HEALTH & FITNESS ASSOCIATION

August 7, 2026

BY ELECTRONIC SUBMISSION

Samuel A.A. Levine
Commissioner
New York City Department of Consumer and Worker Protection
42 Broadway
New York, New York 10004

Re: Comment Letter on Proposed Rules Regarding Junk Fees, Reference No. 2026 RG 027

The Health & Fitness Association (HFA) respectfully submits these comments regarding the New York City Department of Consumer and Worker Protection's (Department) proposed rules relating to mandatory fee and price disclosures.

HFA is the leading trade association representing the health and fitness industry in the United States. Our membership includes health clubs, fitness centers, studios, franchise systems, and industry suppliers serving millions of consumers each year. HFA's members range from independently owned neighborhood fitness facilities to regional operators, national chains, international brands, franchise systems, and the technology providers that support membership enrollment, billing, and management throughout the industry. Collectively, HFA's members operate hundreds of facilities throughout New York City and thousands more across New York State, the United States, and internationally.

HFA appreciates the Department's commitment to promoting transparent pricing and ensuring consumers understand the financial obligations associated with a membership before becoming contractually obligated. The Association shares that objective. Consumers should receive clear and meaningful information regarding the total price of a membership and any mandatory fees before making a purchasing decision.

Health club memberships, however, differ in important respects from many of the consumer transactions addressed by the proposed rule. Unlike a one-time retail purchase, a health club membership is a contractual relationship that is often serviced over time. Through the New York Health Club Services Act, the Legislature has established detailed requirements governing contracts for services, mandatory disclosures, cancellation rights, refund obligations, payment practices, and numerous other consumer protections specific to health club memberships.[1]

[1] N.Y. Gen. Bus. Law §§ 620-631 (Health Club Services Act), available at: https://www.nysenate.gov/legislation/laws/GBS/A26

1627 I Street, NW
Suite 1210
Washington, DC 20006
www.healthandfitness.org

These comments are therefore not intended to oppose the Department's consumer protection objectives. Rather, they are intended to assist the Department in ensuring that the final rule complements New York's existing statutory framework, recognizes the operational realities of modern membership businesses, and provides practical standards capable of consistent implementation. HFA believes consumer protection is best advanced through regulations that are clear, coordinated, and harmonized with existing law, enabling businesses to provide consumers with consistent and meaningful disclosures throughout the enrollment process.

As discussed below, HFA respectfully encourages the Department to harmonize the final rule with the Health Club Services Act, preserve the distinction between pricing disclosures and contractual disclosures, apply a single and consistent disclosure standard, recognize the realities of centralized technology platforms and enterprise operations, and clarify several provisions that would benefit both consumers and regulated businesses. HFA believes these recommendations will strengthen the final rule while advancing the Department's objective of meaningful price transparency.

I. Harmonizing the Proposed Rule with New York's Existing Consumer Protection Framework

The Department's proposed rule seeks to improve consumer price transparency by establishing disclosure requirements applicable across a broad range of consumer transactions. HFA supports that objective. As the Department considers the final rule, however, the Association respectfully encourages it to recognize that health club memberships already operate within a statutory consumer protection framework in New York. The final rule should therefore be harmonized with that existing framework to ensure consumers receive clear and consistent protections while avoiding unnecessary overlap or uncertainty.

Unlike many industries affected by the proposed rule, health club memberships are governed by a statute specifically enacted to regulate the formation and administration of contracts for services offered by a health club. The New York Health Club Services Act establishes detailed requirements governing contracts, mandatory disclosures, cancellation rights, refund obligations, payment practices, and numerous other consumer protections applicable exclusively to contracts for services offered by health clubs.

Health clubs that offer automatic renewal or continuous service agreements are also subject to New York General Business Law § 527-a. That law requires clear and conspicuous disclosure of the material terms of an automatic renewal or continuous service offer. Specifically, the statute requires disclosure of a description of the product or service subject to renewal, the amount of the costs that will be charged, the frequency of the charges, the deadline by which the consumer must act to prevent further charges, and the available cancellation mechanisms.[2]

The proposed rule does not follow this existing statutory disclosure framework. Section 527-a organizes the disclosure of pricing and other material terms around the point at which a business requests consent or billing information for an automatic renewal or continuous service offer. The

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[2] New York General Business Law § 527-a(1)(a), available at: https://www.nysenate.gov/legislation/laws/GBS/527-A.

proposed rule would instead impose total-price requirements whenever a price is offered, displayed, or advertised, together with a separate transaction-level disclosure before the consumer consents to pay. These differing standards concerning the content, timing, and presentation of disclosures could require businesses to provide overlapping information at multiple points under separate compliance frameworks. The final rule should therefore expressly address its interaction with § 527-a and ensure that businesses complying with the State's required disclosure of material terms are not subjected to duplicative or potentially inconsistent disclosure requirements.

