

Article - Insurance

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§19–1105.

(a) (1) A pet insurer may issue policies that exclude coverage on the basis of one or more preexisting conditions with appropriate disclosure to the consumer.

(2) The pet insurer has the burden of proving that the preexisting condition exclusion applies to the condition for which a claim is made.

(b) (1) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, a pet insurer may issue a policy that imposes a waiting period before coverage under the policy begins.

(ii) A waiting period may not exceed 30 days for an illness or orthopedic condition that does not result from an accident.

(iii) A pet insurer may not impose a waiting period for an illness or orthopedic condition that results from an accident.

(2) (i) A pet insurer that imposes a waiting period under paragraph (1) of this subsection shall include a provision in the pet insurance policy that allows for the waiving of waiting periods on completion of a medical examination.

(ii) 1. A pet insurer may require a medical examination under subparagraph (i) of this paragraph to be conducted by a veterinary practitioner after the purchase of the policy.

2. Unless the pet insurance policy specifies that the pet insurer will pay for a medical examination under subparagraph (i) of this paragraph, a policyholder shall pay for the medical examination.

3. A pet insurer may:

A. specify elements to be included as part of a medical examination under subparagraph (i) of this paragraph; and

B. if the specifications do not unreasonably restrict a policyholder's ability to waive the waiting period, require documentation of the medical examination.

(3) A pet insurer shall clearly and prominently disclose requirements with respect to applicable waiting periods before purchase of the policy.

(c) A pet insurer shall require that an insured submit a claim under the pet insurance policy after submitting payment to the veterinary practitioner for veterinary expenses.

(d) A pet insurer may not require a medical examination of the covered pet as a condition for the renewal of a policy.

(e) A prescriptive, wellness, or noninsurance benefit included in the policy form for a pet insurance policy is part of the policy and subject to this article and regulations adopted under this article.

(f) A pet insurer may not condition an insured's eligibility to purchase a pet insurance policy on participation, or lack of participation, in a separate wellness program.

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