

## CALIFORNIA INSURANCE CODE 789.10

### Life insurance and annuity solicitation

(a) This section applies to the sale, offering for sale, or generation of leads for the sale of life insurance, including annuities, to senior insured's or prospective insured's by any person.

Text of subsection (b) effective January 1, 2013

(b) A person who meets with a senior in the senior's home is required to deliver a notice in writing to the senior no less than 24 hours and no more than 14 days prior to that individual's initial meeting in the senior's home. If the senior has an existing insurance relationship with an agent and requests a meeting with the agent in the senior's home the same day, a notice shall be delivered to the senior prior to the meeting. The notice shall be a stand-alone document, with the appropriate information inserted and without any attachments. It shall be written in 16-point bold type and include all of the following, but no other, information:

- (1) The agent's full name as it appears on his or her California insurance license.
- (2) The agent's license number.
- (3) The agent's mailing address and telephone number listed on his or her California insurance license.
- (4) The following disclosure:
  - (A) "I am a licensed insurance agent. My purpose for coming to your home is to sell, discuss, and/or deliver one of the following indicate all that apply]:
    - ( ) Life insurance, including annuities.
    - ( ) Other insurance products specify]: \_\_\_\_\_.

(B) You have the right to have other persons present at the meeting, including family members, financial advisors, or attorneys.

(C) You have the right to end the meeting at any time.

(D) You have the right to contact the Department of Insurance for information, or to file a complaint. The notice shall include the consumer assistance telephone numbers at the department]

(E) The following individuals will be coming to your home: list all attendees, and insurance license information, if applicable]"

(c) Upon contacting the senior in the senior's home, the person shall, before making any statement other than a greeting, or asking the senior any other questions, state that the purpose of the contact is to talk about insurance, or to gather information for a follow up visit to sell insurance, if that is the case, and state all of the following information:

- (1) The name and titles of all persons arriving at the senior's home.
- (2) The name of the insurer represented by the person, if known.

(d) Each person attending a meeting with a senior shall provide the senior with a business card or other written identification stating the person's name, business address, telephone number, and any insurance license number.

(e) The persons attending a meeting with a senior shall end all discussions and leave the home of the senior immediately after being asked to leave by the senior.

(f) A person may not solicit a sale or order for the sale of an annuity or life insurance policy at the residence of a senior, in person or by telephone, by using any plan, scheme, or ruse that misrepresents the true status or mission of the contact.