

SERFF Tracking Number: NYLC-126210618 State: Arkansas
Filing Company: New York Life Insurance and Annuity Corporation State Tracking Number: 42875
Company Tracking Number: 309-993G
TOI: L09I Individual Life - Flexible Premium Sub-TOI: L09I.001 Single Life
Adjustable Life
Product Name: BOLI 50 Claim Account Rider - 309-993G
Project Name/Number: BOLI 50 Claim Account Rider - 309-993G/309-993G

Filing at a Glance

Company: New York Life Insurance and Annuity Corporation

Product Name: BOLI 50 Claim Account Rider - SERFF Tr Num: NYLC-126210618 State: Arkansas
309-993G

TOI: L09I Individual Life - Flexible Premium
Adjustable Life

SERFF Status: Closed-Approved-
Closed State Tr Num: 42875

Sub-TOI: L09I.001 Single Life

Co Tr Num: 309-993G

State Status: Approved-Closed

Filing Type: Form

Reviewer(s): Linda Bird

Authors: Team Leader, Sean
Hebron

Disposition Date: 07/20/2009

Date Submitted: 07/02/2009

Disposition Status: Approved-
Closed

Implementation Date Requested: On Approval

Implementation Date:

State Filing Description:

General Information

Project Name: BOLI 50 Claim Account Rider - 309-993G

Project Number: 309-993G

Requested Filing Mode: Review & Approval

Explanation for Combination/Other:

Submission Type: New Submission

Overall Rate Impact:

Filing Status Changed: 07/20/2009

Status of Filing in Domicile:

Date Approved in Domicile:

Domicile Status Comments:

Market Type: Individual

Group Market Size:

Group Market Type:

Explanation for Other Group Market Type:

State Status Changed: 07/20/2009

Created By: Sean Hebron

Corresponding Filing Tracking Number:

Deemer Date:

Submitted By: Sean Hebron

Filing Description:

RE: New York Life Insurance and Annuity Corporation (NYLIAC)

Individual Life Insurance

NAIC # 82691596

FEIN #: 13-3044743

Form No. 309-993G – Rider

SERFF Tracking Number: NYLC-126210618 State: Arkansas
Filing Company: New York Life Insurance and Annuity Corporation State Tracking Number: 42875
Company Tracking Number: 309-993G
TOI: L09I Individual Life - Flexible Premium Sub-TOI: L09I.001 Single Life
Adjustable Life
Product Name: BOLI 50 Claim Account Rider - 309-993G
Project Name/Number: BOLI 50 Claim Account Rider - 309-993G/309-993G

Dear Commissioner:

We are attaching for your Department's approval a revised rider, form 309-993G titled, Claim Account Rider. This form was recently filed with and approved by your department on 5/18/2009. However, upon submission of this form, we determined that further clarification was needed within rider. We would like to replace the previously sent version of this rider (form 309-993) with the attached version.

The only changes made to the rider are as follows:

- Replaced "ACSV plus policy debt" with "cash value plus the value of the Claim Account attributable to the policy" in both 5(d) and 9(c);
- Replaced "Monthly Claim Account Funding Amount" with "Cost of Insurance charge" to 5(d);
- Added as Question 7, "How Is The Life Insurance Benefit Determined When This Rider Is In Effect?";
- Clarified the last sentence of the first paragraph of question 10 to include, "if you are eligible under the terms of Your Policy to receive the ACSV";
- Added brackets around Policy Year 20+ of the data page to indicate that additional policy years with mortality percentages may be added beyond Policy Year 20. The attached Memorandum of Variable Material has also been revised to include this change.

Due to the additional verbiage, the rider has an additional page and the signatures were formatted slightly. No other changes have been made to the form. We would also like to mention that the previous version of the rider has not been issued in your state.

The actuarial memorandum previously sent contained the appropriate wording and is unaffected by these changes. We have included an actuarial certification to this effect.

We do apologize for this oversight and for any inconvenience that this replacement may cause you.

I hope that this information is satisfactory and that we receive your Department's approval of this submission at your earliest convenience. If you need additional information, please feel free to contact Diana Moody via email at dmoody@nyl.com or toll-free at 1-888-695-4748 ext 4064.

