6.6.8512 INSURANCE COMPANY PRACTICES

(1) Life insurance companies authorized to do business in this state shall respond to a request for verification of coverage from a viatical settlement provider or a viatical settlement broker within 30 calendar days of the date a request is received, subject to the following conditions:

(a) a current authorization consistent with applicable law, signed by the policyowner or certificateholder, accompanies the request; and

(b) in the case of an individual policy or group coverage where details with respect to the certificate holder's coverage are maintained by the insurer, submission of a form prescribed by the commissioner, which has been completed by the viatical settlement provider or the viatical settlement broker in accordance with the instructions on the form.

(2) Nothing in this rule shall prohibit a life insurance company and a viatical settlement provider or a viatical settlement broker from using another verification of coverage form that has been mutually agreed upon in writing in advance of submission of the request.

(3) A life insurance company may not charge a fee for responding to a request for information from a viatical settlement provider or viatical settlement broker in compliance with this rule in excess of any usual and customary charges to policyowners, contractholders, certificateholders or insureds for similar services.

(4) The life insurance company may send an acknowledgment of receipt of the request for verification of coverage to the policyowner or certificateholder and, where the policyowner or certificate owner is other than the insured, to the insured. The acknowledgment may contain a general description of any accelerated death benefit that is available under a provision of or rider to the life insurance contract.

Authorizing statute(s): 33-19-306 and 33-20-1315, MCA

Implementing statute(s): 33-19-306, MCA

History: NEW, 2005 MAR p. 71, Eff. 1/14/05.