

Electronic Policy Delivery Facts

It is the insured's duty to read his/her insurance policy.

Policy should be sent to the insured as soon as possible, so that they have it prior to the loss

If the policy is mailed to an insured, following a customary practice by an agency, it is presumed by the courts to be received by the recipient. (legal presumption of mailing that exists in the courts)

Procedures for E-Delivery of Policies to Insureds:

Note-There is no presumption of receipt for e-mail that is similar to the Presumption of Mailing for items sent through the US Mail.

Before policies can be emailed in lieu of sending paper copies, agencies are required to obtain the insured's prior written consent.

Sample:
"This is to acknowledge that as of the date set forth below I have requested theagency provide me with
electronic copies of my insurance documents. In addition, I further acknowledge my understanding that until such time
as I specifically request in writing to the agency that this procedure be changed and the agency acknowledges its receipt
of that request, <u>I will only receive electronic copies of my insurance documents and I will not receive paper insurance</u>
<u>documents."</u>
Agreed to this day of 20
Name of Insured

After the written consent is received and insurance documents are ready to be emailed:

- 1. Agency should establish a practice to receive confirmation from the insured that the policy/document has been received. (No reliance should be placed on automatic reply receipts generated by e-mail server confirmations as they are sometimes not correct).
- 2. Options to receive confirmation from an insured that an emailed document has been received
 - a. Request the insured respond back from the email, confirming that it was received and the document attached could be opened.
 - b. Use a website vendor that provides the ability to deliver documents through a document confirmation site. The insured would be directed to the site, when they access their document, a confirmation is sent by the vendor to the agency that the policy/document was accessed and downloaded.