

Index

ACCEPTANCE

Contract of insurance, § 5:1

ACCIDENTS

Generally, § 12:5, 14:1 to 14:12

Assault, § 14:8

Burden of proof, § 14:12

Cause, disease and treatment, § 14:6

Choking, § 14:9

Disease and treatment, § 14:5 to 14:7

Distinction between accidental and
accident or accidental result,
§ 14:2

Drugs, § 14:9

Exertion, § 14:10

Exposure, § 14:10

External and violent, § 14:11

Hypersensitivity, § 14:9

Injury, § 14:3

Mental shock, § 14:10

Military service, § 14:8

Poison, § 14:9

Significant events, accidental death
and dismemberment, § 2:23

Suicide, § 14:8

Violation of law, § 14:8

Voluntary exposure to danger, § 14:4

ACTIVELY AT WORK

Contract of Group Insurance, this
index

ADMINISTRATIVE DUTIES

Contract of group insurance, group
policyholder as agent, § 24:2

ADOPTION

Significant events, § 2:24

AERONAUTICS

Aviation, § 7:11

AGENTS

Contest of Initial Validity of Policy,
this index

AGENTS—Cont'd

Contract of Group Insurance, this
index

Non-policy liability, § 2:54

Sources of rights, § 2:6

Statements of agent, § 5:19

AIRCRAFT

Aviation, this index

AMBIGUITY

Contract of group insurance, § 21:3

Effective date of policy when pay-
ment made with application,
§ 5:13

Non-forfeiture, § 10:13

AMENDMENTS

Contract of group insurance, § 21:7

ANTITRUST LAWS

Regulation of insurance and insur-
ance companies, § 26:18

APPORTIONMENT

Dividends, § 9:18

APPROVAL

Consent or Approval, this index

ARMSTRONG INVESTIGATION

Regulation of Insurance and Insur-
ance Companies, this index

ASSAULT

Accidents, § 14:8

ASSIGNMENT

Generally, § 2:45, 11:13, 11:14

Group insurance, § 11:14

Insurable interest, § 4:4

Rights and interests of policyholders
or claimants, § 2:17

Sources of rights, § 2:7

ATTACHMENT

Contest of initial validity of policy, misrepresentations, § 6:9

ATTENDANCE AND CARE

Disability, § 15:7

ATTORNEYS

Fees, § 2:59, 2:62, 11:4, 25:9

ATTORNEYS' FEES

Remedies, § 2:59

AUTOPSIES

Contract of accident and health insurance, § 13:13

AVIATION

Generally, § 7:10 to 7:15
Aeronautics, § 7:11
Carriers, § 7:14
Crew, § 7:13
Crew, passengers, § 7:13
Duties of Aeronautics, § 7:11
Military aircraft, § 7:12
Scheduled flights, § 7:14
Use, § 7:10
Validity, § 7:10

AVOIDANCE

Reinstatement, § 10:6

BANKRUPTCY

Creditors, § 11:17

BENEFICIARIES

Generally, § 2:42 to 2:51, 11:1 to 11:31
Assignment, this index
Capacity to change beneficiary, § 11:9
Change of beneficiary
 generally, § 11:9 to 11:12
 capacity to change, § 11:9
 contract of accident and health insurance, § 13:15
 contract of group insurance, § 24:6
 right to change, § 11:2, 11:9
 substantial compliance, § 11:10
 will, change by, § 11:11
Community property
 generally, § 2:47, 11:20, 11:21

BENEFICIARIES—Cont'd

Community property—Cont'd
 disqualification, § 11:25
 naming of beneficiary, § 11:21
Contest, disqualification, § 11:25
Contingents, naming of beneficiary, § 11:7
Credit insurance, § 2:51
Creditors, this index
Definitions, § 11:1
Disqualification
 generally, § 2:49, 11:24 to 11:26
 civil proof, § 11:26
 community property, § 11:25
 contest, § 11:25
 heirs, § 11:25
 person entitled, § 11:25
Divorce, § 2:46, 11:19
Employer as beneficiary, § 11:8
Group insurance
 carrier, change in, § 11:28
 certificate, designation in, § 11:27
Heirs, disqualification, § 11:25
Identification, § 11:6
Interpleader, § 2:43, 11:4, 11:5
Naming of beneficiary
 generally, § 2:44, 11:6 to 11:8
 change of beneficiary, above
 community property, § 11:21
 contingents, § 11:7
 conversion or exchange of policy, § 10:32
 employer as beneficiary, § 11:8
 identification, § 11:6
 non-testamentary, § 11:7
 right to name, § 2:16, 11:1
 settlement, § 11:7
Non-testamentary, naming of beneficiary, § 11:7
Payment to beneficiary, § 11:18, 11:19
Re-employment, § 11:28
Relationship, § 2:50
Rival claims, § 11:1
Settlement, naming of beneficiary, § 11:7
Substantial compliance, change of beneficiary, § 11:10

INDEX

BENEFICIARIES—Cont'd

- Survivorship, § 2:48, 11:22, 11:23
- Types, § 11:1
- Uniform Simultaneous Death Act, § 11:23
- Will, change of beneficiary by, § 11:11

BINDING RECEIPTS

- Contract of Insurance, this index

BIRTH

- Significant events, § 2:24

BURDEN OF PROOF

- Accidents, § 14:12
- Contest of initial validity of policy, misrepresentations, § 6:4
- Disability, § 15:11
- Pre-existing health conditions, § 17:9

CANCELLATION OF POLICY

- Rights of policyholders, § 10:35

CAPACITY

- Change of beneficiary, § 11:9

CARE AND ATTENDANCE

- Disability, § 15:7

CARRIERS

- Aviation, § 7:14

CASH VALUE

- Premiums, § 9:9

CAUSATION

- Accidents, disease and treatment, § 14:6
- Disability, § 15:13

CENTER OF GRAVITY

- Conflict of laws, § 25:7

CHANGE OF BENEFICIARY

- Beneficiaries, this index

CHECKS

- Premiums, § 9:2

CHILDREN

- Minors, this index

CHOKING

- Accidents, § 14:9

CIVIL RIGHTS

- Regulation of insurance and insurance companies, § 26:23

CLAIMS

- Generally, § 1:2
- Payment, rights and interests of policyholders or claimants, § 10:36

