



# COMMISSIONER OF SECURITIES AND INSURANCE

James Brown  
Commissioner

Office of the  
Montana State Auditor

## ADVISORY MEMORANDUM

To: PROPERTY & CASUALTY INSURERS OFFERING PET INSURANCE

From: JAMES BROWN  
Commissioner of Securities and Insurance, Office of the Montana State Auditor

Date: January 14, 2026

### **Advisory Memorandum Regarding Guidance for the Montana Pet Insurance Act**

#### *Purpose*

The Montana State Auditor, Commissioner of Securities and Insurance (the Commissioner) provides the following guidance regarding the Montana Pet Insurance Act that was effective on October 1, 2025, in accordance with 2025 House Bill 78, signed by Governor Gianforte on April 3, 2025.

#### ***Guidance for the Marketing of Pet Wellness Programs under Section 6 of the Montana Pet Insurance Act***

All carriers and producers operating in Montana who offer pet insurance products to residents must act in good faith. Carriers and producers are strongly cautioned against engaging in any marketing practices that may harm Montana's consumers.

The Montana Pet Insurance Act (the Act) sets forth requirements insurers and producers must follow in connection with the sale of pet wellness programs that are not insurance. While Section 6(1)(b) of the Act prohibits the marketing of a wellness program during the sale, solicitation, or negotiation of pet insurance, the Act does not define marketing.

The Commissioner desires to clarify that the language in Section 6(1)(b) does not prevent insurers and producers from addressing or discussing wellness programs at any time, provided Section 6(2) (a-f) is adhered to, including during the sale, solicitation, and negotiation of insurance, for non-marketing reasons including, but not limited to, the following:

- Responding to questions from consumers;
- Informing consumers as to the existence of a wellness product;

- Educating consumers as to the differences between a wellness product and an insurance product; and
- Informing consumers as to resources to learn more about a wellness product.

Addressing or discussing wellness programs as defined above will not constitute marketing under Section 6(2).

### ***Guidance for the Free Look Period***

The Act sets forth requirements insurers and producers must follow in connection with the Disclosures provision of Section 4(2). While Section 4(2) of the Act sets forth the requirement that insurance applicants shall have the right to examine and return the policy, certificate or rider to the company or an agent/insurance producer of the company within fifteen (15) days of its receipt and to have the premium refunded if, after examination of the policy, certificate or rider, the applicant is not satisfied for any reason, the Commissioner clarifies that the fifteen (15) days is a minimum standard and not the maximum number of days allowable. In the event that a carrier wishes to allow a greater amount of time, i.e. a thirty (30) day Right to Examine, the Commissioner finds this to be acceptable.

### ***Nature of Advisory Memorandum***

This Advisory Memorandum serves as an agency interpretation of existing law. Requests for further information may be directed to the Market Conduct Bureau Chief at 406-444-2040 or via email at [csi.marketconduct@mt.gov](mailto:csi.marketconduct@mt.gov).

**This advisory memorandum does not enlarge, delimit, or otherwise modify any requirements of applicable law or in any way limit the authority of the Commissioner under applicable law. The Commissioner encourages interested persons to consult with independent legal counsel for guidance on the application of law to any particular circumstances.**