
ENGROSSED SENATE BILL 5042

State of Washington

65th Legislature

2017 Regular Session

By Senators Angel, Hobbs, and Wellman

Read first time 01/11/17. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to authorizing funeral planning and funeral
2 services as noninsurance benefits under group life and disability
3 insurance policies; and amending RCW 48.24.280 and 48.21.380.

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

5 **Sec. 1.** RCW 48.24.280 and 2016 c 143 s 1 are each amended to
6 read as follows:

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

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

1 not limited to guidelines regarding the coverage provided under the
2 policy or certificate of insurance.

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

5 (4) This section does not require the commissioner to approve any
6 particular proposed noninsurance benefit. The commissioner may
7 disapprove any proposed noninsurance benefit that the commissioner
8 determines may tend to promote or facilitate the violation of any
9 other section of this title.

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

15 (6) This section does not affect the application of chapter 21.20
16 RCW.

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

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

24 (a) Will preparation services;

25 (b) Financial planning and estate planning services;

26 (c) Probate and estate settlement services;

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

28 (e) Funeral planning and funeral services, but it must be
29 disclosed that this noninsurance benefit does not constitute an
30 insurance funded prearrangement contract, pursuant to RCW 18.39.255;
31 and

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

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

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

1 (4) This section does not require the commissioner to approve any
2 particular proposed noninsurance benefit. The commissioner may
3 disapprove any proposed noninsurance benefit that the commissioner
4 determines may tend to promote or facilitate the violation of any
5 other section of this title.

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

11 (6) This section does not affect the application of chapter 21.20
12 RCW.

13 (7) This section does not affect wellness programs as described
14 in RCW 48.30.140(6).

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