COBRA

- Generally, § 26:16

COLLECTION OF PREMIUMS

- Contest of initial validity of policy, waiver and estoppel, § 6:18

COLLUSION

- Contest of initial validity of policy, waiver and estoppel, § 6:17

COMMENCEMENT OF EMPLOYMENT

- Contract of Group Insurance, this index

COMMON LAW

- Contest of initial validity of policy, misrepresentations, § 6:1 to 6:6

COMMUNITY PROPERTY

- Beneficiaries, this index

COMPETENCE

- Significant events, § 2:24
- Sources of rights, § 2:9

COMPLAINTS

- Remedies, § 2:56

CONDITIONAL RECEIPTS

- Contract of Insurance, this index
- Rights and interests of policyholders or claimants, § 2:19

CONDITIONS

- Contract of accident and health insurance, hospital benefits, § 12:10
- Reinstatement, § 10:4

CONFINEMENT

- Contract of accident and health insurance, hospital benefits, § 12:11
- Disability, § 12:8, 15:8

CONFLICT OF LAWS

Generally, § 25:1 to 25:10
Center of gravity, § 25:7
Contracting, place of, § 25:3, 25:4
Coverage, place of, § 25:6
Group insurance, place of contracting, § 25:4
New contract, creation of, § 25:8
Penalties, § 25:9
Performance, place of, § 25:5
Statutes, § 25:2

CONSENT OR APPROVAL

Contract of group insurance, § 21:7
Contract of life insurance, issuance or continuance of policy, § 4:6
Insurable interest, issuance or continuance of policy, § 4:6
Reinstatement, § 10:3

CONSIDERATION

Contract of accident and health insurance, § 12:3

**CONSOLIDATED OMNIBUS
BUDGET RECONCILIATION
ACT (COBRA)**

Generally, § 26:16

**CONSTRUCTION AND
INTERPRETATION**

Contest of initial validity of policy, good health clause, § 6:12
Contract of group insurance, commencement of employment and actively at work, § 22:3
Contract of insurance, effective date of policy when payment made with application, § 5:12
Limitation of risk, non-duplication of benefits, § 18:11
Workers' compensation, § 17:14

**CONTEST AND
CONTESTABILITY**

Beneficiaries, disqualification, § 11:25
Contest of Initial Validity of Policy, this index
Contract of group insurance, commencement of employment and

CONTEST AND

CONTESTABILITY—Cont'd

actively at work, § 22:8
Conversion or exchange of policy, § 10:33
Incontestability, this index
Initial validity of policy. Contest of Initial Validity of Policy, this index

**CONTEST OF INITIAL VALIDITY
OF POLICY**

Generally, § 6:1 to 6:20
Agent of insurer
 misrepresentations, signature by agent, § 6:6
 waiver and estoppel, act or knowledge of agent, § 6:15
Attachment, misrepresentations, § 6:9
Burden of proof, misrepresentations, § 6:4
Collection of premiums, waiver and estoppel, § 6:18
Collusion, waiver and estoppel, § 6:17
Common law, misrepresentations, § 6:1 to 6:6
Construction of good health clause, § 6:12
Delivery, waiver and estoppel, § 6:18
Disclosure, good health clause, § 6:12
Estoppel. Waiver and estoppel, below
Good health clause
 generally, § 6:11 to 6:13
 construction, § 6:12
 disclosure, § 6:12
 knowledge, § 6:11
 medical examination, § 6:12
 statutory limitations, § 6:13
 waiver and estoppel, § 6:19
Illiteracy, waiver and estoppel, § 6:17
Knowledge, good health clause, § 6:11
Materiality, misrepresentations, § 6:3
Medical examination, good health clause, § 6:12
Minors, misrepresentations, § 6:6

INDEX

CONTEST OF INITIAL VALIDITY OF POLICY—Cont'd

Misrepresentations

generally, § 6:1 to 6:10
agent, signature by, § 6:6
attachment, § 6:9
burden of proof, § 6:4
common law rules, § 6:1 to 6:6
materiality, § 6:3
minors, § 6:6
purpose and effect of statutes,
§ 6:8

reliance, § 6:5
representations, § 6:2
rescission, § 6:1

statutory rules, § 6:7 to 6:10
types of statutes, § 6:10

Policyholder's contest of validity of own policy, § 6:20

Reliance, misrepresentations, § 6:5
Rescission, misrepresentations, § 6:1
Signature by agent, misrepresenta-
tions, § 6:6

Waiver and estoppel

generally, § 6:14 to 6:19
agent, act or knowledge of, § 6:15
collection of premiums, § 6:18
collusion, § 6:17
delivery, § 6:18
equities, § 6:17
good health, § 6:19
illiteracy, § 6:17
limitation on authority, § 6:16
statutes, § 6:17

