

Draft: 3/5/25

Senior Issues (B) Task Force  
Virtual Meeting  
February 27, 2025

The Senior Issues (B) Task Force met February 27, 2025. The following Task Force members participated: Scott Kipper, Chair (NV); Jon Godfread, Vice Chair, represented by Chrystal Bartuska (ND); Lori K. Wing-Heier represented by Jeanne Murray (AK); Barbara D. Richardson represented by Gio Espinosa (AZ); Karima M. Woods represented by Omar Barakat (DC); Trinidad Navarro represented by Susan Jeannette (DE); Michael Yaworsky represented by Alexis Bakofsky (FL); Jerry Bump represented by Kathleen Nakasone (HI); Doug Ommen represented by Andria Seip (IA); Dean L. Cameron represented by Shannon Hohl (ID); Holly W. Lambert represented by Rebecca Vaughan (IN); Vicki Schmidt represented by Craig VanAalst (KS); Sharon P. Clark represented by Stephanie McGaughey-Bowker (KY); Michael T. Caljouw represented by Rebecca Butler (MA); Marie Grant represented by Patricia Dorn (MD); Robert L. Carey represented by Marti Hooper (ME); Anita G. Fox represented by Stephanie Francis (MI); Grace Arnold represented by Cam Jenkins (MN); Mick Cambell represented by Amy Hoyt (MO); Mike Causey represented by Robert Croom (NC); Eric Dunning represented by Martin Swanson (NE); D.J. Bettencourt represented by Michelle Heaton (NH); Judith L. French represented by Christina Reeg (OH); Glen Mulready (OK); Andrew R. Stolfi represented by Lisa Emerson (OR); Michael Humphreys represented by Shannen Logue (PA); Larry D. Deiter represented by Jill Kruger (SD); Cassie Brown represented by Amelia Berry (TX); Jon Pike represented by Tanji Northrup (UT); Scott A. White represented by Julie Blauvelt (VA); Sandy Bigglestone (VT); Patty Kuderer represented by Andrew Davis (WA); Nathan Houdek represented by Christina Keeley (WI); Allan L. McVey (WV); and Jeff Rude represented by Lela Ladd (WY).

1. Adopted its 2024 Fall National Meeting Minute

Commissioner McVey made a motion, seconded by Jeannette, to adopt the Task Force's Nov. 17 (*see NAIC Proceedings – Fall 2024, Senior Issues (B) Task Force*) minutes. The motion passed unanimously.

2. Discussed Issues and Topics for the Task Force to Consider in 2025

Commissioner Kipper said the purpose of the meeting is to discuss ideas and topics for the upcoming year. He said it is not limited to the items listed on the agenda. He asked if any Task Force members, interested regulators or interested parties had any issues or topics they would like the Task Force to consider.

Bonnie Burns (California Health Advocates—CHA) said she sent a letter to the Chair and Vice Chair of the Task Force spelling out priorities for the Task Force to consider. She said the Task Force should update the state under-Age 65 open enrollment list and additional information about ESRD and any restrictions on premiums for this population should be included in that document. She said the Task Force should update the 2023 state new or innovative benefit survey chart and both of these documents should be more accessible to consumers.

Burns said another priority for the Task Force should be the development of a state guarantee issue (GI) and open enrollment (OE) Chart to show the accumulated state actions that expand on the federal minimums and include special open enrollment (SEP) or GI periods following certain events. She said she has been urging the NAIC and the Task Force for some time to organize a forum for states to discuss the critical need for a financing mechanism for long term care (LTC) for the middle class and to share state activities directed to this need.

Bartuska asked Burns if the state GI chart is related to the chaos with OE last year and plans that pulled out of certain counties in some states, or if this chart is intended for more transparency so that consumers know what

states allow. Burns said that the chart should be a little of both. In California, for example, when a Medicare Advantage (MA) plan leaves a person's area, the person has a guaranteed issue under federal law, but when their provider leaves, they often do not have that right to leave the MA plan and get a Medicare supplement insurance (Medigap) plan. She said some states have that right for people because they allow GI year-round, and some states have specific types of GI events, such as a birthday rule. She said having a document that showed all of these various permutations of GI events would be very helpful, not just for consumers and State Health Insurance Assistance Programs (SHIPs) but also so that states can see what other states are doing if and when they decide to change their rules.

