

Frequently Asked Questions Concerning Death Benefit Proceeds

Where do I send my Death Benefit Proceeds form?

Please send your fully completed Death Benefit Proceeds form and one certified original death certificate, along with any additional documentation requested by the Death Benefits Proceeds Administration Team to:

New York Life
Death Benefit Proceeds Administration
PO Box 922
New York, NY 10159-0922

For overnight mail, please send to:

New York Life
Death Benefit Proceeds Administration
51 Madison Avenue, Room 251
New York, NY 10010

How do I obtain a certified death certificate?

Most funeral homes will provide the family of the deceased with several certified death certificates. You may also contact the Vital Records Division where the death occurred for this document.

What makes it a certified original death certificate?

Certified original death certificates have either a raised seal or a multicolored signature seal from the county, city, or state that issued the certificate. In addition, the certified original death certificate will contain the signature of the appropriate officer of the county, city, or state.

If a named beneficiary is deceased, may I submit a copy of the deceased beneficiary's certified death certificate as proof of their death?

Yes. A copy instead of an original is acceptable.

What is a contestable policy?

Generally, a life insurance policy is considered contestable when the insured's death occurs within two years of the policy's issue or reinstatement date. In addition to the Death Benefit Proceeds form and a certified original death certificate, the Medical Information and HIPAA Compliant Authorization must be completed. On contestable policies, the Company will conduct a review to confirm that there was no material misrepresentation on the application that would have caused it to decline issue or reinstatement of the policy. This review is complex and takes longer to complete and usually will include an interview and a signed statement from the beneficiary, as well as medical records. The cooperation

of the beneficiary, next of kin and medical providers is essential to securing the necessary information as quickly as possible. The Death Benefit Proceeds Administration team will keep you informed of our progress.

What if the insured died outside of the United States?

For **life insurance death benefit** proceeds, the Company independently verifies the circumstances of the insured's death in a foreign country. As part of the verification process, additional information may be requested. A completed Death Benefit Proceeds form will be required, as well as a certified original death certificate from the foreign country, along with any additional requirements requested.

For **annuity death benefit** proceeds, a completed Death Benefit Proceeds form and a certified original death certificate from the foreign country will be required, in addition to any further requirements that may be requested.

What is a funeral home assignment?

A funeral home assignment is a written agreement between a beneficiary and a funeral home authorizing the insurer to direct payment of some or all of the policy proceeds to the funeral home. If we receive an assignment in good order before the claim is settled, we will honor the assignment for funeral expenses and pay the funeral home accordingly. In some instances, a policyowner will enter into a collateral assignment with a funeral home prior to the insured's death.

What happens if there is no guardian named for a beneficiary who is a minor child?

The Uniform Transfers to Minors Act (UTMA) or Uniform Gifts to Minors Act (UGMA) may permit disbursement of funds to a minor child without guardianship papers. There are certain guidelines and limitations by each state regarding disbursement of funds to minors under this Act.

My name has changed since the last beneficiary designation. What do I need to provide to validate the name change?

If a beneficiary's name has changed due to marriage or divorce, a copy of the marriage or divorce decree is required. If the name has changed due to any other reason, we require a court document indicating the change from the name we have on record to the beneficiary's new name.



The Company You Keep®

Is a trust the same thing as an estate?

No. They are two separate entities.

An **Estate** is money/property belonging to a deceased person. In some cases, an estate is submitted to a surrogate's court to be probated and the court will designate an estate representative. A surrogate court is a special court that deals with matters of probate and the administration of estates. An estate may be submitted to probate whether or not the deceased left a will. If the estate has few assets, it may not need to be fully probated. Depending on local law, the surrogate's court may issue a small estate affidavit or one may be completed by the next of kin listing all of the deceased's heirs.

A **Trust** is a legal entity created by a Grantor (or Settlor/ Trustor) dictating how property in the trust will be distributed.

There are two common types of trusts:

- Living Trust (Inter vivos): The trust is established and active during the grantor's lifetime.
- Testamentary Trust: The trust is created through the grantor's will. Upon death, the will must first be submitted to probate for the trust to take effect.

In both cases, a Trustee is named to distribute the trust assets as specified in the trust.

If the beneficiary is a trust, the Confirmation of Trust of the Death Benefit Proceeds form must be completed.

What is probate?

Probate is a legal process that takes place after someone dies and determines how the deceased person's property is to be distributed. If the deceased left a will, this process determines the validity of the will. If there is no will, or the will is not valid, probate will determine how the property is distributed according to intestacy laws. Probate involves identifying, cataloging and appraising the deceased person's property, paying out debts and taxes and distributing the remaining assets as the will or intestacy law directs.

Why does a beneficiary, estate, or trust need to provide their Social Security Number or Tax Identification Number?

The Social Security Number or Tax Identification Number is needed to report interest payments and any taxable gain to the Internal Revenue Service. Interest is paid on most life insurance claims from the date of death until the date the claim is paid. Variable Annuity death proceeds do not pay interest.

Are life insurance proceeds taxable?

The death benefit proceeds are not taxable, however, any interest paid is subject to federal and state taxation. If interest is greater than \$10, this will be reported to the IRS through Form 1099-INT. We will not withhold tax from the interest unless:

- i) you have advised us that you are subject to backup withholding;
- ii) you do not provide your Social Security Number or Tax Identification Number, or
- iii) Miscellaneous interest is over \$10 and we do not have your Social Security Number certified on a signed Death Benefit Proceeds Form or IRS Form W-9.

Are annuity proceeds taxable?

All or part of the death benefit proceeds on an annuity may be taxable. You can elect to withhold a portion of the Federal taxable payment at a rate of 10% or higher or elect to have no withholding at the time of the payment. The taxable portion and any withholding is reported to the IRS through Form 1099-R. In addition, some States require withholding on the taxable portion when Federal taxes are withheld. For more information regarding tax consequences, please consult your tax advisor as there may be options to defer the distribution of taxable payments.

Contact information

Please call one of the claim offices listed below.

For Life Insurance and Fixed Annuities

(800) 695-9873 (8 a.m. - 6 p.m. ET)

(800) 695-1314 (8 a.m. - 6 p.m. CT)

For Variable Life Insurance and Variable Annuities

(policies that begin with a 57, 58, 63 or 755)

(800) 598-2019 (9 a.m. - 6 p.m. ET)

Neither New York Life Insurance Company, nor its agents, provide tax, legal, or accounting advice. Please consult your own tax, legal, or accounting professional before making any decisions.

New York Life Insurance Company

51 Madison Avenue
New York, NY 10010

www.newyorklife.com

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