CONTINGENT BENEFICIARIES

Naming, § 11:7

CONTINUOUS DISABILITY

Generally, § 15:3

CONTRACT OF ACCIDENT AND HEALTH INSURANCE

Generally, § 12:1 et seq., 13:1 to
13:17

Accidents, this index

Autopsies, § 13:13

Beneficiary, change of, § 13:15

Benefit provisions, § 12:4

CONTRACT OF ACCIDENT AND HEALTH INSURANCE

—Cont'd

Changes to contract, § 13:3

Conditions, hospital benefits, § 12:10

Confinement, hospital benefits,
§ 12:11

Consideration, § 12:3

Date. Time and date, below

Definitions, § 12:1

Disability, this index

Entire contract, § 13:3

Examination, right to, § 12:1

Exclusions in Accident and Health
Insurance Policies, this index

Form and forms

claims, § 13:9

policy, § 13:2

Grace period, § 13:5

Hospital benefits, § 12:10, 12:11

Incurred expenses, major medical
coverage, § 12:14

Insuring clause, § 12:1

Legal actions, § 13:14

Limitation of Risk, this index

Major medical coverage

generally, § 12:13 to 12:15

hospital, defined, § 12:15

incurred and reasonable expenses,
§ 12:14

recurrence, § 12:14

Miscellaneous benefits, § 12:12

Notice

claim, § 13:8

Optional uniform provisions, § 13:16

Origin of uniform accident and health
policy provisions, § 13:1

Payment of claims, § 13:11, 13:12

Physical examinations, § 13:13

Proofs of loss, § 13:10

Reasonable expenses, major medical
coverage, § 12:14

Recurrence, major medical coverage,
§ 12:14

Reinstatement, § 13:7

Renewals

generally, § 13:6

**CONTRACT OF ACCIDENT AND
HEALTH INSURANCE**

—Cont'd

Required provisions, generally,
§ 13:3 to 13:15
Schedule of benefits, § 12:2
Surgical benefits, § 12:12
Terminology, § 12:1
Time and date
 limit on certain defenses, § 13:4
 payment of claims, § 13:11
Uniform accident and health policy
 provisions, generally, § Appx A,
 13:1 to 13:17

**CONTRACT OF GROUP
INSURANCE**

Generally, § 21:1 to 21:8
Actively at work. Commencement of
 employment and actively at
 work, below
Administrative duties, group
 policyholder as agent, § 24:2
Agent, group policyholder as
 generally, § 24:1 to 24:10
 administrative duties, § 24:2
 beneficiary, change of, § 24:6
 credit insurance, § 24:7
 exceptions to majority rule, § 24:5
 majority rule, § 24:3 to 24:5
 minority rule, § 24:8 to 24:10
Ambiguity, § 21:3
Amendment, § 21:7
Beneficiary, change of, § 24:6
Commencement of employment and
 actively at work
 generally, § 22:1 to 22:10
 application, § 22:4
 contestability, § 22:8
 eligibility, § 22:9
 general purpose and form of
 requirement, § 22:2
 hour-bank, § 22:9
 interpretation, § 22:3
 satisfaction of condition, § 22:5
 stricter condition, § 22:6
 termination of employment, below
 waiting period, § 22:9
 waiver and estoppel, § 22:7

**CONTRACT OF GROUP
INSURANCE—Cont'd**

Consent, § 21:7
Contestability, commencement of
 employment and actively at
 work, § 22:8
Credit insurance, group policyholder
 as agent, § 24:7
Disability, termination of employ-
 ment, § 23:9, 23:10
Discharge, termination of employ-
 ment, § 23:2 to 23:4
Effective date, § 21:6
Effect of certificate, § 21:2 to 21:5
Eligibility
 commencement of employment
 and actively at work, § 22:9
 issuance to ineligible persons,
 § 21:4
Estoppel, § 21:3
Hour-bank, commencement of
 employment and actively at
 work, § 22:9
Interpretation, commencement of
 employment and actively at
 work, § 22:3
Lay-off, termination of employment,
 § 23:2 to 23:4
Leave, termination of employment,
 § 23:3
Liability outside policy terms, § 21:8
Military service, termination of
 employment, § 23:3
Notice, § 21:7, 23:5
Parties, § 21:6
Premiums, § 21:6, 23:7
Proof of claim, § 21:5
Retirement, termination of employ-
 ment, § 23:3
Satisfaction of condition, commence-
 ment of employment and
 actively at work, § 22:5
Stricter condition, commencement of
 employment and actively at
 work, § 22:6
Term, § 21:6
Termination, § 21:7
Termination of employment
 generally, § 23:1 to 23:11

INDEX

CONTRACT OF GROUP INSURANCE—Cont'd

- Termination of employment—Cont'd
 - actively at work, § 23:6
 - disability, § 23:9, 23:10
 - discharge or lay-off, § 23:2 to 23:4
 - employee, termination by, § 23:8
 - leave, § 23:3
 - military service, § 23:3
 - notice, § 23:5
 - premiums, § 23:7
 - retirement, § 23:3
- Waiting period, commencement of employment and actively at work, § 22:9
- Waiver and estoppel, commencement of employment and actively at work, § 22:7

CONTRACT OF INSURANCE

- Generally, § 5:1 to 5:26
- Acceptance and offer, § 5:1
- Accident insurance. Contract of Accident and Health Insurance, this index
- Agent, statements of, § 5:19
- Ambiguity, effective date of policy when payment made with application, § 5:13
- Amount, effective date of policy when payment made with application, § 5:17
- Binding receipts. Effective date of policy when payment made with application, below
- Checks, effective date of policy when payment not made with application, § 5:8
- Conditional receipts. Effective date of policy when payment made with application, below
- Conflict of laws, place of contract, § 25:3, 25:4
- Credit extended, effective date of policy when payment not made with application, § 5:7
- Dating back, § 5:22
- Delay in acting on application, § 5:21
- Delivery, effective date of policy when payment not made with

CONTRACT OF INSURANCE —Cont'd

- application, § 5:5
- Disaffirmance, insurance on lives of minors, § 5:24
- Effective date of policy when payment made with application
 - generally, § 5:10 to 5:20
 - agent, statements of, § 5:19
 - ambiguity, § 5:13
 - amount and time limits, § 5:17
 - insurability, § 5:14
 - interpretation, § 5:12
 - investigation, § 5:15
 - later payment, § 5:20
 - medical examination, § 5:16
 - receipt not detached, § 5:17
 - substandard, § 5:18
 - types of receipts, § 5:11
- Effective date of policy when payment not made with application
 - generally, § 5:4 to 5:8
 - checks, § 5:8
 - credit extended, § 5:7
 - delivery, § 5:5
 - payment of premium, § 5:6
 - receipts, § 5:8
- Effective date of policy when policy sent to agent, § 5:9
- Entire contract, § 5:2
- Group insurance. Contract of Group Insurance, this index
- Health insurance. Contract of Accident and Health Insurance, this index
- Initial dates of policy, § 5:3
- Insurability, effective date of policy when payment made with application, § 5:14
- Interpretation, effective date of policy when payment made with application, § 5:12
- Investigation, effective date of policy when payment made with application, § 5:15
- Later payment, effective date of policy when payment made with application, § 5:20

