

DISPUTE RESOLUTION DISCLOSURE STATEMENT

Seller/Provider: \_\_\_\_\_

Name of Insured: \_\_\_\_\_

Section 2080 (8) of The Insurance Code of 1956 (MCL 500.2080), as amended, provides:

After the cemetery services or goods or funeral services or goods are provided, the funeral establishment, cemetery, or seller shall provide to an authorized representative of the insured’s estate an Authorization of Death Benefit Proceeds to release payment for the cemetery services or goods or funeral services or goods. If the authorized representative of the insured’s estate fails to sign the Authorization of Death Benefit Proceeds, the following shall take place:

1. The funeral establishment, cemetery, or seller shall provide to a representative of the insured’s estate a separate document entitled “dispute resolution disclosure statement”, which shall clearly set forth the dispute resolution rights in subsection (8), a copy of which is sent to the insurance company and the Insurance Commissioner that states the following:
  - (a) That the funeral establishment, cemetery, or seller has provided the cemetery services or goods or funeral services or goods.
  - (b) That the authorized representative of the insured’s estate refuses to authorize the insurance company to release the assignment proceeds for the payment of the cemetery services or goods or funeral services or goods.
  - (c) That a representative of the insured’s estate may seek arbitration to resolve the payment dispute.
2. Upon receipt of the Dispute Resolution Disclosure Statement, the insurance company shall retain the assignment proceeds for 30 days. The insurance company shall release the assignment proceeds to the funeral establishment, cemetery or seller if after the 30 days, the insurance company has not been informed that arbitration proceedings have been commenced, or pursuant to the award of the arbitrator.
3. The funeral establishment, cemetery, seller, or an authorized representative of the insured’s estate may commence arbitration proceedings to determine the disposition of the assignment proceeds. Arbitration shall be conducted pursuant to the rules and procedures of the American Arbitration Association. Expenses of the arbitration shall be shared equally by the insured’s estate and the assignee unless otherwise ordered by the arbitor.
4. Nothing in this subsection shall limit the right of any party involved in the payment dispute to seek other recourse permitted by law.

The undersigned acknowledges that he/she is legally entitled to make the funeral arrangements for the deceased whose life was insured by a life insurance policy, of which the proceeds were assigned to the Seller/Provider to pay for the deceased’s pre-planned funeral arrangements, and that he/she received a copy of this disclosure statement after the insured’s death but before the funeral goods and services were provided.

If for any reason the assigned proceeds of the insurance policy are insufficient or unavailable to pay for the insured’s funeral arrangements, the undersigned **does** or **does not** guaranteed payment (circle one).

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_