The Legislature's adoption of industry-specific legislation reflects an important policy determination. A health club membership is fundamentally different from a one-time retail purchase because it creates an ongoing relationship between the consumer and the business. The Legislature recognized that distinction by establishing a comprehensive statutory framework to address aspects of the entire membership relationship, from enrollment through cancellation. Health club operators have consequently developed their agreements, enrollment procedures, employee training, and compliance programs around those statutory requirements.

Because the Legislature has already prescribed extensive consumer protections applicable to health club memberships, HFA respectfully submits that the Department should seek to ensure the final rule complements, rather than duplicates or creates uncertainty regarding, those existing statutory requirements. Consumers benefit when disclosure obligations are coordinated and consistent, allowing businesses to provide clear information through a single, integrated compliance framework.

The Department has previously recognized the importance of this approach. During the recent rulemaking implementing New York City's subscription cancellation requirements, the Department carefully considered comments addressing the interaction between municipal regulations and existing state law and adopted a final rule that avoided unnecessary conflict between those regulatory frameworks.[3] HFA appreciated the Department's thoughtful consideration of those issues and respectfully encourages the Department to apply the same principle in this rulemaking.

Regulatory consistency is particularly important where businesses operate throughout New York State under standardized enrollment, contracting and cancellation processes. Consumers likewise benefit from receiving substantially similar disclosures regardless of where within New York they purchase or use health club services. A harmonized regulatory framework promotes consumer understanding, improves compliance, and reduces the potential for inconsistent disclosure obligations governing substantially identical transactions.

Accordingly, HFA respectfully encourages the Department to finalize the proposed rule in a manner that harmonizes with the Health Club Services Act and preserves the comprehensive consumer protection framework already governing health clubs throughout the entire state of New York. By building upon that existing framework, the Department can further its consumer protection objectives while promoting consistent implementation and meaningful price transparency.

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[3] New York City Department of Consumer and Worker Protection, Final Rule Relating to Subscription Cancellations (2026), available at: https://rules.cityofnewyork.us/rule/cancellation-of-subscriptions/

II. Recognizing the Consumer Journey and the Role of Contractual Disclosures

The Department's proposed rule appropriately seeks to ensure that consumers understand the financial obligations associated with a transaction before becoming contractually obligated. HFA supports that objective. Consumers should clearly understand the amount they will pay, the existence of mandatory fees, when those fees will be assessed, and whether those fees are refundable before agreeing to purchase a health club membership.

The proposal, however, extends beyond disclosure of pricing information by requiring businesses to disclose not only the existence and amount of mandatory fees, but also the "nature" and "purpose" of those fees. While HFA supports meaningful consumer disclosure, the Association respectfully submits that the proposal does not sufficiently distinguish between information necessary to communicate the material financial terms of a transaction and information more appropriately conveyed through the contractual documents governing the ongoing membership relationship.

Health club memberships are not purchased through a single communication or pricing display. Rather, consumers move through a series of interactions before becoming contractually obligated. A prospective member may first encounter pricing through advertising, social media, or an internet search before visiting a website or mobile application, reviewing membership options, potentially speaking with club staff, completing the enrollment process, and ultimately executing a written membership agreement. Throughout that process, consumers may receive other documents applicable to the membership relationship, such as club usage policies.

Each of these communications serves a different purpose. Pricing displays are intended to communicate the financial terms of the transaction and enable consumers to compare membership options. The membership agreement and related documents establish the legal relationship between the parties and explain the ongoing rights, responsibilities, and operation of the membership after enrollment. Those distinctions should be reflected in the final rule.

Accordingly, HFA respectfully submits that information concerning the amount of a mandatory fee, the timing of the fee, and whether the fee is mandatory is appropriately communicated through pricing disclosures during the enrollment process. More detailed explanations concerning the contractual function or operational purpose of a recurring fee are often better suited to an agreement, club policies, or other documents governing the ongoing membership relationship.