CONTRACT OF INSURANCE

—Cont'd

- Life insurance, Contract of Life Insurance, this index
- Medical examination, effective date of policy when payment made with application, § 5:16
- Minors, insurance on lives of
 - generally, § 5:23 to 5:25
 - disaffirmance, § 5:24
 - exercise of policy rights, § 5:25
- Offer and acceptance, § 5:1
- Payment of premium, effective date of policy when payment not made with application, § 5:6
- Receipts
 - effective date of policy when payment made with application, below
 - effective date of policy when payment not made with application, § 5:8
- Reformation to express true intention of parties, § 5:26
- Sources of rights, § 2:3
- Substandard, effective date of policy when payment made with application, § 5:18
- Time and date
 - effective date of policy when payment made with application, above
 - effective date of policy when payment not made with application, above
 - effective date of policy when policy sent to agent, § 5:9

CONTRACT OF LIFE INSURANCE

- Generally, § 3:1, 3:2
- Consent of insured to issuance or continuance of policy, § 4:6
- Group policies, § 3:2
- Individual policies, § 3:1
- Insurable Interest, this index

CONVERSION

- Group, § 3:2, 10:25 to 10:34, 20:13, 20:14, 23:1, 26:9

CONVERSION OR EXCHANGE OF POLICY

- Generally, § 2:15, 10:22 to 10:34
- Accident benefits, § 10:24, 10:34
- Beneficiary, designation of, § 10:32
- Change of classification, § 10:26
- Contestable clauses, § 10:33
- Death during conversion, § 10:27
- Disability, § 10:24, 10:30, 10:34
- Extended benefit, § 10:29
- Group conversions, generally, § 10:25 to 10:34
- Incontestability, § 8:16
- Misrepresentations, § 10:33
- Model provisions, § 10:25
- Notice of conversion privilege, § 10:29
- Retirement, § 10:31
- Suicide clause, § 10:23, 10:33
- Time to exercise, § 10:28

CONWAY DOCTRINE

- Incontestability, § 8:8

CORPORATE CHECKS

- Premiums, § 9:4

CREDIT INSURANCE

- Beneficiaries, § 2:51
- Contract of group insurance, group policyholder as agent, § 24:7
- Significant events, § 2:29

CREDITORS

- Generally, § 2:45, 11:15 to 11:17
- Bankruptcy, § 11:17
- Embezzlement, § 11:17
- Exemptions, § 11:16
- Sources of rights, § 2:10

CREW

- Aviation, § 7:13

CUSTOMARY CHARGES

- Limitation of Risk, this index

DAMAGES

- Disability, § 15:12
- Remedies, § 2:59

DATE

- Time and Date, this index

INDEX

DEATH

Significant events, § 2:24

DECLARATORY JUDGMENT

Remedies, § 2:58

DEFENSES TO CLAIMS

Generally, § 2:32 to 2:41

Absence of coverage, § 2:35

Absence of good health, § 2:39

Absence of insured loss, § 2:34

Adverse claimants, § 2:33

Early claims, § 2:41

Exclusions in health insurance,
§ 2:37

Incontestability, § 2:38

Lapse, § 2:40

Limitation of risk, § 2:36

Limitations in health insurance,
§ 2:37

Misrepresentation, § 2:38

DEFERMENT

Loans under policy, § 10:18

DELIVERY

Contest of initial validity of policy,
waiver and estoppel, § 6:18

Contract of insurance, effective date
of policy when payment not
made with application, § 5:5

DIRECT MAIL ADVERTISING

Regulation of insurance and insur-
ance companies, Federal Trade
Commission, § 26:12

