

Adopt Part Ins 3602, to read as follows:

Authority: RSA 400-A:15, I.; **RSA 415-D:5; RSA 415-D:12**

PART Ins 3602 NEW HAMPSHIRE LONG-TERM CARE PARTNERSHIP PROGRAM

Ins 3602.01 Purpose. The purpose of this part is to implement filing, notice and exchange requirements for the New Hampshire long-term care partnership program.

Ins 3602.02 Applicability and Scope. This part [is] **shall be** applicable to all long-term care insurance policies issued on or after April 1, 2007 and to any policy or certificate that will be marketed and sold under the New Hampshire long-term care partnership program.

Ins 3602.03 Definitions. For the purposes of this part:

(a) "Commissioner" means the commissioner of the New Hampshire insurance department.

(b) "Exchange" means an exchange of a long-term care policy or certificate that was issued on or after April 1, 2007, including an exchange of a non-certified partnership policy or certificate, for a New Hampshire partnership policy or certificate.

(c) "Long-term care insurance" means "long-term care insurance" as defined under RSA 415-D:3 V.

(d) "New Hampshire long-term care partnership program" means a program established under the Federal Deficit Reduction Act of 2005 and approved under Medicaid State Plan Amendment 07-009.

(e) "Non-certified partnership policy or certificate" means insurance coverage under a long-term care policy or certificate that was issued in New Hampshire on or after April 1, 2007 and contains all necessary provisions, including the necessary inflation protection requirements, to qualify as New Hampshire partnership coverage pursuant to §1917(b)(1)(C)(iii) of the Social Security Act [(142 U.S.C. §1396p(b)(1)(C)(iii)D)], but where the policy or certificate form has not yet been approved by the New Hampshire insurance department as a New Hampshire partnership policy or certificate.

(f) "New Hampshire partnership policy or certificate" means long-term care coverage that qualifies as a partnership policy or certificate pursuant to §1917(b)(1)(C)(iii) of the Social Security Act [(142 U.S.C. §1396p (b)(1)(C)(iii)D)] and has been filed and approved by the insurance department as a partnership policy or certificate under the New Hampshire long-term care partnership program.

Ins 3602.04 Notification, Offer of Exchange

(a) Except as provided in (b), within 180 calendar days from the date that an insurer begins to advertise, market, offer or sell coverage under the New Hampshire long-term care partnership program, the insurer **[is required to] shall** offer on a one-time basis to all policyholders or certificateholders that were issued long-term care insurance on or after April 1, 2007, the option to exchange existing long term-care coverage for a New Hampshire partnership policy or certificate as follows:

(1) An insurer shall advise policyholders by written notice of their right to exchange their current long-term care policy for a partnership policy[.] **;**

(2) This notice shall include a provision giving the policyholder up to 90 calendar days from the date of the notice to make their intention to exchange known to the insurance company[.] **;** **and.**

(3) If the policy is a group long-term care policy and an exchange is permitted by the policyholder, each certificateholder shall be given notice of the option to exchange the certificate for a certificate providing partnership coverage within 90 calendar days.

(b) Within 90 days calendar from the date that an insurer begins to advertise, market, offer or sell coverage under the New Hampshire long-term care partnership program, the insurer shall deliver to any policyholder or certificateholder that was issued a non-certified partnership policy or certificate, an endorsement approved under Ins 3602.07(b) together with a notice that informs the policyholder or certificateholder that the policy or certificate qualifies as a New Hampshire partnership policy or certificate.

Ins 3602.05 Exchanges

(a) The insurer shall exchange long- term care coverage that was purchased on or after April 1, 2007 for partnership coverage in one of the following ways:

(1) For all non-certified partnership policies or certificates, by adding an endorsement that all the provisions required to qualify the policy as a New Hampshire partnership policy have been met and the policy is a New Hampshire partnership policy[.] **;** **or**

(2) By exchanging an existing policy or certificate for a new partnership policy or certificate or by adding a rider or endorsement to an existing policy or certificate

(b) The following provisions shall apply to any exchange:

(1) If the new coverage has an actuarial value of benefits equal to or lesser than the actuarial value of benefits of the existing coverage, based on uniform assumptions as determined on the date of issue for a new insured, then the following requirements shall apply:

a.. The new policy or certificate shall not be underwritten;
and

b. The rate charged for the new policy or certificate shall be determined using the original issue age and risk class of the insured that was used to determine the rate of the existing policy[.]