Sincerely,

Linda E. LoPinto
Corporate Vice President

SERFF Tracking Number: NYLC-126210618 State: Arkansas
 Filing Company: New York Life Insurance and Annuity Corporation State Tracking Number: 42875
 Company Tracking Number: 309-993G
 TOI: L09I Individual Life - Flexible Premium Sub-TOI: L09I.001 Single Life
 Adjustable Life
 Product Name: BOLI 50 Claim Account Rider - 309-993G
 Project Name/Number: BOLI 50 Claim Account Rider - 309-993G/309-993G
 Individual Life Department

Attachment

Company and Contact

Filing Contact Information

Sean Hebron, Senior Contract Assistant Sean_Hebron@nyl.com
 51 Madison Avenue 212-576-2681 [Phone]
 Room 606 212-447-4141 [FAX]
 New York, NY 10010

Filing Company Information

New York Life Insurance and Annuity Corporation CoCode: 91596 State of Domicile: Delaware
 51 Madison Ave Group Code: 826 Company Type: Life
 New York, NY 10010 Group Name: NYLIC State ID Number:
 (212) 576-4809 ext. [Phone] FEIN Number: 13-3044743

Filing Fees

Fee Required? Yes
 Fee Amount: \$50.00
 Retaliatory? Yes
 Fee Explanation: \$50.00 per form X 1 form = \$50.00
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
New York Life Insurance and Annuity Corporation	\$50.00	07/02/2009	28946749

SERFF Tracking Number: NYLC-126210618 State: Arkansas
Filing Company: New York Life Insurance and Annuity Corporation State Tracking Number: 42875
Company Tracking Number: 309-993G
TOI: L09I Individual Life - Flexible Premium Sub-TOI: L09I.001 Single Life
Adjustable Life
Product Name: BOLI 50 Claim Account Rider - 309-993G
Project Name/Number: BOLI 50 Claim Account Rider - 309-993G/309-993G

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved-Closed	Linda Bird	07/20/2009	07/20/2009

SERFF Tracking Number: NYLC-126210618 *State:* Arkansas
Filing Company: New York Life Insurance and Annuity *State Tracking Number:* 42875
Corporation
Company Tracking Number: 309-993G
TOI: L09I Individual Life - Flexible Premium *Sub-TOI:* L09I.001 Single Life
Adjustable Life
Product Name: BOLI 50 Claim Account Rider - 309-993G
Project Name/Number: BOLI 50 Claim Account Rider - 309-993G/309-993G

Disposition

Disposition Date: 07/20/2009

Implementation Date:

Status: Approved-Closed

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: NYLC-126210618 State: Arkansas
 Filing Company: New York Life Insurance and Annuity Corporation State Tracking Number: 42875
 Company Tracking Number: 309-993G
 TOI: L09I Individual Life - Flexible Premium Sub-TOI: L09I.001 Single Life
 Adjustable Life
 Product Name: BOLI 50 Claim Account Rider - 309-993G
 Project Name/Number: BOLI 50 Claim Account Rider - 309-993G/309-993G

Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	Flesch Certification		Yes
Supporting Document	Application		No
Supporting Document	Health - Actuarial Justification		No
Supporting Document	Outline of Coverage		No
Supporting Document	309-993G Red-Lined Version		Yes
Supporting Document	Memorandum of Variable Material		Yes
Form	Claim Account Rider		Yes

SERFF Tracking Number: NYLC-126210618 State: Arkansas
 Filing Company: New York Life Insurance and Annuity Corporation State Tracking Number: 42875
 Company Tracking Number: 309-993G
 TOI: L09I Individual Life - Flexible Premium Sub-TOI: L09I.001 Single Life
 Adjustable Life
 Product Name: BOLI 50 Claim Account Rider - 309-993G
 Project Name/Number: BOLI 50 Claim Account Rider - 309-993G/309-993G

Form Schedule

Lead Form Number: 309-993G

Schedule Item Status	Form Number	Form Type Form Name	Action	Action Specific Data	Readability	Attachment
	309-993G	Policy/Cont ract/Fraternal Certificate: Amendment, Insert Page, Endorsement or Rider	Revised	Replaced Form #: 309-993 Previous Filing #:	53.000	309-993G.pdf

NEW YORK LIFE INSURANCE AND ANNUITY CORPORATION

RIDER

CLAIM ACCOUNT RIDER

The benefits provided by this Rider are explicitly made a part of and incorporated into the Policy to which this Rider is attached.

