

RCW 48.205.060 Wellness programs—Marketing—Requirements.

(Effective January 1, 2024.) (1) A pet insurer and insurance producer may not:

(a) Market a wellness program as pet insurance; or

(b) Market a wellness program during the sale, solicitation, or negotiation of pet insurance.

(2) If a wellness program is sold by either a pet insurer or an insurance producer, or both:

(a) The purchase of the wellness program may not be a requirement to the purchase of pet insurance;

(b) The costs of the wellness program must be separate and identifiable from any pet insurance policy sold by either a pet insurer, an insurance producer, or both;

(c) The terms and conditions for the wellness program must be separate from any pet insurance policy sold by either a pet insurer, an insurance producer, or both;

(d) The products or coverages available through the wellness program may not duplicate products or coverages available through the pet insurance policy;

(e) The advertising of the wellness program may not be misleading and must be in accordance with this section;

(f) Either a pet insurer or an insurance producer, or both, must clearly disclose the following to consumers, printed in 12-point boldface type:

(i) That wellness programs are not insurance; and

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

(3) Coverages included in the pet insurance policy contract described as "wellness" benefits are insurance.

(4) If any wellness program undertakes to indemnify another or pay a specified amount upon determinable contingencies, it is transacting in the business of insurance and is subject to the insurance code. This definition is not intended to classify a contract directly between a service provider and a pet owner that only involves the two parties as being the business of insurance unless other indications of insurance also exist. [2023 c 42 § 6.]

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