
SENATE BILL 5703

State of Washington

66th Legislature

2019 Regular Session

By Senator Kuderer

1 AN ACT Relating to examinations under oath when a person claims a
2 loss under an insurance contract; and amending RCW 48.18.460.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 48.18.460 and 1995 c 285 s 17 are each amended to
5 read as follows:

6 (1) An insurer shall furnish, upon request of any person claiming
7 to have a loss under any insurance contract, forms of proof of loss
8 for completion by such person. (~~But such insurer shall not, by~~
9 reason of the requirement so to furnish forms, have any
10 responsibility for or with reference to the completion of such proof
11 or the manner of any such completion or attempted completion. If))
12 The requirement to furnish the forms does not make the insurer
13 responsible to ensure that the form is completed or ensure the manner
14 of completion or attempted completion. When a person makes a claim
15 under a policy of insurance, the insurer may require that the person
16 be examined under an oath administered by a person authorized by
17 state or federal law to administer oaths if the policy of insurance
18 contains a provision for conducting an examination under oath.

19 (2) (a) All requests for examination under oath by an insurer must
20 be reasonable, material to the claim, and made within ninety days

1 after a written claim or form of proof of loss has been made by a
2 person making a claim under the policy of insurance.

3 (b) In all cases where an examination under oath has been taken,
4 the insurer must furnish at its own expense to the person making a
5 claim under a policy of insurance the transcript of the examination
6 under oath within thirty days thereafter, or within forty-eight hours
7 of the next examination under oath, whichever is earlier.

8 (c) Within sixty days after furnishing a transcript to the person
9 making the claim under a policy of insurance, the insurer must issue
10 a claims acceptance or denial, or provide a written reservation of
11 rights detailing any and all reasons why the claim cannot be accepted
12 and paid to a person making such a claim.

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