

**11 NCAC 12 .1718 DISCLOSURE**

(a) The provider, upon receipt of an application to viaticate and after determining the value to be offered in return for the assignment or transfer of the death benefit or ownership of a policy to the provider, shall deliver a proposal to the viator before the contract is to be signed. The proposal shall disclose the following information:

- (1) Amount of death benefit to be viaticated;
- (2) Policy cash value before deducting any loan;
- (3) Policy net cash value after deducting any loan;
- (4) Policy death benefit less net cash value;
- (5) Amount offered to viator;
- (6) Whether any supplemental benefit or benefits including the following benefits, are present, will be continued and, if so, the source of premium payment and the beneficiary of the proceeds of such supplemental benefit, and the provider's interest in each benefit:
  - (A) Accidental death and dismemberment benefit, including the amount of the benefit;
  - (B) Disability income;
  - (C) Waiver of premium or of monthly deduction waiver;
  - (D) Guaranteed insurability options; or
  - (E) Children or spouse coverage;
- (7) Name of the insurer, and whether the insurer does or does not have an accelerated death benefit program for which the viator qualifies;

(b) The provider shall disclose on the application or in the brochure that the identity of the viator will not be disclosed except under the conditions set forth in G.S. 58-58-225 or as otherwise allowed or required by law. The provider shall provide an explanation of the conditions in G.S. 58-58-225 to the viator.

*History Note: Authority G.S. 58-2-40; 58-58-225; 58-58-245; 58-58-300;  
Temporary Adoption Eff. April 1, 2002;  
Eff. April 1, 2003;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*