- 1. What Is A Policy Series?** "Policy Series" means all Policies owned by a single Owner and purchased on the same Policy Effective Date.
- 2. What Is The Claim Account?** An amount that will become a part of your Alternative Cash Surrender Value ("ACSV") benefit on the date of the full surrender of the last Policy in the Policy Series if the conditions described herein are met.
- 3. What Investment Portfolio(s) Are Available For The Claim Account?** When You apply for this Rider, You may select the Investment Portfolio in which the Claim Account will be invested. Only one Investment Portfolio may be selected for each Policy Series. Once this selection is made, it cannot be changed or withdrawn. The Claim Account may not be transferred to another Investment Portfolio.
- 4. What Is The Benefit Of This Rider?** Upon full surrender of the last Policy in the Policy Series, if You are eligible under the terms of the Policy to receive the ACSV, the value of the Claim Account attributable to the Policy Series will be included in Your ACSV benefit on the date of the full surrender.
- 5. What Is The Current Monthly Expected Mortality Cost for each Policy?** The Current Monthly Expected Mortality Cost is calculated on each Monthly Deduction Day and equals $(a \times b) \times (c - d)$, where:
 - (a) is the Mortality Percentage as shown on Rider Data Page 1;
 - (b) is the applicable Monthly Mortality Rate as shown on Rider Data Page 2 divided by 1,000;
 - (c) is the Life Insurance Benefit (as defined in the applicable Option 1 or Option 2 in the Life Insurance Benefit Section) divided by 1.00327;
 - (d) is the cash value plus the value of the Claim Account attributable to the policy as of the Monthly Deduction Day before the Cost of Insurance charge is deducted but after the other Monthly Deduction Charges are deducted.The Net Amount at Risk is (c) minus (d).
- 6. What Is The Monthly Claim Account Funding Amount?** The Monthly Claim Account Funding Amount for each Policy is equal to the Current Monthly Expected Mortality Cost up to the amount of the current Monthly Cost of Insurance charge. The Monthly Claim Account Funding Amount will be deducted from the Monthly Cost of Insurance charge and used to fund the Claim Account for the Policy Series.
- 7. How Is The Life Insurance Benefit Determined When This Rider Is In Effect?** Prior to the ACSV Expiry Date, the life insurance benefit under the Policy when this rider is in effect is no less than the minimum necessary for the Policy to qualify as life insurance under Section 7702 of the Internal Revenue Code, as amended, determined as a percentage of the Alternative Cash Surrender Value Benefit plus Policy Debt plus the Claim Account attributable to the policy. At all other times, the life insurance benefit under the Policy when this rider is in effect is no less than the minimum necessary for the Policy to qualify as life insurance under Section 7702 of the Internal Revenue Code, as amended, determined as a percentage of the Cash Value plus the Claim Account attributable to the policy. (See Policy Data Page 2.3 for a table of these percentages.)

CLAIM ACCOUNT RIDER (continued)

- 8. How Is The Value Of The Claim Account Attributable To A Policy Determined?** On the first Monthly Deduction Day, the value of the Claim Account for the Policy Series attributable to a Policy is equal to the Monthly Claim Account Funding Amount.

The portion of the Claim Account value attributable to the Policy on each subsequent Monthly Deduction Day will be equal to:

- (a) the value of the Claim Account attributable to the Policy as of the prior Monthly Deduction Day; less
- (b) the Net Amount at Risk portion of any death claims paid since the last Monthly Deduction Day for any Policy under the Policy Series. (This amount is deducted from the Claim Account value attributable to all remaining Policies in the Policy Series in proportion to the Claim Account value attributable to each such Policy relative to the Claim Account balance for the Policy Series); plus
- (c) the Monthly Claim Account Funding Amount; plus
- (d) the value of the Claim Account attributable to any surrendered Policy in the Policy Series that qualified to receive the ACSV and that was surrendered since the last Monthly Deduction Day. (This amount is added to the Claim Account value attributable to all remaining Policies in the Policy Series in proportion to the Claim Account value attributable to each such Policy relative to the Claim Account balance for the Policy Series); plus
- (e) the interest credited to the Claim Account value attributable to the Policy since the last Monthly Deduction Day. The Claim Account Minimum Guaranteed Interest Crediting Rate is indicated on the Rider Data Page 1. The interest credited to the Claim Account value attributable to the Policy at any time will be based on a rate of interest, which we declare periodically. Such rate will be declared at least annually.

