

1975 WL 29311 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

December 5, 1975

***1 Re: Group Life Insurance**

Mr. Thomas M. Dabbs
S. C. State Association of Life Underwriters, Inc.
Box 1004
Columbia, South Carolina 29202

Dear Mr. Dabbs:

Thank you for your letter concerning group insurers' right to request evidence of insurability under South Carolina Law.

South Carolina Code § 37-307(4) covers group insurance. The South Carolina Insurance Commission has interpreted this section to mean that the evidence of insurability can be required only if the person involved is a late enrollee or if a lapsed policy is being reinstated. The reasoning behind this interpretation is that group life insurance should cover a group and people should not be singled out individually. This would be allowing individual insurance, under the guise of a group policy. The Insurance Commission is responsible for the interpretation of the insurance laws.

The question as to whether your association should introduce legislation to permit evidence of insurability is a policy question to be decided in your office.

Please let us know if we can be of any further service to you.

Sincerely,

A. Camden Lewis
Assistant Attorney General

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