LONG-TERM CARE INSURANCE MODEL REGULATION (#641)

2014 Model Review Criteria Worksheet

The purpose of this document is to provide necessary background information to NAIC and state insurance regulators to aid in reviewing model laws for compliance with model law criteria.

1. **Parent Committee/Task Force/Working Group Responsible for Model Law:**
   Health Insurance and Managed Care (B) Committee

2. **Staff Support Contact Information:**
   Jolie H. Matthews, jmatthews@naic.org, Phone: 202-471-3982

3. **Short Summary of Model Law:**
   The purpose of this regulation is to implement [cite section of law which sets forth the NAIC Long-Term Care Insurance Model Act], to promote the public interest, to promote the availability of long-term care insurance coverage, to protect applicants for long-term care insurance, as defined, from unfair or deceptive sales or enrollment practices, to facilitate public understanding and comparison of long-term care insurance coverages, and to facilitate flexibility and innovation in the development of long-term care insurance.

4. **Date Originally Adopted By NAIC:**
   1988

5. **Date Last Amended by NAIC:**
   3rd Quarter 2009

6. **Number of States that Have Adopted Current Model:**
   12 states

7. **Number of States that Have Adopted a Previous Version of Model:**
   38 states

8. **Record of Last State Legislative/Regulatory Action for Model:**
   1 state took legislative action in 2013 and 1 state took regulatory action in 2013.

9. **Record of Last State Legislative/Regulatory Action on Topic Covered by Model (Related Activity):**
   1 state took legislative action in 2011 and 2 states took regulatory action 2013.

10. **Relationship to IIPRC Standard, if any:**
   1. Ind. Long-Term Care Insurance Application Standards
   2. Standards for Forms Required to Be Used with an Ind. Long-Term Care Insurance Application
   3. Core Standards for Individual Long-Term Care Insurance Policies
   4. Ind. Long-Term Care Insurance Standards for the Outline of Coverage
11. Is this Model Law referenced or contained, in whole or in part, in any other NAIC guidance, manual or handbooks?

Yes, this model is referenced in Chapter 22—Conducting the Long-Term Care Examination of the Market Regulation Handbook. It is also referenced in the Accounting Practices and Procedures Manual.

12. Significance or Reason Why This Model Should Be Retained:

This model should be retained. A majority of the states have adopted the current version or a previous version of this model. It remains relevant in the current regulatory environment and should be retained because its provisions provide important protections for consumers considering purchasing and those who have purchased a long-term care insurance product. It is also used as a base for the IIPRC’s long-term care insurance standards and is referenced in both the Market Regulation Handbook and the Accounting Practices and Procedures Manual.

The Health Insurance and Managed Care (B) Committee adopted final revisions to the model’s rate stability provisions June 10 via conference call. The Executive (EX) Committee and Plenary will consider adoption of these revisions at the Summer National Meeting.