The Claim Account value attributable to the Policy is not available for Monthly Deduction Charges or for purposes of a loan or partial surrender. In addition, the value of the Claim Account attributable to the Policy will never be less than zero.

- 9. How Is The Cost Of Insurance For The Policy Calculated When This Rider Is In Effect?** The cost of insurance is calculated on each Monthly Deduction Day. The monthly cost of insurance is equal to (a) multiplied by the result of (b) minus (c) where:

- (a) is the monthly cost of insurance rate per \$1,000 of insurance
- (b) is the number of thousands of life insurance benefit as of the Monthly Deduction Day divided by 1.00327; and
- (c) is the number of thousands of cash value plus the number of thousands of the value of the Claim Account attributable to the policy as of the Monthly Deduction Day (before this cost of insurance is deducted).

- 10. What Is The Effect Of A Surrender Of A Policy On The Claim Account?** Upon full surrender of an individual Policy that is not the last Policy in the Policy Series to be surrendered, if You are eligible under the terms of Your Policy to receive the ACSV, the portion of the Claim Account attributable to Your Policy will be zero for that Policy and instead the portion attributable to Your Policy before such surrender will be attributed to the remaining Policies in the Policy Series. Such attribution will be based on each Policy's pro rata portion of the total Claim Account balance for the entire Policy Series. The Claim Account value will be paid upon the surrender of the final Policy in the Policy Series, if You are eligible under the terms of Your Policy to receive the ACSV.

If a claim for life insurance proceeds from a Policy is received after all surrender proceeds for a Policy Series have been paid, the life insurance proceeds will be reduced by the Claim Account balance paid on that Policy Series.

If You are not eligible under the terms of Your Policy to receive the ACSV when You surrender the Policy, any Claim Account value attributable to Your Policy will be zero and no amount will be attributed to the remaining Policies in the Policy Series.

- 11. When Is This Rider Effective?** This Rider becomes effective for Your Policy as of the date indicated on Rider Data Page 1.

CLAIM ACCOUNT RIDER (continued)

12. When Does The Funding Of The Claim Account End? Funding for the Claim Account will end on the first Monthly Deduction Day on or following the date Your Policy Series no longer covers the minimum number of lives shown on Rider Data Page 1. If We cease funding the Claim Account for this reason, funding for the Claim Account will not resume even if more lives are added to the Policy Series. In addition, if funding for the Claim Account ends and the value for the Claim Account for the Policy Series decreases to zero, the Rider will end.

13. What Happens When The Insured Reaches Age 95? On the Policy Anniversary on which the Insured is age 95, the Claim Account attributable to Your Policy will be added to the cash value of Your Policy, and then the Rider will end and the value in the Claim Account attributable to Your Policy will become zero.

14. When Does This Rider End? You can cancel this Rider by sending Us a signed written notice in a form acceptable to Us at Our Service Office. This Rider will end on the first Monthly Deduction Day on or following the date We receive Your request. Once cancelled, the Rider cannot be reinstated. Upon cancellation, any value in the Claim Account attributable to Your Policy will be zero.

This Rider will also end and the value in the Claim Account attributable to Your Policy will be zero:

- if the Policy ends or is surrendered;
- if You are not eligible for the ACSV; or
- if the Policy to which this Rider is attached lapses. If the Policy lapses and is subsequently reinstated, this Rider will not be reinstated.

If the Rider ends for any other reason and the Policy remains in effect, any Claim Account value attributable to Your Policy will be zero.

Once the Rider ends for any reason, it cannot be reinstated.

**NEW YORK LIFE INSURANCE
AND ANNUITY CORPORATION**



Secretary



President

Claim Account Rider

Data Page 1

RIDER EFFECTIVE DATE: [03/01/2008]

CLAIM ACCOUNT MINIMUM GUARANTEED INTEREST CREDITING RATE: [2.5%]

MORTALITY PERCENTAGE:	Policy Year 1	[80%]
	Policy Year 2	[80%]
	Policy Year 3	[80%]
	Policy Year 4	[80%]
	Policy Year 5	[80%]
	Policy Year 6	[80%]
	Policy Year 7	[80%]
	Policy Year 8	[80%]
	Policy Year 9	[80%]
	Policy Year 10	[80%]
	Policy Year 11	[80%]
	Policy Year 12	[80%]
	Policy Year 13	[80%]
	Policy Year 14	[80%]
	Policy Year 15	[85%]
	Policy Year 16	[85%]
	Policy Year 17	[85%]
	Policy Year 18	[85%]
	Policy Year 19	[85%]
	[Policy Year 20	[85%]]