This distinction is particularly important with respect to annual enhancement or facility improvement fees. Throughout the health and fitness industry, these fees commonly support ongoing investments in equipment replacement, facility modernization, technology improvements, expanded amenities, accessibility initiatives, safety enhancements, and other capital expenditures that improve the member experience over time. While the amount and timing of these fees can be communicated through pricing disclosures, explaining their operational purpose frequently requires substantially more context than can reasonably be conveyed within an initial pricing display.

Moreover, these investments are commonly planned and managed over multiple years and across multiple facilities. Capital planning is typically performed at the enterprise level, with investments prioritized based upon equipment lifecycle, member demand, operational needs, and long-term planning. As a result, accurately describing the purpose of an enhancement fee often requires broader context regarding how an operator manages long-term investments throughout its club network. That explanation is better suited to contractual documents governing the membership relationship than to an initial pricing display.

The Association is not aware of another state regulatory framework governing health club memberships that requires businesses to describe the operational nature and purpose of fees in an initial pricing disclosure in the manner contemplated by the proposed rule. Several states, including California, Colorado, Connecticut, Massachusetts, and Minnesota, have adopted pricing transparency requirements applicable to recurring consumer transactions.[4] Although those laws differ in their implementation, they generally focus on ensuring consumers understand the total financial obligation associated with a transaction while allowing flexibility regarding how recurring fees are explained throughout the broader consumer relationship. Maintaining general consistency with these emerging state frameworks will also reduce unnecessary fragmentation in consumer disclosures while allowing businesses operating across multiple jurisdictions to implement reasonably uniform compliance systems.

HFA respectfully submits that the Department's consumer protection objectives can be fully achieved without prescribing where every category of information must appear during the consumer journey. The final rule should require businesses to clearly disclose the amount and timing of mandatory fees (such as whether they are one-time, or recur on monthly basis) before a consumer becomes contractually obligated to purchase, while preserving reasonable flexibility to communicate more detailed explanations regarding the nature or purpose of those fees through the membership agreement or other governing documents.

This approach promotes consumer understanding by ensuring that pricing information remains focused on the consumer's financial obligation while allowing contractual documents to explain the ongoing operation of the membership relationship. Effective consumer protection should evaluate the enrollment process as a whole rather than assume every contractual term governing a recurring membership must be communicated through the initial pricing display.

Accordingly, HFA respectfully encourages the Department to preserve flexibility regarding where businesses communicate the operational purpose of recurring fees while ensuring consumers

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[4] See, e.g., California SB 478 (Cal. Civ. Code § 1770(a)(29)); Colorado HB 25-1090; Connecticut Public Act No. 25-44 (2025); Massachusetts Attorney General, 940 CMR 38.00 (Unfair and Deceptive Fees); and Minn. Stat. § 325D.44. These laws generally require businesses to provide consumers with meaningful disclosure of the total price or mandatory charges while taking differing approaches to implementation and enforcement.
California: https://oag.ca.gov/hiddenfees
Colorado: https://leg.colorado.gov/bill_files/40562/download
Connecticut: https://www.cga.ct.gov/2025/act/pa/pdf/2025PA-00044-R00SB-00003-PA.pdf
Massachusetts: https://www.mass.gov/regulations/940-CMR-3800-unfair-and-deceptive-fees
Minnesota: https://www.revisor.mn.gov/statutes/cite/325D.44

continue to receive clear, accurate, and meaningful pricing information before entering into a membership agreement.

III. Applying One Consistent Standard for Consumer Disclosures

HFA respectfully submits that the proposed rule would benefit from the application of a single, consistent disclosure standard throughout the regulation.

As drafted, the proposal requires certain information to be presented in a "clear and conspicuous"[5] manner while separately requiring the total price to be displayed with "equal prominence" to other pricing information. Although both standards are intended to promote consumer understanding, the proposal does not explain whether they establish separate standards or how businesses should reconcile the two requirements where they may lead to different presentation methods.

The use of two separate disclosure standards governing substantially similar information creates unnecessary uncertainty. A business may reasonably conclude that a disclosure is clear and conspicuous to a consumer, yet remain uncertain whether the same disclosure also satisfies an independent requirement that pricing information be displayed with "equal prominence." The proposal provides no guidance regarding whether equal prominence refers to font size, placement, typography, spacing, color, visual hierarchy, or some combination of those elements.

