

**11 NCAC 12 .0446          SOUND HEALTH**

No policy of life insurance shall contain a provision that the policy will be voided if the insured is not in sound or good health on the effective date of the policy, or date of reinstatement unless such provision contains the following:

- (1)      The burden of proof as to whether the condition was material lies solely with the insurer;
- (2)      If voided, there will be a full refund of premium;
- (3)      Reference to such condition was not contained in the written application.

*History Note:*      *Authority G.S. 58-2-40; 58-58-1;*  
                         *Eff. September 26, 1978;*  
                         *Amended Eff. April 1, 1989;*  
                         *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1,*  
                         *2018.*