

HB 1081 - H AMD 40

By Representative Kirby

ADOPTED 02/28/2017

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 48.24.280 and 2016 c 143 s 1 are each amended to
4 read as follows:

5 (1) A life insurer may include the following noninsurance
6 benefits as part of a policy or certificate of group life insurance,
7 with the prior approval of the commissioner:

8 (a) Will preparation services;

9 (b) Financial planning and estate planning services;

10 (c) Probate and estate settlement services;

11 (d) Grief counseling; (~~and~~)

12 (e) Funeral planning and funeral services, but it must be
13 disclosed that this noninsurance benefit does not constitute an
14 insurance funded prearrangement contract, pursuant to RCW 18.39.255;
15 and

16 (f) Such other services as the commissioner may identify by rule.

17 (2) The commissioner may adopt rules to regulate the disclosure
18 of noninsurance benefits permitted under this section, including but
19 not limited to guidelines regarding the coverage provided under the
20 policy or certificate of insurance.

21 (3) Those providing the services listed in subsection (1) of this
22 section must be appropriately licensed.

23 (4) This section does not require the commissioner to approve any
24 particular proposed noninsurance benefit. The commissioner may
25 disapprove any proposed noninsurance benefit that the commissioner
26 determines may tend to promote or facilitate the violation of any
27 other section of this title.

28 (5) This section does not expand, limit, or otherwise affect the
29 authority and ethical obligations of those who are authorized by the
30 state supreme court to practice law in this state. This section does
31 not limit the prohibition against the unauthorized practice of law
32 under chapter 2.48 RCW.

1 (6) This section does not affect the application of chapter 21.20
2 RCW.

3 **Sec. 2.** RCW 48.21.380 and 2016 c 143 s 2 are each amended to
4 read as follows:

5 (1) A disability insurer may include the following noninsurance
6 benefits as part of a policy or certificate of group disability
7 insurance, with the prior approval of the commissioner and where such
8 benefits bear a reasonable relationship to the disability insurance
9 with which they are intended to be offered:

10 (a) Will preparation services;

11 (b) Financial planning and estate planning services;

12 (c) Probate and estate settlement services;

13 (d) Grief counseling; (~~and~~)

14 (e) Funeral planning and funeral services, but it must be
15 disclosed that this noninsurance benefit does not constitute an
16 insurance funded prearrangement contract, pursuant to RCW 18.39.255;
17 and

18 (f) Such other services as the commissioner may identify by rule.

19 (2) The commissioner may adopt rules to regulate the disclosure
20 of noninsurance benefits permitted under this section, including but
21 not limited to guidelines regarding the coverage provided under the
22 policy or certificate of insurance.

23 (3) Those providing the services listed in subsection (1) of this
24 section must be appropriately licensed.

25 (4) This section does not require the commissioner to approve any
26 particular proposed noninsurance benefit. The commissioner may
27 disapprove any proposed noninsurance benefit that the commissioner
28 determines may tend to promote or facilitate the violation of any
29 other section of this title.

30 (5) This section does not expand, limit, or otherwise affect the
31 authority and ethical obligations of those who are authorized by the
32 state supreme court to practice law in this state. This section does
33 not limit the prohibition against the unauthorized practice of law
34 under chapter 2.48 RCW.

35 (6) This section does not affect the application of chapter 21.20
36 RCW.

37 (7) This section does not affect wellness programs as described
38 in RCW 48.30.140(6)."

1 Correct the title.

EFFECT: Requires a disclosure that the noninsurance benefit of funeral planning and funeral services that may be included as part of a group life or group disability insurance policy does not constitute an insurance funded prearrangement contract under laws regulating funeral homes and cemeteries.

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