MINIMUM NUMBER OF LIVES: [20]

Claim Account Rider

Data Page 2

MONTHLY MORTALITY RATES, PER \$1,000

ATTAINED AGE	MALE	FEMALE	ATTAINED AGE	MALE	FEMALE
18	[0.038	0.023	57	[0.466	0.244
19	0.040	0.023	58	0.527	0.280
20	0.042	0.024	59	0.593	0.322
21	0.044	0.024	60	0.667	0.371
22	0.046	0.024	61	0.752	0.425
23	0.049	0.024	62	0.850	0.487
24	0.052	0.024	63	0.961	0.558
25	0.055	0.024	64	1.085	0.637
26	0.058	0.025	65	1.219	0.723
27	0.061	0.025	66	1.363	0.811
28	0.063	0.026	67	1.515	0.901
29	0.065	0.028	68	1.670	0.986
30	0.067	0.029	69	1.829	1.065
31	0.068	0.031	70	1.999	1.151
32	0.070	0.033	71	2.189	1.255
33	0.071	0.035	72	2.405	1.386
34	0.071	0.037	73	2.638	1.542
35	0.071	0.040	74	2.883	1.714
36	0.072	0.043	75	3.155	1.910
37	0.074	0.046	76	3.470	2.135
38	0.078	0.050	77	3.845	2.395
39	0.083	0.054	78	4.284	2.683
40	0.089	0.059	79	4.779	2.996
41	0.096	0.064	80	5.322	3.344
42	0.104	0.069	81	5.906	3.739
43	0.113	0.073	82	6.523	4.191
44	0.122	0.077	83	7.150	4.691
45	0.132	0.081	84	7.793	5.229
46	0.144	0.086	85	8.489	5.828
47	0.158	0.093	86	9.275	6.507
48	0.175	0.101	87	10.192	7.287
49	0.194	0.109	88	11.253	8.176
50	0.215	0.119	89	12.437	9.164
51	0.240	0.131	90	13.736	10.247
52	0.268	0.145	91	15.137	11.420
53	0.299	0.159	92	16.630	12.679
54	0.332	0.174	93	18.259	14.027
55	0.369	0.191	94	20.043	15.474]
56	0.413	0.214]			

SERFF Tracking Number: NYLC-126210618 State: Arkansas
 Filing Company: New York Life Insurance and Annuity Corporation State Tracking Number: 42875
 Company Tracking Number: 309-993G
 TOI: L09I Individual Life - Flexible Premium Sub-TOI: L09I.001 Single Life
 Adjustable Life
 Product Name: BOLI 50 Claim Account Rider - 309-993G
 Project Name/Number: BOLI 50 Claim Account Rider - 309-993G/309-993G

Supporting Document Schedules

	Item Status:	Status Date:
Satisfied - Item: Flesch Certification		
Comments:		
Attachment: Readability Certification.pdf		

	Item Status:	Status Date:
Bypassed - Item: Application		
Bypass Reason: N/A - Rider Filing		
Comments:		

	Item Status:	Status Date:
Bypassed - Item: Outline of Coverage		
Bypass Reason: N/A		
Comments:		

	Item Status:	Status Date:
Satisfied - Item: 309-993G Red-Lined Version		
Comments:		
Attachment: 309-993G redline.pdf		

	Item Status:	Status Date:
Satisfied - Item: Memorandum of Variable Material		
Comments:		

SERFF Tracking Number: NYLC-126210618 *State:* Arkansas
Filing Company: New York Life Insurance and Annuity *State Tracking Number:* 42875
Corporation
Company Tracking Number: 309-993G
TOI: L09I Individual Life - Flexible Premium *Sub-TOI:* L09I.001 Single Life
Adjustable Life
Product Name: BOLI 50 Claim Account Rider - 309-993G
Project Name/Number: BOLI 50 Claim Account Rider - 309-993G/309-993G

Attachment:

CAR Memorandum of Variability.pdf

NEW YORK LIFE INSURANCE AND ANNUITY CORPORATION

READABILITY CERTIFICATION REGARDING FORM 309-993G

I certify that this form meets the standards of your State's Readability Laws.

