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**SENATE BILL 5703**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Senator Kuderer

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

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

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

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

(2)(a) All requests for examination under oath by an insurer must be reasonable, material to the claim, and made within ninety days after a written claim or form of proof of loss has been made by a person making a claim under the policy of insurance.

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

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

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