

RCW 48.205.040 Policy disclosures—Returns. (1) A pet insurer transacting pet insurance shall disclose the following to consumers:

- (a) If the policy excludes coverage due to any of the following:
 - (i) A preexisting condition;
 - (ii) A hereditary disorder;
 - (iii) Either a congenital anomaly or a congenital disorder, or both; or
 - (iv) A chronic condition;
- (b) If the policy includes any other exclusions, the following statement: "Other exclusions may apply. Please refer to the exclusions section of the policy for more information";
- (c) Any policy provision that limits coverage through a waiting or affiliation period, a deductible, coinsurance, or an annual or lifetime policy limit;
- (d) Whether the pet insurer reduces coverage or increases premiums based on the insured's claim history, the age of the covered pet, or a change in the geographic location of the insured; and
- (e) If the underwriting company differs from the brand name used to market and sell the product.

(2) (a) Unless the insured has filed a claim under the pet insurance policy, pet insurance applicants shall have the right to examine and return the policy, certificate, or endorsement to the company or an insurance producer appointed by the company within 15 days of its receipt and to have the premium refunded if, after examination of the policy, certificate, or endorsement, the applicant is not satisfied for any reason.

(b) Pet insurance policies, certificates, and endorsements must have a notice prominently printed on the first page or attached thereto including specific instructions to accomplish a return. The following free look statement or language substantially similar must be included:

"You have 15 days from the day you receive this policy, certificate, or endorsement to review it and return it to the company if you decide not to keep it. You do not have to tell the company why you are returning it. If you decide not to keep it, simply return it to the company at its administrative office or you may return it to the insurance producer that you bought it from as long as you have not filed a claim. You must return it within 15 days of the day you first received it. The company will refund the full amount of any premium paid within 30 days after it receives the returned policy, certificate, or endorsement. The premium refund will be sent directly to the person who paid it. The policy, certificate, or endorsement will be void as if it had never been issued."

(3) A pet insurer shall clearly disclose a summary description of the basis or formula on which the pet insurer determines claim payments under a pet insurance policy within the policy prior to policy issuance and through a clear and conspicuous link on the main page of either the pet insurer's website or pet insurer's program administrator's website, or both.

(4) A pet insurer that uses a benefit schedule to determine claim payment under a pet insurance policy shall:

- (a) Clearly disclose the applicable benefit schedule in the policy; and
- (b) Disclose all benefit schedules used by the pet insurer under its pet insurance policies through a clear and conspicuous link on the

main page of either the pet insurer's website or pet insurer's program administrator's website, or both.

(5) A pet insurer that determines claim payments under a pet insurance policy based on usual and customary fees or any other reimbursement limitation based on prevailing veterinary service provider charges shall:

(a) Include a usual and customary fee limitation provision in the policy that clearly describes the pet insurer's basis for determining usual and customary fees and how that basis is applied in calculating claim payments; and

(b) Disclose the pet insurer's basis for determining usual and customary fees through a clear and conspicuous link on the main page of either the pet insurer's website or the pet insurer's program administrator's website, or both.

(6) If any medical examination by a licensed veterinarian is required to effectuate coverage, the pet insurer shall clearly and conspicuously disclose the required aspects of the examination prior to purchase and disclose that examination documentation may result in a preexisting condition exclusion.

(7) The pet insurer shall disclose waiting periods and the requirements applicable to them clearly and prominently to consumers prior to the policy purchase.

(8) The pet insurer shall include a summary of all policy provisions required in this section in a separate document titled "insurer disclosure of important policy provisions."

(9) The pet insurer shall post the insurer disclosure of important policy provisions document required in subsection (8) of this section through a clear and conspicuous link on the main page of either the pet insurer's website or the pet insurer's program administrator's website, or both.

(10) In connection with the issuance of a new pet insurance policy, the pet insurer shall provide the consumer with a copy of the insurer disclosure of important policy provisions document required in subsection (8) of this section in at least 12-point type when it delivers the policy.

(11) At the time a pet insurance policy is issued or delivered to a policyholder, the pet insurer shall include a written disclosure with the following information, printed in 12-point boldface type:

(a) The address and customer service telephone number of either the pet insurer or the insurance producer of record, or both; and

(b) If the policy was issued or delivered by an insurance producer, a statement advising the policyholder to contact the insurance producer for assistance.

(12) The disclosures required in this section are in addition to any other disclosure requirements required by law or regulation.

[2023 c 42 s 4.]

Effective date—2023 c 42: See note following RCW 48.205.010.