DISABILITY

Generally, § 12:6 et seq., 15:1 to
15:13

Attendance and care, § 15:7

Benefits, § 12:6, 15:13

Burden of proof, § 15:11

Care and attendance, § 15:7

Causation, § 15:13

Confinement, § 12:8, 15:8

Continuous disability, § 15:3

Contract of group insurance, termina-
tion of employment, § 23:9,
23:10

DISABILITY—Cont'd

Conversion or exchange of policy,
§ 10:24, 10:30, 10:34

Damages, § 15:12

Definitions, § 12:7, 15:2, 15:3

Elimination period, § 12:6

Evidence, § 15:10, 15:11

General disability, § 15:5

Mitigation of damages, § 15:12

Notice and proof, § 15:10

Occupational disability, § 15:4

Partial and total, § 12:8

Permanent disability, § 15:3

Pre-existing conditions, § 15:9

Recurrence, § 12:9

Time limits, § 15:13

Types of clauses, § 15:1

Waiver of premium, § 12:9

Work activities, § 15:6

DISABILITY INSURANCE

Objective evidence, § 15:11

Residual disability, § 15:4

Sedentary, § 15:5

DISAPPEARANCE

Significant events, § 2:31

DISCHARGE

Contract of group insurance, termina-
tion of employment, § 23:2 to
23:4

DISCLOSURE

Contest of initial validity of policy,
good health clause, § 6:12

DISCRIMINATION

Regulation of insurance and insur-
ance companies, § 26:23

DISEASE

Accidents, § 14:5 to 14:7

DISMEMBERMENT

Generally, § 16:1 to 16:4

Loss described, § 16:1

Severance, § 16:2

Sight, loss of, § 16:3

Time limit, § 16:4

DISQUALIFICATION

Beneficiaries, this index

DIVIDENDS

Generally, § 9:17 to 9:22

Apportionment, § 9:18

Cumulation or combining of group dividends, § 9:21

Discretion of management, § 9:19

Group dividends, § 9:20 to 9:22

Individual insureds, rights in group dividends, § 9:22

Non-forfeiture, § 10:11

Premiums, § 9:8

Rights and interests of policyholders or claimants, § 2:14

DIVORCE

Beneficiaries, § 2:46, 11:19

Significant events, § 2:25

Sources of rights, § 2:8

**DOUBLE INDEMNITY OR
BENEFITS**

Incontestability, § 8:19, 8:20

Workers' compensation, § 17:16

DRUGS

Accidents, § 14:9

DUTIES

Investigation, § 2:31, 11:18

ELECTIONS

Non-forfeiture, § 10:12

ELIGIBILITY

Contract of Group Insurance, this index

ELIMINATION PERIOD

Disability, § 12:6

EMBEZZLEMENT

Creditors, § 11:17

EMPLOYEE LAWS

Regulation of insurance and insurance companies, § 26:19

EMPLOYER

Beneficiaries, § 11:8

ERISA

Generally, § 26:13 to 26:16

COBRA, § 26:16

Preemption, § 26:14

Review standards, § 26:15

EVIDENCE

Burden of Proof, this index

Disability, § 15:10, 15:11

Limitation of risk, regular and customary charges, § 18:9

Suicide, § 7:5

EXCHANGE OF POLICY

Conversion or Exchange of Policy, this index

**EXCLUSIONS IN ACCIDENT AND
HEALTH INSURANCE
POLICIES**

Generally, § 17:1 to 17:22

Government benefits, § 17:18, 17:19

Incurred charges, government benefits, § 17:19

Medicare, § 17:18

Mental disease, § 17:21

Pre-Existing Health Conditions, this index

Workers' Compensation, this index

EXERTION

Accidents, § 14:10

EXHAUSTION OF REMEDIES

ERISA, § 26:13

EXPOSURE

Accidents, § 14:10

FAIR CREDIT REPORTING ACT

Regulation of insurance and insurance companies, § 26:22

FORFEITURE

Non-Forfeiture, this index

FORM AND FORMS

Contract of Accident and Health Insurance, this index

FRAUD

Misrepresentations, this index

INDEX

FUNCTIONAL CAPACITY EVALUATIONS

Disability, § 15:11

GOOD HEALTH CLAUSE

Contest of Initial Validity of Policy,
this index

Incontestability, § 8:3

GOVERNMENT BENEFITS

Exclusions in accident and health
insurance policies, § 17:18,
17:19

GRACE PERIOD

Contract of accident and health insur-
ance, § 13:5

Premiums, receipt or nonreceipt of
group premiums, § 9:15

Rights and interests of policyholders
or claimants, § 2:18

GRAMM-LEACH-BLILEY ACT

Regulation of insurance and insur-
ance companies, § 26:25

GROUP INSURANCE

Generally, § 20:1 to 20:16

Assignment, § 11:14

Beneficiaries, this index

Conflict of laws, place of contracting,
§ 25:4

Dividends, § 9:20 to 9:22

Group life definition, § 20:1

Group life standard provisions,
§ Appx C, 20:5 to 20:16

Incontestability, this index

Model group health bill, § 17

Model group life bill, § 17

National Association of Insurance
Commissioners Model Group
Bill, § Appx B, Appx C, Appx
D, Appx E

Pre-existing health conditions, § 17:2

Premiums, this index

Source of group life statutes, § 20:1

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

Regulation of insurance and insur-
ance companies, § 26:21

HOUR-BANK

Contract of group insurance, com-
mencement of employment and
actively at work, § 22:9

HYPERSENSITIVITY

Accidents, § 14:9

IDENTIFICATION

Beneficiaries, § 11:6

ILLITERACY

Contest of initial validity of policy,
waiver and estoppel, § 6:17

IMPERSONATION

Incontestability, § 8:4

INCOMPETENCE

Competence, this index

INCONTESTABILITY

Generally, § 8:1 to 8:23

Conversion of term policy, § 8:16

Conway doctrine, § 8:8

Coverage limitation, distinguished
generally, § 8:7 to 8:11

Conway doctrine, § 8:8

misstatement of age, § 8:10

statutes, § 8:9

Defenses to claims, § 2:38

Disability provisions, effect on,
§ 8:19, 8:20

Double indemnity provisions, effect
on, § 8:19, 8:20

Eligibility, group policies, § 8:21

Good health clause, § 8:3

Group policies

generally, § 8:21 to 8:23

eligibility, § 8:21

types of clauses, § 8:22

Impersonation, § 8:4

Insurable interest, § 8:6

Meaning of “contest,” § 8:13

Misstatement of age, § 8:10

Non-acceptance, § 8:4

Performance of contract, § 8:5

Public policy, § 8:12

Reformation of policy, § 8:15

Reinstatement, § 8:17, 8:18

Rescission, § 8:14

INCONTESTABILITY—Cont'd

Wording of clause, § 8:13, 8:14

INCURRED CHARGES

Exclusions in accident and health insurance policies, government benefits, § 17:19

INFANTS

Minors, this index

INJURY

Accidents, § 14:3

INSURABILITY

Contract of insurance, effective date of policy when payment made with application, § 5:14

Reinstatement, § 10:2

INSURABLE INTEREST

Generally, § 4:1 to 4:6

Assignees, § 4:4

Consent of insured to issuance or continuance of policy, § 4:6

Definition of insurable interest, § 4:2

Incontestability, § 8:6

Origin of doctrine, § 4:1

Own life, insurable interest in, § 4:3

Recognition of doctrine, § 4:1

Termination of insurable interest while policy in force, § 4:5

INTEREST

Loans under policy, § 10:17

INTERPLEADER

Beneficiaries, § 2:43, 11:4, 11:5

Remedies, § 2:62

INTERPRETATION

Construction and Interpretation, this index

INVESTIGATION

Cause of death, § 14:12

Contract of insurance, effective date of policy when payment made with application, § 5:15