This uncertainty was consistently identified by HFA members responding to the Association's request for feedback. Operators questioned whether "equal prominence" requires pricing information to appear in the same font size, on the same line, within the same screen, or simply during the same stage of the enrollment process. These are materially different standards, particularly for websites, mobile applications, and digital enrollment platforms. In the absence of additional clarification, the proposal risks shifting the focus from whether consumers actually understand pricing information to whether businesses have satisfied subjective design expectations.

This concern is particularly significant because the proposal applies across a wide range of communication formats, including websites, mobile applications, digital advertising, enrollment platforms, and in-person sales materials. Each format presents information differently and relies upon visual hierarchy, typography, spacing, and layout to improve readability and guide consumers through the enrollment process. Those design principles are intended to enhance consumer understanding, not diminish it.

HFA respectfully submits that the Department's consumer protection objectives are better served by maintaining a single disclosure standard focused on whether consumers receive meaningful notice of mandatory fees before becoming contractually obligated. The well-established "clear and conspicuous" standard provides sufficient flexibility to accommodate a wide variety of communication formats while ensuring that disclosures remain readily noticeable and understandable to consumers.

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[5] See Federal Trade Commission Disclosures: How to Make Effective Disclosures in Digital Advertising (2013), available at: https://www.ftc.gov/business-guidance/resources/com-disclosures-how-make-effective-disclosures-digital-advertising

A uniform disclosure standard is also better suited to evolving methods of commerce. Consumers increasingly interact with businesses through mobile devices, wearable technology, voice-assisted platforms, and other emerging technologies that do not always lend themselves to identical prescribed presentation formats. The "clear and conspicuous" standard enables businesses to adapt disclosures to new technologies while preserving the Department's objective of meaningful consumer transparency.

Accordingly, HFA respectfully encourages the Department to rely upon a single disclosure standard throughout the final rule. Applying one consistent standard will reduce ambiguity, promote more uniform implementation across communication platforms, and better enable businesses to provide consumers with clear and understandable pricing information before entering into a contract for services.

IV. Clarifying the Relationship Between Sections 5-16(c) and 5-16(d)(1)

HFA respectfully submits that the proposed rule would benefit from clarification regarding the relationship between Sections 5-16(c) and 5-16(d)(1). As currently drafted, those provisions appear to establish overlapping disclosure requirements without clearly identifying the circumstances under which each applies.

Section 5-16(c) appears to require that all mandatory fees and charges be included within the advertised total price presented to consumers. Section 5-16(d)(1), however, separately requires businesses to disclose the nature, purpose, and amount of any fee or charge imposed on the transaction that has been excluded from the total price. The proposal does not explain how these provisions are intended to operate together.

This creates uncertainty regarding which categories of fees are subject to Section 5-16(d)(1). If a fee is mandatory, Section 5-16(c) appears to require its inclusion within the total price. The proposal does not identify the circumstances under which a mandatory fee may properly be excluded from the total price while remaining subject to the additional disclosure requirements contained in Section 5-16(d)(1). Nor does it indicate whether the provision is intended to apply to optional charges, periodic charges, government-imposed charges, shipping charges, or another category of fees excluded from the total price.

This uncertainty is particularly significant because Section 5-16(d)(1) also requires disclosure of the "nature" and "purpose" of the excluded fee. Businesses cannot confidently determine what information must be disclosed under that provision without first understanding which categories of fees the Department intends the subsection to govern.

Clarification of this relationship will improve the internal consistency of the final rule and provide regulated businesses with greater certainty regarding their disclosure obligations before implementation. HFA respectfully encourages the Department to clarify the intended interaction between Sections 5-16(c) and 5-16(d)(1), including the categories of fees and charges subject to each provision.

V. Recognizing Modern Membership Operations and Enterprise Technology

The proposed rule applies broadly across industries and business models. HFA respectfully encourages the Department to consider how the rule will operate in practice for businesses that serve consumers across multiple locations, jurisdictions, and technology platforms. Modern health club memberships are no longer sold exclusively through a single club location or locally managed website. Rather, they are supported through integrated enrollment, billing, and customer management systems designed to provide consumers with a consistent purchasing experience regardless of where they choose to join.

