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ANTHONY G. BROWN  
Lt. Governor



RALPH S. TYLER  
Commissioner

BETH SAMMIS  
Deputy Commissioner

200 St. Paul Place, Suite 2700, Baltimore, Maryland 21202  
1-800-492-6116 TTY: 1-800-735-2258  
[www.mdinsurance.state.md.us](http://www.mdinsurance.state.md.us)

### **BULLETIN 09-13**

Date: May 27, 2009

To: Insurers Participating in the Long-Term Care Insurance Market in Maryland

Re: Implementation of the Maryland Long-Term Care Partnership Program

The purpose of this bulletin is to inform insurers of the status of the Maryland Partnership for Long-Term Care Program (LTC Partnership Program). The regulations detailing the process that an insurer is required to follow to be certified to participate in the LTC Partnership Program went into effect December 15, 2008. The regulations are codified as COMAR 31.14.03 and can be viewed at the Division of State Documents web site at [www.dsd.state.md.us](http://www.dsd.state.md.us).

Some of the disclosure requirements of COMAR 31.14.03 will be modified due to the enactment of House Bill 590, Chapter 598, Acts of 2009, which becomes effective June 1, 2009. Specifically, the outline of coverage will no longer be required to contain a statement indicating whether or not the long-term care insurance policy is a partnership policy. Also, the disclosure statement required on the schedule page may follow the text found in House Bill 590, rather than the text found in COMAR 31.14.03.05B. The current regulations will be amended to conform to House Bill 590 as soon as possible, but the provisions of the amended statute will be followed beginning June 1, 2009.

The Department of Health and Mental Hygiene's state plan amendment was approved by the Centers for Medicare and Medicaid Services March 31, 2009, with an effective date of January 1, 2009.

Insurers are encouraged to file with the Maryland Insurance Administration for certification of their qualified long-term care policies to be partnership policies as described in COMAR 31.14.03. These *certification filings* may be filed by paper or through the System for Electronic Rate and Form Filing (SERFF). There is no filing fee for a *certification filing*.

The *certification filings* are required to include the material set forth in COMAR 31.14.03.04, with the exception of the outline of coverage requirement set forth in COMAR 31.14.03.04. Any forms filed for approval are required to be filed in separate filings from the *certification filing*. Any *certification filing* that includes forms that are being filed for approval will be rejected.

If an insurer makes the *certification filing* through SERFF, the *certification filing* is required to include a cover letter identifying the filing as a *certification filing* for the LTC Partnership Program and be identified in SERFF by the appropriate sub-type of insurance (TOI) for long-term care partnership policies. It is critical that these filings not be confused with filings of forms for approval. Therefore, the material required to be filed to comply with COMAR 31.14.03.04 is required to be attached to the SERFF filing as separate schedule items under the Supporting Documentation section. SERFF filings submitted in any other manner will be rejected.

Questions regarding this bulletin may be directed to the Life/Health Section of the Maryland Insurance Administration at 410-468-2170.

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Brenda A. Wilson  
Associate Commissioner  
Life/Health Section