The Flesch Test Reading Ease Score for this form is 53.

NEW YORK LIFE INSURANCE AND
ANNUITY CORPORATION

SIGNED *Randa C. de Pinto*

TITLE Corporate Vice President

DATE June 29, 2009

NEW YORK LIFE INSURANCE AND ANNUITY CORPORATION

RIDER

Claim Account Rider

The benefits provided by this Rider are explicitly made a part of and incorporated into the Policy to which this Rider is attached.

1. **What Is A Policy Series?** "Policy Series" means all Policies owned by a single Owner and purchased on the same Policy Effective Date.
2. **What is the Claim Account?** An amount that will become a part of your Alternative Cash Surrender Value ("ACSV") benefit on the date of the full surrender of the last Policy in the Policy Series if the conditions described herein are met.
3. **What Investment Portfolio(s) are Available for the Claim Account?** When You apply for this Rider, You may select the Investment Portfolio in which the Claim Account will be invested. Only one Investment Portfolio may be selected for each Policy Series. Once this selection is made, it cannot be changed or withdrawn. The Claim Account may not be transferred to another Investment Portfolio.
4. **What Is The Benefit Of This Rider?** Upon full surrender of the last Policy in the Policy Series, if You are eligible under the terms of the Policy to receive the ACSV, the value of the Claim Account attributable to the Policy Series will be included in Your ACSV benefit on the date of the full surrender.
5. **What Is The Current Monthly Expected Mortality Cost for each Policy?** The Current Monthly Expected Mortality Cost is calculated on each Monthly Deduction Day and equals $(a \times b) \times (c - d)$, where:
 - (a) is the Mortality Percentage as shown on Rider Data Page 1;
 - (b) is the applicable Monthly Mortality Rate as shown on Rider Data Page 2 divided by 1,000;
 - (c) is the Life Insurance Benefit (as defined in the applicable Option 1 or Option 2 in the Life Insurance Benefit Section) divided by 1.00327;
 - (d) is the cash value plus the value of the Claim Account attributable to the policy as of the Monthly Deduction Day before the Cost of Insurance charge is deducted but after the other Monthly Deduction Charges are deducted.

The Net Amount at Risk is (c) minus (d).

- Deleted: ACSV
- Deleted: plus any Policy Debt
- Deleted: Monthly Claim Account Funding Amount

6. **What Is The Monthly Claim Account Funding Amount?** The Monthly Claim Account Funding Amount for each Policy is equal to the Current Monthly Expected Mortality Cost up to the amount of the current Monthly Cost of Insurance charge. The Monthly Claim Account Funding Amount will be deducted from the Monthly Cost of Insurance charge and used to fund the Claim Account for the Policy Series.

7. **How Is The Life Insurance Benefit Determined When This Rider Is In Effect?** Prior to the ACSV Expiry Date, the life insurance benefit under the Policy when this rider is in effect is no less than the minimum necessary for the Policy to qualify as life insurance under Section 7702 of the Internal Revenue Code, as amended, determined as a percentage of the Alternative Cash Surrender Value Benefit plus Policy Debt plus the Claim Account attributable to the policy. At all other times, the life insurance benefit under the Policy when this rider is in effect is no less than the minimum necessary for the Policy to qualify as life insurance under Section 7702 of the Internal Revenue Code, as amended, determined as a percentage of the Cash Value plus the Claim Account attributable to the policy. (See Policy Data Page 2.3 for a table of these percentages.)

8. **How Is The Value Of The Claim Account Attributable To A Policy Determined?** On the first Monthly Deduction Day, the value of the Claim Account for the Policy Series attributable to a Policy is equal to the Monthly Claim Account Funding Amount.

- Deleted: 7
- Deleted: .

The portion of the Claim Account value attributable to the Policy on each subsequent Monthly Deduction Day will be equal to:

- (a) the value of the Claim Account attributable to the Policy as of the prior Monthly Deduction Day; less
- (b) the Net Amount at Risk portion of any death claims paid since the last Monthly Deduction Day for any Policy under the Policy Series. (This amount is deducted from the Claim Account value attributable to all remaining Policies in the Policy Series in proportion to the Claim Account value attributable to each such Policy relative to the Claim Account balance for the Policy Series); plus
- (c) the Monthly Claim Account Funding Amount; plus
- (d) the value of the Claim Account attributable to any surrendered Policy in the Policy Series that qualified to receive the ACSV and that was surrendered since the last Monthly Deduction Day. (This amount is added to the Claim

Account value attributable to all remaining Policies in the Policy Series in proportion to the Claim Account value attributable to each such Policy relative to the Claim Account balance for the Policy Series); plus

(e) the interest credited to the Claim Account value attributable to the Policy since the last Monthly Deduction Day.