Many HFA members operate multiple facilities throughout New York State, across the United States, and internationally. Others operate through franchise systems in which websites, mobile applications, enrollment platforms, billing systems, advertising, and membership agreements are centrally developed and managed on behalf of independently owned facilities. As a result, consumer-facing systems are generally designed and maintained on an enterprise-wide basis rather than customized for individual municipalities.

The issue presented by the proposal is not whether businesses are willing to provide additional disclosures. Rather, it is whether those disclosures can be implemented through integrated technology platforms without requiring fundamentally different enrollment experiences based solely upon municipal boundaries. HFA respectfully submits that preserving reasonable implementation flexibility will better promote consistent consumer disclosures across all enrollment channels.

This issue extends beyond modifications to a website or membership agreement. Changes to consumer pricing disclosures frequently require coordinated updates to enterprise technology systems supporting enrollment, billing, customer relationship management, mobile applications, payment processing, digital marketing, and franchise operations. These changes are typically implemented across enterprise platforms rather than on a jurisdiction-by-jurisdiction basis. As a result, requirements unique to a single municipality often necessitate enterprise-wide technology modifications or the creation of separate compliance processes for a single jurisdiction.

The resulting compliance obligations are not distributed evenly among regulated businesses. A single-location operator serving only New York City may be able to tailor its enrollment materials specifically for that market. By contrast, regional, national, and international operators frequently rely upon standardized technology platforms that support consumers across numerous jurisdictions simultaneously. Consumer protection objectives should not inadvertently produce materially different compliance obligations based solely upon the geographic footprint or organizational structure of the regulated business.

Consumers also benefit from consistency. Businesses should be able to communicate substantially identical pricing information through substantially consistent enrollment systems whenever possible, and consumers should receive comparable disclosures regardless of whether they purchase a membership in New York City, in Nassau or Suffolk County on Long Island, or elsewhere within New

York State. A harmonized approach promotes consumer understanding while enabling businesses to implement uniform compliance programs across integrated technology platforms.

The Association recognizes the Department's important role in protecting consumers while acknowledging that modern commerce increasingly relies upon centralized technology systems serving consumers across multiple jurisdictions. The Department therefore has an opportunity to implement a rule that advances meaningful price transparency while recognizing the realities of contemporary membership operations. Preserving reasonable implementation flexibility will enable businesses to provide consumers with clear, accurate, and consistent pricing information without unnecessarily fragmenting the enrollment experience based solely upon municipal boundaries.

Accordingly, HFA respectfully encourages the Department to implement the final rule in a manner that recognizes centralized technology systems, enterprise-wide enrollment platforms, and franchise operations while maintaining consistency with the existing statewide framework governing health club memberships.

VI. Clarifying Recordkeeping Expectations Under the Final Rule

HFA appreciates the Department's interest in ensuring that businesses maintain records sufficient to demonstrate compliance with the final rule. Reasonable recordkeeping requirements support effective enforcement, encourage consistent compliance, and provide businesses with a clear understanding of their obligations. The Association respectfully submits, however, that the proposed recordkeeping provisions would benefit from additional clarification regarding the nature and scope of the records businesses are expected to maintain.

As drafted, the proposal requires businesses to maintain records substantiating the nature, purpose, amount, and refundability of mandatory fees. While the amount of a fee, the timing of its assessment, and its refundability are generally capable of objective documentation, the proposal is less clear regarding the records necessary to substantiate the "nature" and "purpose" of a recurring fee. Businesses may therefore reach different conclusions regarding what documentation is sufficient to demonstrate compliance.

For example, a health club assessing an annual enhancement fee may describe the fee within its membership agreement, maintain written policies explaining the fee, provide explanatory language in member materials, and maintain accounting records reflecting the assessment of the fee. Those materials collectively establish the contractual function and stated purpose of the fee. The proposal, however, does not indicate whether those ordinary business records would satisfy the Department's expectations or whether businesses would instead be expected to maintain additional documentation demonstrating how fee revenue was ultimately utilized.

This distinction is particularly important for businesses operating multiple facilities. Capital investments are commonly planned and administered on an enterprise-wide basis rather than allocated to individual locations. Equipment replacement, facility modernization, technology upgrades, accessibility improvements, safety initiatives, and other capital projects are prioritized across a portfolio of clubs based on operational needs, equipment lifecycle, member demand, and long-term planning. Funds supporting those investments are generally managed through ordinary corporate accounting practices rather than segregated on a facility-by-facility basis.