;

(2) If the new coverage has an actuarial value of benefits exceeding the actuarial value of benefits of the existing coverage, based on uniform assumptions, as determined on the date of issue for a new insured, then the following requirements shall apply:

a. The insurer shall apply its new business, long-term care underwriting guidelines to the increased benefits only; and

b. The rate charged for the new policy or certificate shall be determined using the method set forth in subparagraph (b)(1)b. above for the existing benefits, increased by the rate for the increased benefits using the current attained age and risk class of the insured for the increased benefits only[.] ;

(3) Any **[offer of]** exchange **offer** shall be made to all policyholders and certificateholders on a nondiscriminatory basis;

(4) Except for an exchange of a non-certified partnership policy or certificate pursuant to (a)(1) of this section, an exchange offer shall be deferred for any policyholder or certificateholder who is currently within an elimination period under the policy, or is receiving benefits under the policy. Such deferral shall continue so long as the eligibility or elimination period exists;

(5) In addition to the requirements of this part, all exchanges shall comply with the requirements of Ins 3601, provided however that Ins 3601.23 shall not apply to the exchange of a non-certified partnership policy or certificate for a New Hampshire partnership policy or certificate when the new coverage has an actuarial value of benefits equal to or lesser than the actuarial value of benefits of the original non-certified partnership policy or certificate[.] ;

(6) The new coverage offered shall be on a New Hampshire partnership policy or certificate form that is approved for sale in the general market;

(7) In any exchange, the insurer shall issue the disclosure notice as set forth in Ins 3602.06(a)(2) and Appendix A[.] ; **and**

(8) In the event of an exchange, the insured shall not lose any rights, benefits or built-up value that have accrued under the original policy with respect to the benefits provided under the original policy, including, but not limited to, rights established because of the lapse of time related to pre-existing condition exclusions, elimination periods, or incontestability clauses.

(c) **[Exchanges Are Not Replacements.]** Policies issued pursuant to this section shall be considered exchanges and not replacements.

Ins 3602.06 Standards and Reporting Requirements for Approved Long-Term Care Partnership Policies and Certificates.

(a) **The following [S]standards shall apply to all insurers that issue or deliver New Hampshire partnership policies or certificates[.]:**

(1) **[General requirements.]** In addition to the required filing and approval pursuant to this part, any policy or certificate marketed or represented to be a New Hampshire partnership policy or certificate shall comply with the following requirements:

a. The insured individual **[is] shall be** a resident of New Hampshire when coverage first becomes effective under the policy. If the policy or certificate is exchanged pursuant to Ins 3602.05, the individual **[was] shall have been** a resident of New Hampshire when coverage first became effective under the original policy[.] ;

b. The coverage **[is] shall be** intended to be a qualified long-term care insurance coverage under the provisions of Ins 3601.05 (a)(5); **and**

c. The policy or certificate **[is] shall be** issued with and **shall** retain[s] inflation coverage that meets the inflation standards specified in Ins 3601.12.

(2) **The following notices are [R]required [disclosure notice.]:**

a. **[Any New Hampshire partnership policy or certificate issued or delivered shall be accompanied by a] A** disclosure notice that explains the benefits associated with the policy or certificate **and indicates that at the time issued, the policy qualified as a N.H. partnership policy.** The required disclosure notice **[is] shall be as** set forth in Appendix A, Partnership Status Disclosure Notice for Long-Term Care Partnership Policies/Certificates.

b. The following requirements and procedures apply to Appendix A:

1. The text in the notice shall be in at least 12-point type and shall follow the order of the information presented in Appendix A[;] . **The text in the notice as specified in Appendix A is mandated; and**

2. **[The text in the notice as specified in Appendix A is mandated; t]** **The format for the form is recommended format.** An insurer may **modify the** format **but not the order of** the mandated text **[in a different format]** from that specified in Appendix A if the insurer files the form for review and approval by the commissioner in compliance with Ins 401.12;

[3.] c. When an insurer is made aware that a policyholder or certificateholder has initiated action that will result in the loss of partnership status, the insurer shall provide an explanation of how such action impacts the insured in writing. The insurer shall also advise the policyholder or certificateholder on how to retain partnership status if possible; and

[4.] d. If a partnership plan subsequently loses partnership status, the insurer shall explain to the policyholders or certificateholders in writing within 60 calendar days of the loss the reason for the loss of status.