The Claim Account Minimum Guaranteed Interest Crediting Rate is indicated on the Rider Data Page 1. The interest credited to the Claim Account value attributable to the Policy at any time will be based on a rate of interest, which we declare periodically. Such rate will be declared at least annually.

The Claim Account value attributable to the Policy is not available for Monthly Deduction Charges or for purposes of a loan or partial surrender. In addition, the value of the Claim Account attributable to the Policy will never be less than zero.

Claim Account Rider (continued)

9. How Is The Cost Of Insurance For The Policy Calculated When This Rider Is In Effect? The cost of insurance is calculated on each Monthly Deduction Day. The monthly cost of insurance is equal to (a) multiplied by the result of (b) minus (c) where:

Deleted: 8

(a) is the monthly cost of insurance rate per \$1,000 of insurance

(b) is the number of thousands of life insurance benefit as of the Monthly Deduction Day divided by 1.00327; and

(c) is the number of thousands of cash value plus the number of thousands of the value of the Claim Account attributable to the policy, as of the Monthly Deduction Day (before this cost of insurance is deducted).

Deleted: ACSV

Deleted: plus Policy Debt

Deleted: 9

10. What Is The Effect Of A Surrender Of A Policy On The Claim Account? Upon full surrender of an individual Policy that is not the last Policy in the Policy Series to be surrendered, if You are eligible under the terms of Your Policy to receive the ACSV, the portion of the Claim Account attributable to Your Policy will be zero for that Policy and instead the portion attributable to Your Policy before such surrender will be attributed to the remaining Policies in the Policy Series. Such attribution will be based on each Policy's pro rata portion of the total Claim Account balance for the entire Policy Series. The Claim Account value will be paid upon the surrender of the final Policy in the Policy Series, if You are eligible under the terms of Your Policy to receive the ACSV.

If a claim for life insurance proceeds from a Policy is received after all surrender proceeds for a Policy Series have been paid, the life insurance proceeds will be reduced by the Claim Account balance paid on that Policy Series.

If You are not eligible under the terms of Your Policy to receive the ACSV when You surrender the Policy, any Claim Account value attributable to Your Policy will be zero and no amount will be attributed to the remaining Policies in the Policy Series.

11. When Is This Rider Effective? This Rider becomes effective for Your Policy as of the date indicated on Rider Data Page 1.

Deleted: 10

12. When Does The Funding Of The Claim Account End? Funding for the Claim Account will end on the first Monthly Deduction Day on or following the date Your Policy Series no longer covers the minimum number of lives shown on Rider Data Page 1. If We cease funding the Claim Account for this reason, funding for the Claim Account will not resume even if more lives are added to the Policy Series. In addition, if funding for the Claim Account ends and the value for the Claim Account for the Policy Series decreases to zero, the Rider will end.

Deleted: 11

13. What Happens When The Insured Reaches Age 95? On the Policy Anniversary on which the Insured is age 95, the Claim Account attributable to Your Policy will be added to the cash value of Your Policy, and then the Rider will end and the value in the Claim Account attributable to Your Policy will become zero.

Deleted: 12

14. When Does This Rider End? You can cancel this Rider by sending Us a signed written notice in a form acceptable to Us at Our Service Office. This Rider will end on the first Monthly Deduction Day on or following the date We receive Your request. Once cancelled, the Rider cannot be reinstated. Upon cancellation, any value in the Claim Account attributable to Your Policy will be zero.

Deleted: 13

This Rider will also end and the value in the Claim Account attributable to Your Policy will be zero:

- if the Policy ends or is surrendered;
- if You are not eligible for the ACSV; or
- if the Policy to which this Rider is attached lapses. If the Policy lapses and is subsequently reinstated, this Rider will not be reinstated.

If the Rider ends for any other reason and the Policy remains in effect, any Claim Account value attributable to Your Policy will be zero.

Once the Rider ends for any reason, it cannot be reinstated.

