes, exercising certain riders, or face amount increases that result in new compensation could be treated as a *sales transaction* under the Regulation if recommended to a customer. Brighthouse considers other transactions to be *in-force transactions*, as defined under Section 224.3(k) of the Regulation.

Contracts

Brighthouse does not intend to amend its contracts with you or any downstream producing entities and agents.

Disclosure of Favorable and Unfavorable Product Features

Also known as life insurance fact cards, we have developed life insurance product disclosures, which will be available to your Firm and downstream producers through brighthousefinancialpro.com by February 1, 2020. We believe these fact cards contain the information required to be disclosed under Section 224.4(b)(3)(i) of the Regulation. We do, however, expect your Firm and/or downstream producing entities and their agents to continue to provide the compensation disclosures required under New York Insurance Law.

Certifications

We will update our Producer Identification and Certification Form to incorporate certifications related to the Regulation. This form will be required with all life insurance applications, including applications for conversions, policy changes, and the exercise of certain riders. Our eForms site and any applicable sales kits will be updated by February 1, 2020.

Suitability

We will require that your downstream producing entities and their agents complete a new suitability form with the submission of life insurance applications. The form will be available on our eForms site and in sales kits, as applicable. Brighthouse will review the information collected on this form and determine whether the recommended transaction is suitable, as defined in Section 224.3(h). We will contact your Firm and your downstream producing entities and their agents if we have any questions with respect to the suitability of any recommendation. This form will not be required with the submission of applications for conversions, policy changes, and the exercise of riders. This form will also not be required for cases submitted through a wholesaling relationship where the commissions due to the Registered Representative will be paid to their Broker/Dealer.

Training

Brighthouse is enclosing a training document that summarizes relevant provisions of the Regulation. We are asking that you provide this document to your downstream producing entities and their agents with active Brighthouse appointments prior to February 1, 2020. This will satisfy the training requirements for your downstream producing entities and their agents with active Brighthouse appointments.

With respect to product-specific training, Brighthouse expects you and your downstream producing entities and their agents to review our marketing material, product brochures, and other materials prior to selling life insurance products issued by Brighthouse. These materials are available through their wholesaler and through brighthousefinancialpro.com.

Regulation 60 Impacts

At this time, we do not intend to make changes to our processes and forms used for compliance with Regulation 60 in response to the Regulation. We intend to continue following the “one-step process” pursuant to the Third Amendment to New York Insurance Regulation 60. We do, however, expect you and your downstream producing entities and their agents to ensure the recommendation is still in the best interest of the consumer after reviewing the Appendix B or Appendix C Disclosure Statements (Brighthouse forms: *EREPLDIS-NY-B* or *EREPLDIS-NY-C*).