Accordingly, HFA respectfully encourages the Department to confirm that businesses may satisfy the proposed recordkeeping requirements through records maintained in the ordinary course of business. Membership agreements, fee schedules, written policies, accounting records, capital planning documents, and similar records should be recognized as sufficient where they reasonably substantiate the amount, timing, refundability, and stated purpose of a recurring fee. The final rule should also confirm that businesses are not required to segregate fee revenue, trace individual fee payments to particular expenditures, or maintain accounting records beyond those ordinarily maintained in the normal course of business.

The Association also notes that records concerning the administration or purpose of recurring fees may contain proprietary business information relating to capital planning, investment priorities, budgeting, equipment replacement schedules, technology strategy, and other competitively sensitive operational decisions. Any recordkeeping requirement should therefore remain limited to information reasonably necessary to demonstrate compliance and should not inadvertently require disclosure of confidential business information beyond what is necessary to accomplish the rule's consumer protection objectives.

Finally, the Association recognizes the Department's authority to request records relevant to an investigation. At the same time, the final rule should preserve the procedural protections ordinarily associated with administrative investigations by providing businesses with a reasonable opportunity to identify, collect, supplement, and explain responsive records before an adverse inference is drawn from an alleged failure to maintain or produce documentation.

VII. Advancing Consumer Protection Through Consistent and Practical Implementation

Throughout these comments, HFA has sought to provide recommendations that strengthen the proposed rule while recognizing the comprehensive statutory framework already governing health club memberships in New York and the operational realities of modern membership businesses. The Association respectfully submits that these objectives are complementary rather than competing. Consumer protection is best advanced through regulatory standards that are clear, consistent, and capable of uniform implementation.

The recommendations outlined in these comments are intended to further that objective. Harmonizing the final rule with the Health Club Services Act will preserve the Legislature's comprehensive consumer protection framework while reducing uncertainty regarding the interaction between municipal and state law. Recognizing the distinction between pricing disclosures and contractual disclosures will allow consumers to receive clear pricing information before purchasing a contract for services with a health club while continuing to receive comprehensive explanations of their contractual rights and obligations through the documents specifically designed to govern the membership relationship.

Likewise, applying a single disclosure standard throughout the rule and clarifying the relationship between Sections 5-16(c) and 5-16(d)(1) will provide businesses with greater certainty regarding their disclosure obligations while improving consistency in administration and enforcement. Confirming that ordinary business records satisfy the proposed recordkeeping requirements will further promote voluntary compliance without compromising the Department's enforcement objectives.

The Association also respectfully encourages the Department to continue its longstanding practice of engaging with regulated industries throughout implementation of new consumer protection requirements. HFA and its members value the opportunity to work collaboratively with the Department to develop practical compliance solutions that reflect the realities of recurring membership businesses while ensuring consumers receive clear and meaningful pricing information.

HFA appreciates the Department's thoughtful consideration of these comments and respectfully submits that the recommendations outlined above will strengthen the final rule by promoting consumer understanding, encouraging consistent compliance, and maintaining harmony between municipal regulations and New York's existing statutory framework governing health club memberships.

VII. Conclusion

HFA appreciates the opportunity to provide these comments and commends the Department for its continued efforts to promote transparent pricing and meaningful consumer disclosures. The Association shares the Department's objective of ensuring that consumers understand the financial obligations associated with a health club membership before becoming contractually obligated.

The recommendations set forth in these comments are intended to strengthen the proposed rule by harmonizing it with New York's existing statutory framework governing health club contracts, recognizing the distinction between pricing disclosures and contractual disclosures, applying a single and consistent disclosure standard, clarifying the relationship between proposed Sections 5-16(c) and 5-16(d)(1), recognizing the realities of modern health club operations, and confirming that businesses may satisfy the rule's recordkeeping requirements through records maintained in the ordinary course of business.

HFA respectfully submits that these recommendations do not diminish consumer protections. Rather, they promote greater consumer understanding by encouraging clear, consistent, and practical disclosures that reflect both the comprehensive protections already established under New York law and the realities of how recurring membership businesses operate today. A harmonized regulatory framework will improve implementation, encourage voluntary compliance, and provide consumers with a more consistent enrollment experience throughout New York.

The Association appreciates the Department's thoughtful consideration of these comments and welcomes the opportunity to continue working collaboratively as the rulemaking proceeds.

Respectfully submitted,

Mike Goscinski
Chief of Staff
Health & Fitness Association