NEW YORK LIFE INSURANCE AND ANNUITY CORPORATION



President



Secretary

Claim Account Rider

Data Page 1

RIDER EFFECTIVE DATE: [03/01/2008]

CLAIM ACCOUNT MINIMUM GUARANTEED INTEREST CREDITING RATE: [2.5%]

MORTALITY PERCENTAGE:	Policy Year 1	[80%]
	Policy Year 2	[80%]
	Policy Year 3	[80%]
	Policy Year 4	[80%]
	Policy Year 5	[80%]
	Policy Year 6	[80%]
	Policy Year 7	[80%]
	Policy Year 8	[80%]
	Policy Year 9	[80%]
	Policy Year 10	[80%]
	Policy Year 11	[80%]
	Policy Year 12	[80%]
	Policy Year 13	[80%]
	Policy Year 14	[80%]
	Policy Year 15	[85%]
	Policy Year 16	[85%]
	Policy Year 17	[85%]
	Policy Year 18	[85%]
	Policy Year 19	[85%]
	[Policy Year 20+	[85%]]

MINIMUM NUMBER OF LIVES: [20]

Claim Account Rider

Data Page 2

MONTHLY MORTALITY RATES, PER \$1,000

ATTAINED			ATTAINED		
AGE	MALE	FEMALE	AGE	MALE	FEMALE
18	[0.038	0.023	57	[0.466	0.244
19	0.040	0.023	58	0.527	0.280
20	0.042	0.024	59	0.593	0.322
21	0.044	0.024	60	0.667	0.371
22	0.046	0.024	61	0.752	0.425
23	0.049	0.024	62	0.850	0.487
24	0.052	0.024	63	0.961	0.558
25	0.055	0.024	64	1.085	0.637
26	0.058	0.025	65	1.219	0.723
27	0.061	0.025	66	1.363	0.811
28	0.063	0.026	67	1.515	0.901
29	0.065	0.028	68	1.670	0.986
30	0.067	0.029	69	1.829	1.065
31	0.068	0.031	70	1.999	1.151
32	0.070	0.033	71	2.189	1.255
33	0.071	0.035	72	2.405	1.386
34	0.071	0.037	73	2.638	1.542
35	0.071	0.040	74	2.883	1.714
36	0.072	0.043	75	3.155	1.910
37	0.074	0.046	76	3.470	2.135
38	0.078	0.050	77	3.845	2.395
39	0.083	0.054	78	4.284	2.683
40	0.089	0.059	79	4.779	2.996
41	0.096	0.064	80	5.322	3.344
42	0.104	0.069	81	5.906	3.739
43	0.113	0.073	82	6.523	4.191
44	0.122	0.077	83	7.150	4.691
45	0.132	0.081	84	7.793	5.229
46	0.144	0.086	85	8.489	5.828
47	0.158	0.093	86	9.275	6.507
48	0.175	0.101	87	10.192	7.287
49	0.194	0.109	88	11.253	8.176
50	0.215	0.119	89	12.437	9.164
51	0.240	0.131	90	13.736	10.247
52	0.268	0.145	91	15.137	11.420
53	0.299	0.159	92	16.630	12.679
54	0.332	0.174	93	18.259	14.027
55	0.369	0.191	94	20.043	15.474]
56	0.413	0.214]			

Policy Data
08993G-2

New York Life Insurance and Annuity Corporation
Memorandum of Variable Material

Claim Account Rider Form 309-993G
June 2009

Rider Form – 309-993G

The data page fields vary as follows:

1. **Rider Effective Date:** The date the rider is issued.
2. **Claim Account Minimum Guaranteed Interest Crediting Rate:** This may vary by class between 0% - 4.5% for the crediting rate. The actual crediting rate will never be less than the Claim Account Minimum Guaranteed Interest Rate, and may vary based upon the Investment Portfolio's net yield, which is dependent upon interest rates, credit spreads, default rates, asset allocation and other factors.
3. **Mortality Percentage:** This may vary by class between 40% - 120% and will be set to equal a percentage of Monthly Mortality Rates. These may vary based upon the anticipated mortality risk associated with each class. We may add additional years and percentages beyond Policy Year 20.
4. **Minimum Number Of Lives:** This may vary by based upon the number of lives insured for each class but will not exceed 100.
5. **Monthly Mortality Rates:** Rates may be changed based on expectations of mortality.

309-993GVAR 06/09