Disappearance, § 2:31

Occurrence of death, § 11:18

KNOWLEDGE

Contest of initial validity of policy, good health clause, § 6:11

LAPSE

Accident and Health Insurance Grace Period, § 13:5

Defenses to claims, § 2:40

Group premiums, § 9:12 to 9:16, 23:7

Late payment, § 9:6

Renewal premiums, § 9:1 to 9:11

LAY-OFFS

Contract of group insurance, termination of employment, § 23:2 to 23:4

LEAVE

Contract of group insurance, termination of employment, § 23:3

LIMITATION OF RISK

Generally, § 7:1 to 7:15, 18:1 et seq.

Aviation, this index

Care of physician, § 18:4

Construction, non-duplication of benefits, § 18:11

Customary charges. Regular and customary charges, below

Evidence, regular and customary charges, § 18:9

Fees, regular and customary charges, § 18:8

Major medical policy, regular and customary charges, § 18:6

Non-duplication of benefits generally, § 18:10 et seq.

background, § 18:10

judicial construction, § 18:11

Physician, defined

generally, § 18:1 to 18:5

care of physician, § 18:4

policy definition, § 18:2

pre-existing disease, § 18:5

statutory requirements, § 18:3

Pre-existing disease, § 18:5

Regular and customary charges generally, § 18:6 to 18:9

evidence, § 18:9

INDEX

LIMITATION OF RISK—Cont'd

- Regular and customary charges
 - Cont'd
 - fees, § 18:8
 - major medical policy, § 18:6
 - meaning, § 18:7
- Statutory restrictions, § 7:2
- Subrogation, this index
- Suicide, this index
- War and Military Service, this index

LITERACY

- Contest of initial validity of policy, waiver and estoppel, § 6:17

LITIGATION

- Generally, § 1:2

LOANS

- Loans Under Policy, this index
- Significant events, § 2:29

LOANS UNDER POLICY

- Generally, § 10:14 to 10:21
- Deferment of loan, § 10:18
- Interest, § 10:17
- Notice of termination of policy, § 10:20
- Persons who may obtain loan, § 10:16
- Refusal to make loan, § 10:21
- Repayment, § 10:21
- Security, § 10:15
- Termination of policy, § 10:19, 10:20
- Values, § 10:15

LONG TERM CARE

- Generally, § 19:2

MAIL

- Premiums, § 9:5

MAJOR MEDICAL COVERAGE OR POLICY

- Contract of Accident and Health Insurance, this index
- Limitation of risk, regular and customary charges, § 18:6

MANAGED CARE

- Generally, § 19:1

MANIFESTATION

- Pre-existing health conditions, § 17:3 to 17:5

MARRIAGE

- Significant events, § 2:24

MATERIALITY

- Contest of initial validity of policy, misrepresentations, § 6:3

MATURED CLAIMS

- Premiums, receipt or nonreceipt of group premiums, § 9:16

MCCARRAN-FERGUSON ACT

- Regulation of insurance and insurance companies, § 26:8

MEDICAL EXAMINATIONS

- Contest of initial validity of policy, good health clause, § 6:12
- Contract of accident and health insurance, § 13:13
- Effective date of policy when payment made with application, § 5:16
- Pre-existing health conditions, § 17:8

MEDICAL NECESSITY

- Hospital Benefits, § 12:10
- Parity Act, § 26:26
- Surgical Benefits, § 12:12

MEDICARE

- Exclusions in accident and health insurance policies, § 17:18

MENTAL DISEASE

- Exclusions in accident and health insurance policies, § 17:21

MENTAL SHOCK

- Accidents, § 14:10

MILITARY SERVICE

- War and Military Service, this index

MINORS

- Contest of initial validity of policy, misrepresentations, § 6:6
- Contract of Insurance, this index

MISREPRESENTATIONS

- Contest of Initial Validity of Policy, this index
- Conversion or exchange of policy, § 10:33
- Defenses to claims, § 2:38

MITIGATION OF DAMAGES

- Disability, § 15:12

MODEL PROVISIONS

- Conversion or exchange of policy, § 10:25

NAMING OF BENEFICIARY

- Beneficiaries, this index

NATIONAL LABOR RELATIONS ACT

- Regulation of insurance and insurance companies, § 26:19

NON-DUPLICATION OF BENEFITS

- Limitation of Risk, this index

NON-FORFEITURE

- Generally, § 2:13, 10:8 to 10:13
- Ambiguity, § 10:13
- Death following policy surrender or exercise of non-forfeiture option, § 10:10
- Dividends, effect of, § 10:11
- Election of beneficiary, § 10:12
- Error, § 10:13
- Loans under, effect of, § 10:11
- Standard law, § 10:9
- Statutes incorporated, § 10:13

NON-POLICY LIABILITY

- Generally, § 2:52 to 2:55
- Agents of life insurance company, torts of, § 2:54
- Failure to obtain insurance and keep it in force, § 2:52
- Other causes of action, effect of insurance claims on, § 2:55
- Poor advice, § 2:53

NOTICE

- Contract of Accident and Health Insurance, this index

NOTICE—Cont'd

- Contract of group insurance, § 21:7, 23:5
- Conversion or exchange of policy, § 10:29
- Disability, § 15:10
- Loans under policy, termination of policy, § 10:20
- Premiums, § 9:10, 9:11

