

By: Representative Banks

To: Insurance

HOUSE BILL NO. 679

1 AN ACT TO AUTHORIZE A FUNERAL SERVICES PROVIDER TO OBTAIN  
2 CERTAIN INFORMATION REGARDING A DECEASED PERSON'S LIFE INSURANCE;  
3 TO REQUIRE SUCH INFORMATION TO BE PROVIDED WITHIN TWO BUSINESS  
4 DAYS OF RECEIPT OF REQUEST; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** (1) Any person licensed to practice funeral  
7 directing or any employee of a licensed funeral establishment  
8 providing funeral service for a deceased person insured or  
9 believed to be insured under a contract of life insurance or under  
10 a group life insurance policy may request information regarding  
11 the deceased person's life insurance contracts by providing an  
12 insurer with (a) a copy of a notification of death, (b) written  
13 authorization from the person or persons with legal authority to  
14 direct disposition of the deceased's body, and (c) in the case of  
15 a person covered or believed to be covered under a group life  
16 insurance policy, the affiliation of the deceased entitling them  
17 to coverage under the group life insurance policy.

18 (2) Within two (2) business days after receipt of the  
19 request made in accordance with subsection (1) of this section,



20 the life insurance company shall inform the person authorized by  
21 this section to make an inquiry of the following:

22 (a) The existence of any contract insuring the life of  
23 the deceased person.

24 (b) Any beneficiaries on record under any life  
25 insurance contract insuring the life of the deceased person.

26 (c) The amount of any liens or loans outstanding on the  
27 policy.

28 (d) The amount of benefits payable to the  
29 beneficiaries.

30 (e) Whether the policy has been reinstated within the  
31 last twenty-four (24) months. The insurer shall provide a claim  
32 form to any person or assignee making the request.

33 (3) If any person making a written request under subsection  
34 (1) of this section who has provided all the information required  
35 by subsection (1) of this section does not receive a response from  
36 the insurer within two (2) business days, then the person may  
37 refer the request to the Office of Consumer Protection of the  
38 Attorney General, which shall treat the referral as a consumer  
39 complaint. The referral shall include all the information  
40 provided to the insurer under subsection (1) of this section as  
41 well as copies of all communications and information received from  
42 the insurer regarding the request for information.

43 (4) If the beneficiary of record under the life insurance  
44 contract or group life insurance policy is not the estate of the



45 deceased, then any person authorized to request information under  
46 subsection (1) of this section shall make reasonable efforts to  
47 locate the beneficiaries within one hundred (100) hours of  
48 receiving information from the insurance carrier regarding any  
49 life insurance contracts or group life insurance policies and  
50 shall provide to all beneficiaries all documents and information  
51 obtained from the insurance carrier. The person obtaining the  
52 information also shall inform all beneficiaries in writing in bold  
53 print that "THE BENEFICIARY OF A LIFE INSURANCE POLICY HAS NO  
54 LEGAL DUTY OR OBLIGATION TO SPEND ANY OF THAT MONEY ON THE  
55 FUNERAL, DEBTS, OR OBLIGATIONS OF THE DECEASED" and shall do so  
56 before discussing with the beneficiaries financial arrangements  
57 for burial of the deceased.

58 (4) Any licensee or employee of a licensed funeral  
59 establishment who makes a false request for information under this  
60 section or fails to do that required by subsection (3) of this  
61 section shall be deemed to have committed unprofessional conduct  
62 in the practice of funeral service or funeral directing as defined  
63 in Section 73-11-57(1)(p) and unfit to practice funeral service or  
64 be a funeral director.

65 **SECTION 2.** This act shall take effect and be in force from  
66 and after July 1, 2018.

