**Section 920.30 Insurer Conduct**

a) Upon a date of death notice of an insured, the date of death notice is deemed to apply to all of the insurer's lines of business. The insurer shall check its records to determine whether the insurer has any other policies, annuity contracts, or retained asset accounts for that insured.

b) Upon a date of death notice of an insured, the insurer shall:

1) Forward each United States affiliate, parent or subsidiary, as appropriate, and any entity with which the insurer contracts that might maintain or control records related to policies, annuity contracts, or retained asset accounts to which this Part applies, a copy of the information or record giving rise to the date of death notice; and

2) Make a reasonable effort to ensure that each affiliate, parent, subsidiary or other entity performs a check of its records for purposes of subsection (a).

c) The presumption of death and obligation to search for a beneficiary in Section 15(a) of the Act does not apply if the person indicated as dead is determined not to be an insured of the insurer.

d) Minimum standards for good faith efforts to locate a beneficiary or beneficiaries under Section 15(a)(1) of the Act consist of the following:

1) The insurer shall search at least its electronic searchable files, including records for which the insurer provides record keeping services, for the most current postal address of the beneficiary or beneficiaries. If this information is absent from the electronic searchable files, then the insurer must search all policy, annuity contract and retained asset account files of any format that pertain to the insured who designated the beneficiary. If the insurer finds within these records no postal address other than ones confirmed not to be current under subsection (d)(7), then the insurer shall search external sources for a current postal address as described in subsections (d)(3)(B)(i) and (ii).

2) The insurer shall make at least two attempts to contact the beneficiary or beneficiaries in writing by first-class mail to the most current postal address obtained under subsection (d)(1). If a postal address is confirmed not to be current, the insurer is not required to attempt to contact the beneficiary or beneficiaries again at that address.

3) If the contact attempts under subsection (d)(2) yield no response, or if the postal address is confirmed not to be current, then the insurer shall search for the most current postal address, telephone number, and e-mail address of the beneficiary or beneficiaries by all of the following means:

A) For the most current telephone number and e-mail address, the insurer shall search all policy, annuity contract and retained asset account files of any format that pertain to the insured who designated the beneficiary. The insurer shall also search these records for the most current postal address if the insurer only searched its electronic searchable files during the phase described in subsection (d)(1).

B) For the most current postal address, telephone number, and e-mail address, the insurer shall search external sources of records as follows:

i) If the insurer already has access to a national online search or locator tool, such as LexisNexis Public Records, Accurint, PeopleMap on Westlaw, or other comparable databases, then the insurer shall use at least one of those tools in the search of external sources.

ii) If the insurer does not already have access to any of the tools or databases covered in subsection (d)(3)(B)(i), or if the insurer has searched all those databases to which it already has access but does not find a more current postal address, telephone number or e-mail address than is found in the insurer's records, then the insurer shall make reasonable efforts in using an internet search engine and social media websites in the search of external sources.

4) Insurer Contacts

A) Using the most current contact information obtained from the search under subsection (d)(3), until either the insurer receives a response or all contact attempts have been exhausted without a response, the insurer shall attempt to contact the beneficiary or beneficiaries, in whatever order the insurer deems appropriate:

i) at least twice at a current telephone number, leaving a voicemail if there is no answer and a voicemail option is presented;

ii) at least twice at a current e-mail address; and

iii) at least once by first-class mail at a current postal address.

B) If any contact information is confirmed not to be current, the insurer is not required to attempt to contact the beneficiary or beneficiaries again using that information.

5) An insurer is not required to undertake the search process in subsection (d)(3) more than once with respect to any of the three types of contact information.

6) The insurer shall complete all efforts to locate the beneficiary or beneficiaries under this subsection (d) within one year after the date of death notice.

7) A beneficiary's postal address, telephone number, or e-mail address is confirmed not to be current:

A) when the insurer finds in its records that the beneficiary, the insured or the authorized representative of either has informed the insurer that the beneficiary's contact information is no longer current or is inaccurate;

B) when one of the tools or databases covered in subsection (d)(3)(B)(i) affirmatively and directly indicates that the contact information is inaccurate or has been superseded by new contact information;

C) for a postal address or e-mail address, when any writing that the insurer has sent there is returned as undeliverable; or

D) for a telephone number, when the insurer has called the number and either finds it to have been disconnected or receives a response from an individual at that number who states that the number does not belong to the beneficiary.

e) No later than the policy or annuity contract delivery or the establishment of a retained asset account, and upon any change of the insured or beneficiary, an insurer shall request information sufficient to ensure that all benefits or proceeds are distributed to the appropriate persons upon the death of an insured, including, at a minimum, the name, postal address, e-mail address, date of birth, social security number, and telephone number of every insured and beneficiary of the policy, annuity contract, or retained asset account, as applicable.

f) Insurers shall update their records as they receive or gain knowledge of a change in an insured, beneficiary, or beneficiary's name, postal address, e-mail address, or telephone number.

g) Insurers shall provide a statement to the Department regarding the extent to which policy, annuity contract, and retained asset account files currently are electronically searchable, and future plans regarding converting files into electronically searchable files.