e. All insurers shall provide upon request and without charge to any insured under a New Hampshire partnership policy or certificate, or to any New Hampshire resident insured under a long-term care insurance policy or certificate that is afforded reciprocity pursuant to the standards established under Section 6021(b) of Public Law 109-171, Federal Deficit Reduction Act of 2005, a written summary of policy information that shall include the following:

- 1. The name of the insured;**
- 2. The policy or certificate number;**
- 3. The effective date of coverage;**
- 4. The state in which the policy or certificate was issued;**
- 5. The age of the insured at the time the coverage was issued;**

6. In regard to any inflation coverage, the following information:

(i) Whether the policy was issued with or without inflation coverage;

(ii) A description of any inflation coverage currently in effect;

(iii) Whether any inflation coverage provided is simple inflation coverage or compound inflation coverage;

f. Whether the policy is intended to meet the standards of a tax qualified long-term care policy;

g. The cumulative dollar amount of insurance benefits paid to the insured only, excluding payments for cash surrender, return of premium death benefit, waiver of premium. The date such cumulative dollar amount was calculated shall also be provided;

h. The total dollar amount of insurance benefits remaining available under the policy. The date such total remaining benefits was calculated shall also be provided;

i. The date the form was completed; and

j. The name, address, telephone and email address of the person completing the form.

(3) [Commissioner certification.] Under §1917(b)(5)(B)(iii) of the Social Security Act (42 U.S.C. §1396p(b)(5)(B)(iii)), the commissioner, in implementing the New Hampshire long-term care partnership program, **[may] shall** certify that long-term care insurance policies and certificates covered under the partnership program meet certain consumer protection requirements, and policies. The consumer protection requirements **[are] shall be as** set forth in §1917(b)(5)(A) of the Social Security Act and principally include certain specified provisions of the NAIC long-term care model act and model regulation (adopted as of October 2000). In providing this certification, the commissioner shall require the certification by insurers made in accordance with Appendix B Long-Term Care Partnership Program Insurer Certification Form.

(b) [Reporting Requirements.] In accordance with §1917(b)(1)(C)(iii)(VI) and (v) of the Social Security Act, all issuers of partnership policies or certificates shall provide regular reports to the secretary of the Federal Department of Health and Human Services (secretary) in accordance with **[regulations to be developed by the secretary] 45 CFR Part 144, Subpart B.**

(c) Such information shall include, but not be limited to, the following:

(1) Notification regarding when insurance benefits provided under partnership policies or certificates have been paid and the amount of such benefits paid;

(2) Notification regarding when such policies or certificates otherwise terminate; and

[(3) Any other information the secretary determines is appropriate.]

Ins 3602.07 Inflation Protection Requirements for Long-Term Care Partnership Policies and Certificates. Pursuant to §1917(b)(1)(C)(iii)(IV) of the Social Security Act (42 U.S.C. §1396p(b)(1)(C)(iii)(IV)), an insurer shall not issue a policy or certificate marketed or represented as a partnership policy unless the policy or certificate complies with the following inflation protection requirements:

(a) For a person who is less than 61 years of age, as of the date of purchase, the policy or certificate shall provide compound annual inflation protection from the date of purchase until the person attains 61 years of age. **Acceptable inflation protection shall include the following:**

(1) At the time of purchase, insurers shall offer to each applicant the option to purchase compound annual inflation protection that automatically increases each year on a compounded basis at a rate of not less than 5.0 percent annually throughout the interval of coverage. The inflation protection **[is required to] shall** automatically increase benefits each year on a compounded basis[.] ;

(2) If the applicant declines the offer of inflation protection specified in (1) above, then the insurer shall offer and the applicant shall purchase and retain compound annual inflation protection until the insured attains age 61 or goes on claim status, whichever comes first. The inflation protection is required to automatically increase benefits each year on a compounded basis at a rate that the insured elects which may be in a range from one percent to 4 percent or tied to the consumer price index for all urban consumers (CPI-U)[.] ; **and**

(3) A person who is less than 61 years of age that has purchased a long-term care partnership policy or certificate with the required compound inflation protection specified in this paragraph may upon attaining 61 years of age choose to amend the compound inflation protection provision in the policy or certificate in accordance with the requirements specified in (b) below.

