

TITLE 50: INSURANCE
PART 1405 CONSTRUCTION AND FILING OF LIFE INSURANCE AND ANNUITY FORMS
CHAPTER I: DEPARTMENT OF INSURANCE

Section 1405.40 Policy Forms

- h) Time Limit on Claims
 - 1) Filing of Death Claims – There is no time limit for filing death claims if the claim is not conditioned upon other contingencies, i.e., prior disability or accident. Section 224(1)(j) of the Illinois Insurance Code requires when there is a claim on a policy due to the death of the insured then settlement shall be made upon receipt of due proof of death. For purposes of this subsection, due proof shall consist of sufficient evidence to establish in a court a prima facie case for payment of the claim. Therefore, any limitation with respect to death claims arising during and contingent upon the insured's continued disability must be limited to a requirement that proof of disability be furnished within a stipulated period as a condition precedent to consideration of a death claim.
 - 2) Filing of Disability Claims – Reasonable limits are permitted. The form may require notification of disability during lifetime and continuance of disability and may eliminate accrual of benefits because of any disability which was in existence more than one year prior to furnishing proof of disability.