OCCUPATIONAL DISABILITY

- Generally, § 15:4

OFFER AND ACCEPTANCE

- Contract of insurance, § 5:1

PARTIES

- Contract of group insurance, § 21:6

PART TIME EMPLOYMENT

- Workers' compensation, § 17:17

PAYMENT

- Beneficiaries, § 11:18, 11:19
- Contract of accident and health insurance, § 13:11, 13:12
- Contract of insurance, effective date of policy when payment not made with application, § 5:6
- Rights of policyholders or claimants, § 10:36

PENALTIES

- Conflict of laws, § 25:9

POISON

- Accidents, § 14:9

PRACTICE GUIDE

- Generally, § 1:4

PREEMPTION

- ERISA, § 26:14

PRE-EXISTING CONDITIONS

- Disability, § 15:9
- Exclusions, § 17:1 to 17:12

PRE-EXISTING HEALTH CONDITIONS

- Generally, § 17:1 to 17:12
- Apparent conditions, § 17:6
- Burden of proof, § 17:9

INDEX

PRE-EXISTING HEALTH CONDITIONS—Cont'd

- Condition present, but not manifested, § 17:4
- Diagnosed conditions, § 17:6
- Different conditions, § 17:10
- Disability, § 15:9
- Estoppel, § 17:11
- Group policies, § 17:2
- Limitation of risk, § 18:5
- Manifestation, § 17:3 to 17:5
- Medical examination, § 17:8
- Recurrences, § 17:10
- Reinstatement, § 17:8
- Time interval, § 17:7
- Waiver, § 17:11

PREMIUMS

- Generally, § 9:1 to 9:16
- Automatic premium loan, payment by, § 9:7
- Cash value, payment by, § 9:9
- Checks, § 9:2
- Contract of group insurance, § 21:6, 23:7
- Corporate checks, § 9:4
- Cost of insurance, § 9:1
- Credits, payment by, § 9:8
- Delay in presenting check, § 9:3
- Dividends, payment by, § 9:8
- Employee contributions, receipt or nonreceipt of group premiums, § 9:13
- Estoppel from giving notice, § 9:11
- Grace period, § 9:1, 9:6, 13:5
- Grace period, receipt or nonreceipt of group premiums, § 9:15
- Group premiums, receipt or nonreceipt of
 - generally, § 9:12 to 9:16
 - employee contributions, § 9:13
 - grace period, § 9:15
 - liability of employer, generally, § 9:12 to 9:16
 - matured claims, § 9:16
 - recovery of premiums, § 9:16
 - waiver and estoppel, § 9:14
 - withholding, § 9:13
- Late payment, § 9:6

PREMIUMS—Cont'd

- Long term care, § 19:2
- Mail, § 9:5
- Matured claims, receipt or nonreceipt of group premiums, § 9:16
- Method of payment, § 9:1
- Notice of premium, § 9:10, 9:11
- Premium notices, § 9:10
- Recovery of premiums, receipt or nonreceipt of group premiums, § 9:16
- Reinstatement, § 10:7
- Remedies of insured, § 9:11
- Time of payment, § 9:1
- Waiver and estoppel, receipt or nonreceipt of group premiums, § 9:14
- Withholding, receipt or nonreceipt of group premiums, § 9:13

PROXIMATE CAUSE

- Causation, this index

PUBLIC POLICY

- Incontestability, § 8:12

QUALIFICATION

- Beneficiaries, this index

RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT

- Regulation of insurance and insurance companies, § 26:24

READABILITY

- Statutes, § 2:4

RECEIPTS

- Conditional Receipts, this index
- Contract of Insurance, this index

RECURRENCE

- Contract of accident and health insurance, major medical coverage, § 12:14
- Disability, § 12:9
- Pre-existing health conditions, § 17:10

RE-EMPLOYMENT

- Beneficiaries, § 11:28

REFORMATION

- Contract of insurance, true intention of parties, § 5:26
- Incontestability, § 8:15
- Remedies, § 2:60

REGULAR CHARGES

- Limitation of Risk, this index

REGULATION OF INSURANCE AND INSURANCE COMPANIES

- Generally, § 26:1 to 26:25
- Antitrust laws, § 26:18
- Armstrong investigation
 - generally, § 26:3 to 26:6
 - indirect results, § 26:5
 - results, § 26:4, 26:5
- Temporary National Economic Committee, § 26:6
- Benjamin case, McCarran-Ferguson Act, § 26:8
- Direct mail advertising and Federal Trade Commission, § 26:12
- Discrimination, § 26:23
- Employee laws, § 26:19
- ERISA, this index
- Extra-territorial effect of state regulation, § 26:11
- Fair Credit Reporting Act, § 26:22
- Gramm-Leach-Bliley Act, § 26:25
- HIPAA, § 26:21
- History, § 26:2 et seq.
- McCarran-Ferguson Act, § 26:8
- National Labor Relations Act, § 26:19
- RICO, § 26:24
- Securities laws, § 26:17
- Southeastern Underwriters case, § 26:7
- State regulation
 - generally, § 26:9 to 16:12
 - direct mail advertising and Federal Trade Commission, § 26:12
 - extra-territorial effect, § 26:11
- Temporary National Economic Committee, § 26:6
- Truth in Lending Act, § 26:20

REINSTATEMENT

- Generally, § 2:15, 10:1 to 10:8
- Approval of insurer, § 10:3
- Avoidance, § 10:6
- Conditions, § 10:4
- Contract of accident and health insurance, § 13:7
- Delay, § 10:5
- Effect, § 10:4
- Incontestability, § 8:17, 8:18
- Insurability, § 10:2
- Pre-existing health conditions, § 17:8
- Premium, acceptance of, § 10:7
- Voluntary reinstatement, § 10:5

RELIANCE

- Contest of initial validity of policy, misrepresentations, § 6:5

REMEDIES

- Generally, § 2:56 to 2:62
- Attorneys' fees, § 2:59
- Benefits, action for, § 2:57
- Complaint to insurance department, § 2:56
- Damages, § 2:59
- Declaratory judgment, § 2:58
- Interpleader, § 2:62
- Premiums, § 9:11
- Reformation, § 2:60
- Rescission, § 2:61