(b) For a person who is at least 61 years of age but less than 76 years of age, the policy or certificate shall provide an acceptable level of inflation protection until the

person attains 76 years of age. Acceptable inflation protection **shall** include[s] the following:

(1) Regardless of the insured's health status, the insurer shall offer and the insured shall purchase and retain inflation protection until the insured attains age 76 or goes on claim status, whichever comes first;

(2) Acceptable coverage **shall** include[s] automatic annual inflation protection, either simple or compound, paid with either level or stepped premium;

(3) Inflation protection as required by this paragraph shall be in a range of from one percent to 5 percent or tied to the consumer price index for all urban consumers (CPI-U); **and**

(4) A person who is less than 76 years of age that has purchased a long-term care partnership policy or certificate with the required inflation protection specified in this paragraph may upon attaining 76 years of age choose to amend the inflation protection provision in the policy or certificate in accordance with the requirements specified in (c) below.

(c) For any person who has attained the age of 76, inflation protection may be provided but is not required. However, the long-term care inflation protection option specified in Ins 3601.12 of this subchapter (relating to Requirement To Offer Inflation Protection) shall be offered to any applicant for a partnership policy who has attained the age of 76.

(d) An option to purchase inflation protection at a future time **[does] shall** not constitute compliance with the inflation protection requirements set forth in (a) and (b) above.

(e) The inflation protection provisions in this section **[are] shall** not **be** available under these policies:

(1) Riders for group and individual annuities and life insurance policies that provide long-term care insurance;

(2) Life insurance policies:

a. That accelerate the death benefit for one or more of the qualifying events of terminal illness, medical conditions requiring extraordinary medical intervention or permanent institutional confinement; **[and]**

b. That provide the option of a lump-sum payment for those benefits; and

c. Where neither the benefits for the eligibility for the benefits is conditioned upon the receipt of long-term care.

Ins 3602.[07] 08 Filing Requirements for Long-Term Care Partnership Policies.

(a) Prior Approval Requirements. Each New Hampshire partnership policy or certificate, including any long-term care partnership endorsement issued or delivered shall comply with the requirements specified in (1) **[and (2)] through (3)** below before being issued or delivered **[as follows]**:

(1) Each New Hampshire partnership policy, certificate, or endorsement shall be filed with the department and approved by the commissioner in accordance with the requirements and procedures set forth in Ins 401.12.

(2) Each New Hampshire partnership policy, certificate, or endorsement filing shall include a Long-Term Care Partnership Program Insurer Certification Form, as specified in Appendix B.

(3) The following requirements and procedures shall apply to this certification form:

a. The text in the certification form shall be in at least 10-point type and shall follow the order of the information presented in Appendix B[;]. **The text in the certification form as specified in Appendix B is mandated; and**

b. **[The text in the certification form as specified in Appendix B is mandated; t] The format for the form is a recommended format. An insurer may modify the format **but not the order of** the mandated text **[in a different format]** from that specified in Appendix B if the insurer files the certification form for review and approval by the commissioner **in compliance with Ins 401.12;****

(b) Previously Approved Policies. A previously approved non-certified partnership policy or certificate form shall be approved as a New Hampshire partnership policy or certificate form upon the filing and approval of:

(1) The Long-Term Care Partnership Program Insurer Certification Form set forth in Appendix B;

(2) An endorsement identifying the policy as a New Hampshire partnership policy; and

(3) The previously approved policy or policy and certificate if the policy is a group policy.

(c) Insurers shall notify the commissioner via an informational SERFF filing, within 15 calendar days of beginning to advertise, market, offer or sell partnership policies under the New Hampshire long-term care partnership program.

Appendix A

**Partnership Status Disclosure Notice for Long-Term Care
Partnership Policies/Certificates**

**IMPORTANT INFORMATION REGARDING THE NEW HAMPSHIRE
LONG-TERM CARE PARTNERSHIP PROGRAM**

Note: It is very important that you keep this Disclosure Notice with your Long-Term Care Insurance Policy or Certificate.

Insured Name: _____

Policy Name: _____

Date of Issue: _____

The long-term care insurance policy/certificate that you have purchased currently qualifies for the New Hampshire Long-Term Care Partnership Program.

Insurance companies voluntarily agree to participate in the Partnership Program by offering long-term care insurance coverage that meets certain State and Federal requirements. Policies that qualify as Partnership Policies protect your assets through a feature known as an "asset disregard" under the New Hampshire Medicaid program.

