

Draft: 4/26/21

Long-Term Care Insurance Model Update (B) Subgroup  
Virtual Meeting  
April 22, 2021

The Long-Term Care Insurance Model Update (B) Subgroup of the Senior Issues (B) Task Force met April 22, 2021. The following Subgroup members participated: Philip Gennace, Chair (NJ); Laura Arp, Vice Chair (NE); Sarah Bailey (AK); Tyler McKinney (CA); Maureen Belanger (NH); Jill Kruger (SD); Tomasz Serbinowski (UT); Elsie Andy (VA); and Michael Bryant (WA). Also participating were: Steve Dozier (AL); Erin Klug (AZ); Paul Lombardo (CT); Susan Jennette (DE); Andria Seip (IA); Kathy McGill (ID); Karl Knable (IN); Eric Anderson (IL); Craig VanAalst (KS); Ron Kreiter (KY); Adam Zimmerman (MD); Sherry Ingalls (ME); Renee Campbell (MI); Fred Andersen (MN); Carrie Couch (MO); Bob Williams (MS); Martin Wojcik (NY); Stephen Flick (OH); Mike Rhoads (OK); Jim Laverty (PA); Sarah Neil (RI); Andrew Dvorine (SC); Vickie Trice (TN); Rachel Bowden (TX); Mary S. Block (VT); Julie Walsh (WI); Grego Elam (WV); and Tana Howard (WY).

1. Discussed the Work of the Subgroup

Mr. Gennace explained the process, procedure and format for the Subgroup moving forward. He said one of the charges of the Senior Issues (B) Task Force is to review the existing long-term care insurance (LTCI) models to determine their flexibility to remain compatible with the evolving delivery of long-term care (LTC) services and remain compatible with the evolving LTCI marketplace. He said the Subgroup was established to determine whether the *Long-Term Care Insurance Model Act* (#640) and the *Long-Term Care Insurance Model Regulation* (#641) need to be updated to remain flexible and compatible with the LTCI marketplace. He said if the Subgroup determines an update is needed, it will report to the Senior Issues (B) Task Force, and the Subgroup would begin work. He said if the Subgroup determines an update is not needed, the Subgroup will report to the Senior Issues (B) Task Force and will await any recommendations from the Long-Term Care Insurance (EX) Task Force.

Mr. Gennace said Model #640 and Model #641 have not been fully reviewed since 2009/2010. He said the most recent updates to the models were done in 2016, specifically to Section 6 of Model #640 and to Appendix B and Appendix F of Model #641. He said it is important the Subgroup focuses on the purpose of its work and not get sidelined by comments, requests and/or recommendations to edit the model. He said the Subgroup is not editing Model #640 or Model #641 but rather will determine if Model #640 or Model #641 retains the flexibility to remain compatible with LTC services and the LTCI marketplace or if it needs an update to language, terms or definitions.

Mr. Gennace said the Subgroup would first review Sections 1–7 of Model #640. He said comments should be submitted to David Torian (NAIC) by close of business on April 30. He said Mr. Torian will redline the comments, share with the Subgroup, and those comments will be discussed during the Subgroup's next meeting scheduled for 1:00 p.m. ET on May 6. He asked if there were any questions or comments.

Birny Birnbaum (Center for Economic Justice—CEJ) said he thinks the timeline is too short for a full review and will result in an ineffective review. He said there are sections that are referenced in different parts of the model that may not be in the sections the Subgroup would be reviewing at that time. Mr. Gennace said if there is a cross reference, it can be noted in the comments to be submitted. Mr. Birnbaum said he still thinks the format does not allow for sufficient time for parties to review, edit and comment. Ms. Kruger said there is nothing preventing the Subgroup from going back to a previous section if necessary. Ms. Andy said this beginning process is not edit and update but rather to determine whether to edit and update. Karrol Kitt (University of Texas at Austin) said her experience with other model updates was to go section by section or smaller grouped sections. Mr. Gennace said the Subgroup should see how this works and move ahead with the planned format, and if the timing does not seem to work, the Subgroup will make the necessary adjustments.

Having no further business, the Long-Term Care Insurance Model Update (B) Subgroup adjourned.