RENEWALS

- Contract of Accident and Health Insurance, this index

REPAYMENT

- Loans under policy, § 10:21

RESCISSION

- Contest of initial validity of policy, misrepresentations, § 6:1
- Incontestability, § 8:14
- Remedies, § 2:61

RESIDENTIAL TREATMENT

- Disability, § 15:11
- Parity Act, § 26:26

RETIREMENT

- Contract of group insurance, termination of employment, § 23:3

INDEX

RETIREMENT—Cont'd

Conversion or exchange of policy,
§ 10:31

RICO

Regulation of insurance and insurance companies, § 26:24

RIGHTS AND INTERESTS OF POLICYHOLDERS OR CLAIMANTS

Generally, § 2:11 to 2:20, 10:1 to 10:35

Assignments, § 2:17

Beneficiary designation, § 2:16

Benefits under policies, generally,
§ 2:12

Cancellation, § 10:35

Conditional receipts, § 2:19

Conversion or Exchange of Policy,
this index

Dividends, § 2:14

Grace period, § 2:18

Loans Under Policy, this index

Non-Forfeiture, this index

Payment of claim, § 10:36

Prompt action on application or
claim, § 2:20

Reinstatement, this index

Sources of Rights, this index

Temporary insurance agreements,
§ 2:19

RIVAL CLAIMS

Beneficiaries, § 11:1

SCHEDULE OF BENEFITS

Contract of accident and health insurance, § 12:2

SECURITIES LAWS

Regulation of insurance and insurance companies, § 26:17

SECURITY

Loans under policy, § 10:15

SETTLEMENT

Beneficiaries, naming of, § 11:7

Workers' compensation, § 17:17

SEVERANCE

Dismemberment, § 16:2

SIGHT

Dismemberment, § 16:3

SIGNIFICANT EVENTS

Generally, § 2:21 to 2:31

Accidental death and dismemberment, § 2:23

Adoption, § 2:24

Birth, § 2:24

Business insurance, use of, § 2:30

Credit insurance, § 2:29

Death, § 2:24

Dependency, termination of, § 2:27

Disappearance of insured, § 2:31

Divorce, § 2:25

Incompetence, § 2:24

Loans, § 2:29

Loss or claim, § 2:22

Majority, age of, § 2:26

Marriage, § 2:24

65, age of, § 2:28

SOCIAL MEDIA

Disability, § 15:11

Long term care, § 19:2

SOURCES OF RIGHTS

Generally, § 2:2 to 2:10

Agents of insurer, acts of, § 2:6

Assignment, § 2:7

Case law, § 2:5

Competence, § 2:9

Contract of insurance, § 2:3

Creditors' rights, § 2:10

Divorce, § 2:8

Property settlements, § 2:8

Regulations, § 2:4

Statutes, § 2:4

SUBROGATION

Generally, § 18:12 to 18:15

Classification, § 18:12

Clause, § 18:15

Defined, § 18:12

Health policies, § 18:14

Types of coverage, § 18:13

SUBSTANTIAL COMPLIANCE

Beneficiary, change of, § 11:10

SUICIDE

Generally, § 7:3 to 7:5

Accidents, § 14:8

Conversion or exchange of policy,
§ 10:23, 10:33

Evidence, § 7:5

Sane or insane, § 7:4

Terminology, § 7:5

SURGICAL BENEFITS

Contract of accident and health insurance, § 12:12

SURVEILLANCE

Disability, § 15:11

Long term care, § 19:2

Social media, § 15:11, 19:2

SURVIVORSHIP

Beneficiaries, § 2:48, 11:22, 11:23

TEMPORARY INSURANCE

AGREEMENTS

Rights and interests of policyholders
or claimants, § 2:19

**TEMPORARY NATIONAL
ECONOMIC COMMITTEE**

Regulation of insurance and insurance companies, § 26:6

TERMINATION

Contract of Group Insurance, this
index

Insurable interest, § 4:5

Loans under policy, § 10:19, 10:20

TIME AND DATE

Contract of Accident and Health
Insurance, this index

Contract of Insurance, this index

Conversion or exchange of policy,
exercise of, § 10:28

Disability, § 15:13

Dismemberment, § 16:4

Grace Period, this index

Pre-existing health conditions, § 17:7

Premiums, § 9:1

**TRANSFERABLE SKILLS
ANALYSIS**

Disability, § 15:5, 15:11

TREATING PHYSICIANS

Disability, § 15:11

Parity Act, § 26:26

TRUTH IN LENDING ACT

Regulation of insurance and insurance companies, § 26:20

**UNIFORM SIMULTANEOUS
DEATH ACT**

Beneficiaries, § 11:23

VALUES

Loans under policy, § 10:15

VOLUNTARY REINSTATEMENT

Generally, § 10:5

WAITING PERIOD

Contract of group insurance, commencement of employment and actively at work, § 22:9

WAIVER AND ESTOPPEL

Contest of Initial Validity of Policy,
this index

Contract of group insurance, § 21:3,
22:7

Disability, premiums, § 12:9

Pre-existing health conditions,
§ 17:11

Premiums, § 9:11, 9:14

WAR AND MILITARY SERVICE

Generally, § 7:6 to 7:9

Accidents, § 14:8

Aviation, § 7:12

Contract of group insurance, termination of employment, § 23:3

Meaning of “war,” § 7:9

Standard provision, § 7:8

Status or results clause, § 7:7

WILLS

Beneficiary, change of, § 11:11

WITHHOLDING

Premiums, receipt or nonreceipt of
group premiums, § 9:13

INDEX

WORKERS' COMPENSATION

Generally, § 17:13 to 17:17
Benefits under workers' compensation, § 17:15
Construction, § 17:14

WORKERS' COMPENSATION

—Cont'd

Double benefits, § 17:16
Part time employment, § 17:17
Settlement, § 17:17