Asset Disregard "Asset Disregard" means that an amount of your assets equal to the amount of long-term care insurance benefits you have received under your Partnership Policy will not be counted for the purpose of determining your eligibility for Medicaid. This generally allows you to keep additional assets equal to the insurance benefits received under your Partnership Policy without affecting your eligibility for Medicaid. All other Medicaid eligibility criteria will still apply. This "Asset Disregard" is only available if you have a Partnership Policy. The purchase of a Partnership Policy guarantees that if you qualify for the Medicaid program, you can retain additional assets as described above. However, the purchase of a Partnership Policy does not automatically qualify you for the Medicaid program.

Partnership Policy (Certificate) Status. Your long-term care insurance policy is a Partnership Policy under the New Hampshire Long-Term Care Partnership Program as of your policy's effective date.

What Could Disqualify Your Policy from the Partnership Program. If you make any changes to your policy/certificate, such changes could affect whether your policy continues to be a Partnership Policy. **Before you make any changes, you should consult with [name of insurance company] to determine the effect of the proposed change.** In addition, if you move to a state that does not maintain a Partnership Program or does not recognize your policy as a Partnership Policy, you may not receive beneficial treatment such as asset disregard under the Medicaid program in that state.

THE INFORMATION CONTAINED IN THIS NOTICE IS BASED ON [CURRENT] NEW HAMPSHIRE AND FEDERAL LAWS IN EFFECT THE DATE YOUR POLICY WAS ISSUED. THESE LAWS ARE SUBJECT TO CHANGE.

Additional Information. If you have any questions regarding your insurance policy (certificate) please contact [insert name of insurer]. If you have questions regarding current laws governing Medicaid eligibility, you should contact the:

New Hampshire Department of Health and Human Services
Division of Family Assistant
Brown Building, 129 Pleasant Street, Concord, NH (street address)
129 Pleasant Street, Concord, NH 03301-3857 (mail address)
Telephone: 603-271-5254 or 800-852-5254

Appendix B

Long-Term Care Partnership Program Insurer Certification Form

Section 1917(b)(5)(B)(iii) of the Social Security Act (42 U.S.C. §1396p(b)(5)(B)(iii)), authorizes the New Hampshire insurance commissioner upon implementing a qualified state long-term care partnership program ("qualified partnership") to certify that long-term care insurance policies (including certificates issued under a group insurance contract) covered under the qualified partnership meet certain consumer protection requirements, and policies so certified are deemed to satisfy such requirements. These consumer protection requirements are set forth in §1917(b)(5)(A) of the Social Security Act (42 U.S.C. §1396p(b)(5)(A)) and principally include certain specific provisions of the long-term care insurance model regulation and long-term care insurance model act promulgated by the National Association of Insurance Commissioners (as adopted as of October 2000)(referred to herein as the "2000 Model Regulation" and "2000 Model Act" respectively).

In order to provide the Insurance Commissioner with information necessary to provide a certification for policies, this issuer certification form requests information and a certification from issuers of long-term care insurance policies with respect to policy forms that may be covered under the qualified partnership program of the state.

An insurance company may request certification of policies from time to time and, accordingly, may supplement this issuer certification form, e.g., as it introduces new long-term insurance policy forms for issuance.

I. GENERAL INFORMATION

A. Name, address and telephone number of issuer:

B. Name, address, telephone number, and email address (if available) of an employee of issuer who will be the contact person for information relating to this form:

C. Policy form number(s) (or other identifying information, such as certificate series) for policies covered by this issuer certification form:

Copies of each of the above referenced policy forms, including any riders and endorsements, shall be provided.

II. QUESTIONS REGARDING APPLICABLE PROVISIONS OF THE 2000 MODEL REGULATION AND 2000 MODEL ACT

Please answer each of the questions below with respect to the policy forms identified in section I.C. above. For purposes of answering the questions below, any provision of the 2000 Model Regulation or 2000 Model Act listed below shall be treated as including any other provision of the 2000 Model Regulation or 2000 Model Act necessary to implement the provision.

Are the following requirements of the 2000 Model Regulation met with respect to all policies (including certificates issued under a group insurance contract) intended to be covered under the qualified partnership program that are issued on each of the policy forms identified in Section I.C. above?

