

(C) (1) DISCLOSURE TO A VIATOR ALSO SHALL INCLUDE DISTRIBUTION OF A BROCHURE THAT DESCRIBES THE PROCESS OF VIATICAL SETTLEMENTS.

(2) THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS FORM FOR THE BROCHURE SHALL BE USED UNLESS A BROCHURE IS ~~DEVELOPED BY:~~

(I) DEVELOPED BY THE COMMISSIONER; OR

(II) DEVELOPED BY A VIATICAL SETTLEMENT BROKER OR VIATICAL SETTLEMENT PROVIDER THAT IS AND APPROVED BY THE COMMISSIONER.

(D) THE DISCLOSURE ~~DOCUMENT~~ STATEMENT SHALL CONTAIN THE FOLLOWING LANGUAGE: "ALL MEDICAL, FINANCIAL, OR PERSONAL INFORMATION SOLICITED OR OBTAINED BY A VIATICAL SETTLEMENT PROVIDER OR VIATICAL SETTLEMENT BROKER ABOUT AN INSURED, INCLUDING THE INSURED'S IDENTITY OR THE IDENTITY OF FAMILY MEMBERS, A SPOUSE, OR A SIGNIFICANT OTHER MAY BE DISCLOSED AS NECESSARY TO EFFECT THE VIATICAL SETTLEMENT BETWEEN THE VIATOR AND THE VIATICAL SETTLEMENT PROVIDER. IF YOU ARE ASKED TO PROVIDE THIS INFORMATION, YOU WILL BE ASKED TO CONSENT TO THE DISCLOSURE. THE INFORMATION MAY BE PROVIDED TO SOMEONE WHO BUYS THE POLICY OR PROVIDES FUNDS FOR THE PURCHASE. YOU MAY BE ASKED TO RENEW YOUR PERMISSION TO SHARE INFORMATION EVERY 2 YEARS."

(E) A VIATICAL SETTLEMENT PROVIDER OR VIATICAL SETTLEMENT BROKER SHALL PROVIDE THE VIATOR WITH A COPY OF THE DISCLOSURE STATEMENT SIGNED BY THE VIATOR AND THE VIATICAL SETTLEMENT PROVIDER OR VIATICAL SETTLEMENT BROKER, AT THE TIME THAT AN APPLICATION FOR A VIATICAL SETTLEMENT CONTRACT IS PROVIDED TO THE VIATOR.

(F) (1) A VIATICAL SETTLEMENT PROVIDER SHALL PROVIDE THE VIATOR WITH AT LEAST THE DISCLOSURES REQUIRED BY THIS SUBSECTION NO LATER THAN THE DATE THAT THE VIATICAL SETTLEMENT CONTRACT IS SIGNED BY ALL PARTIES.

(2) THE DISCLOSURES SHALL BE CONSPICUOUSLY DISPLAYED IN THE VIATICAL SETTLEMENT CONTRACT OR IN A SEPARATE DOCUMENT SIGNED BY THE VIATOR AND THE VIATICAL SETTLEMENT PROVIDER OR VIATICAL SETTLEMENT BROKER.

(3) THE DISCLOSURES REQUIRED UNDER THIS SUBSECTION SHALL PROVIDE THE FOLLOWING INFORMATION:

(I) A STATEMENT OF THE AFFILIATION, IF ANY, BETWEEN THE VIATICAL SETTLEMENT BROKER, VIATICAL SETTLEMENT PROVIDER, AND THE INSURER THAT ISSUED THE POLICY TO BE VIATICATED;

(II) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE VIATICAL SETTLEMENT PROVIDER;

(III) A DISCLOSURE BY THE VIATICAL SETTLEMENT BROKER OF THE AMOUNT AND METHOD OF CALCULATING THE VIATICAL SETTLEMENT BROKER'S COMPENSATION, INCLUDING ANYTHING OF VALUE PAID OR GIVEN TO A VIATICAL SETTLEMENT BROKER FOR THE PLACEMENT OF A POLICY;