Commissioner Kipper said the Task Force will examine issues such as updating the 10 LTC policy options document, discussing the LTCI partnership program, and addressing issues raised by the former Long-Term Care Insurance (B) Task Force.

Bartuska said she raised the partnership program and was curious to hear from other states and consumer groups if there is anything regarding the LTC life hybrid products. She is aware that the partnership programs are at the federal level, but she frequently hears from the agent community about their interest in incorporating life and annuity hybrid products with LTC riders and other LTC features into the program. She said her response is always federal and is not sure how to go down that path and wants to know if this is something of interest to the Task Force.

Kruger said this should be an option to consider because it is important to help consumers protect their assets, have LTC coverage, and have it be somewhat affordable. She said this may be the perfect time to work with a new administration on something like this and could be a great expansion. Seip, Logue, and Fix all concurred with Kruger.

Burns said next year, the baby boomer generation will begin entering their eighth decade of life, a decade when LTC becomes a more likely event, and few in this population will have insurance to pay for care. She said the life industry is anxious to have life products with LTC included in partnerships. She said that when discussing life insurance and LTC, it is not just about the care typically associated with freestanding products, as there are many different life platforms available. She said the cost of their care is likely to have a profound impact on their finances and, ultimately, on state Medicaid programs, and a discussion about how to pay for this care for future generations is long overdue.

Brenda J. Cude (University of Georgia) said the Center for Insurance Policy and Research (CIPR) will soon release a report about the work done on reduced benefit options (RBOs). That report will include some recommendations about the checklist used to review letters sent to consumers. She said it may be beneficial for the Task Force to review the report.

Cude said regarding partnership programs, there has been so much income tax reform since those partnerships were conceptualized that it may be time to ask if they still provide the same incentive to people that was anticipated when they were created under a very different federal income tax system.

Logue said that legislation has been presented in multiple states. While the approach in Washington, where the legislation had to be pulled back and revisited, may not be ideal, it could be worth considering a model law that states could adopt. This would create a program that incorporates best practices and potentially offers an opportunity to sell supplemental products that address both private and public opportunities.

Burns said in Washington, there was a task force/working group that developed recommendations for a supplemental product, and those recommendations are now in the form of a bill in the Washington State

legislature, so that could be a good starting point to take some of those recommendations and build off of those for best practices for a supplementary product if a state were to develop some kind of a program. She said New York has introduced, for the third time now, its state program legislation. She said, for the first time, there is a population model to look at all the components that go into a product and their financial impact. She said it might be useful to have the Society of Actuaries (SOA) do a presentation on its SOA Research Population Model to the NAIC because the model, for the first time, allows a consumer to tinker with benefits and see how an LTC program is structured to see the effect on rates and costs. She said it would help people understand some of the issues that go into financing this kind of care.

Jeff Klein (American Bankers Health Savings Account Council—Council) said the Task Force should be aware that seniors, including working seniors, veterans, and Native Americans, are not allowed to have health savings accounts (HSAs) under existing Internal Revenue Service (IRS) and federal rules. He said the Council is in support of expanding that but does not know if there needs to be NAIC support for such legislation but wishes to make it aware to the Task Force.

Kruger said she wanted to alert the Task Force South Dakota received an email from one of their carriers saying it heard rumors that the Centers for Medicare and Medicaid Services (CMS) said that all Medicare Cost plans have to be sunset by the end of 2026. She said this is the first time she has heard anything like this, and she does not know if any other states have heard this.

Swanson said it would be good to know how many Medicare Cost plans are in existence and where they are located because they are very popular in Nebraska and asked if a chart could be put together.

### 3. Discussed Other Matters

Commissioner Kipper said the Task Force will meet at the Spring National Meeting on Monday, March 23 at 7:45 a.m.

Having no further business, the Senior Issues (B) Task Force adjourned.

[February 27 Minutes](#)