- | | | | | |
|--------|-------|--------|----|---|
| Yes___ | No___ | N/A___ | A. | Section 6A (relating to guaranteed renewal or noncancellability), other than paragraph (5) thereof, and the requirements of section 6B of the 2000 Model Act relating to such section 6A. |
| Yes___ | No___ | N/A___ | B. | Section 6B (relating to prohibitions on limitations and exclusions) other than paragraph (7) thereof. |
| Yes___ | No___ | N/A___ | C. | Section 6C (relating to extension of benefits). |
| Yes___ | No___ | N/A___ | D. | Section 6D (relating to continuation or conversion of coverage). |
| Yes___ | No___ | N/A___ | E. | Section 6E (relating to discontinuance and replacement of policies). |
| Yes___ | No___ | N/A___ | F. | Section 7 (relating to unintentional lapse). |
| Yes___ | No___ | N/A___ | G. | Section 8 (relating to disclosure), other than sections 8F, 8G, 8H, and 8I thereof. |
| Yes___ | No___ | N/A___ | H. | Section 9 (relating to required disclosure of |

rating practices to consumer).

- | | | | | |
|--------|-------|--------|----|---|
| Yes___ | No___ | N/A___ | I. | Section 11 (relating to prohibitions against post-claims underwriting). |
| Yes___ | No___ | N/A___ | J. | Section 12 (relating to minimum standards). |
| Yes___ | No___ | N/A___ | K. | Section 14 (relating to application forms and replacement coverage). |
| Yes___ | No___ | N/A___ | L. | Section 15 (relating to reporting requirements). |
| Yes___ | No___ | N/A___ | M. | Section 22 (relating to filing requirements for advertising). |
| Yes___ | No___ | N/A___ | N. | Section 23 (relating to standards for marketing). |
| Yes___ | No___ | N/A___ | O. | Section 24 (relating to suitability). |
| Yes___ | No___ | N/A___ | P. | Section 25 (relating to prohibition against preexisting conditions and probationary periods in replacement policies or certificates). |
| Yes___ | No___ | N/A___ | Q. | Section 28 (the provisions relating to contingent nonforfeiture benefits, if the policyholder declines the offer of a nonforfeiture provision described in section 7702B(g)(4) of the Internal Revenue Code of 1986 (26 U.S.C. 7702BJ(g)(4)). |
| Yes___ | No___ | N/A___ | R. | Section 31 (relating to standard format outline of coverage). |
| Yes___ | No___ | N/A___ | S. | Section 32 (relating to requirement to deliver shopper's guide). |

Are the following requirements of the 2000 Model Act met with respect to all policies (including certificates issued under a group insurance contract) intended to be covered under the qualified partnership program that are issued on each of the policy forms identified in section I.C. above?

- | | | | | |
|--------|-------|--------|----|---|
| Yes___ | No___ | N/A___ | A. | Section 6C (relating to preexisting conditions). |
| Yes___ | No___ | N/A___ | B. | Section 6D (relating to prior hospitalization). |
| Yes___ | No___ | N/A___ | C. | Section 8 (provisions relating to contingent nonforfeiture benefits). |
| Yes___ | No___ | N/A___ | D. | Section 6F (relating to right to return). |
| Yes___ | No___ | N/A___ | E. | Section 6G (relating to outline of coverage). |
| Yes___ | No___ | N/A___ | F. | Section 6H (relating to requirements for certificates under group plans). |
| Yes___ | No___ | N/A___ | G. | Section 6J (relating to policy summary). |
| Yes___ | No___ | N/A___ | H. | Section 6K (relating to monthly reports on accelerated death benefits). |
| Yes___ | No___ | N/A___ | I. | Section 7 relating to incontestability period). |

In order for a policy to be covered under the qualified partnership program of the state, the answers to all questions above should be "yes" (or "N/A" where all requirements with respect to a provision are not applicable). If answers differ between policy forms (e.g., a requirement would be answered "Yes" for one form and "N/A" for another), you should use separate issuer certification forms for such policies.

III. CERTIFICATION

I hereby certify that the policy forms and endorsements identified in section C. above meet all of the requirements of the 2000 National Association of Insurance Commissioners' Long-Term Care Model Act and Model Regulations that are specified in the Federal Deficit Reduction Act of 2005 (Pub. L. No. 109- 171) and further certify that the answers, accompanying documents, and other information set forth herein are, to the best of my knowledge and belief, true, correct, and complete.

Date

Name and Title of Officer of the Issuer

Signature of Officer of the Issuer

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