

LONG-TERM CARE INSURANCE ACT PROVISIONS

The date following each state indicates the last time information for the state was reviewed/changed.

	ALABAMA (6/23)	ALASKA (6/23)	ARIZONA (6/23)
Cite	§§ 27-19-100 to 27-19-110	§§ 21.53.010 to 21.53.200	§§ 20-1691 to 20-1691.12
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.	At least 24 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Required offer	Required offer
Policy Summary for Life Products	Yes	Yes	Yes
Report of Accelerated Death Benefits Required?	Yes	Yes	Yes
Incontestability provision	Yes	Yes	Yes
Miscellaneous	Requirements for group coverage.		Requirements for group coverage.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	ARKANSAS (6/23)	CALIFORNIA (6/23)	COLORADO (6/23)
Cite	§§ 23-97-301 to 23-97-321	Ins. §§ 10231 to 10237.6	§§ 10-19-101 to 10-19-115
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	No minimum duration required; services provided in a setting other than an acute care unit in a hospital.	At least 12 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	No provision	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers, unless specifically approved by commissioner.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes, with exclusion for group labor policy.
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Required offer	Required offer
Policy Summary for Life Products	Yes	No provision	Yes
Report of Accelerated Death Benefits Required?	Yes	Yes, applicable to life policies on or after 1/1/21.	Yes
Incontestability provision	Yes	Yes	Yes
Miscellaneous		Consumer rate guide required. Requirements for group coverage.	§ 39-22-122 allows one income tax credit for individuals equal to 25% of premium paid; income limitations. Requirements for group coverage.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	CONNECTICUT (6/23)	DELAWARE (6/23)	DISTRICT OF COLUMBIA (6/23)
Cite	Regs. Conn. State Agencies §§ 38a-501-8 to 38a-501-24 (Individual); §§ 38a-528-1 to 38a-528-17 (Group); §§ 38a-458-1 to 38a-458-12 (Life)	18 Del.C. §§ 7101 to 7109	§§ 31-3601 to 31-3612
Definition of Long-Term Care Insurance	At least one year of coverage.	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes, in relation to home care services.	Yes	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Required offer	Required offer
Policy Summary for Life Products	No provision	Yes	Yes
Report of Accelerated Death Benefits Required?	No provision	Yes	Yes
Incontestability provision	No provision	No provision	Yes
Miscellaneous	Suitability determination and shopper's guide required.	Requirements for group coverage.	Requirements for group coverage.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	FLORIDA (6/23)	GEORGIA (6/23)	HAWAII (6/23)
Cite	§§ 627.9401 to 627.9408; Rule 69O-157.001 to 69O.157.301	§§ 33-42-1 to 33-42-6; Ga. Comp. R. & Regs. 120-2-16-.01 to 120-2-16-.34	§§ 431:10H-101 to 431:10H-117
Definition of Long-Term Care Insurance	At least 24 consecutive months of coverage.	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes; may not provide coverage for lower levels that is “unreasonably lower” than that for skilled care.	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Allowed if insurer also offers a policy without the prior hospitalization requirement.	Prohibited
Uniform 30-Day “Free Look”	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Yes	Required offer
Policy Summary for Life Products	Yes	Yes	Yes
Report of Accelerated Death Benefits Required?	No provision	No provision	Yes
Incontestability provision	Yes	No provision	Yes
Miscellaneous	HMO may get limited certificate to offer home health care benefits. § 641.2018 Suitability standards and shopper’s guide required. Requirements for group coverage.	Long-term care partnership to encourage purchase of coverage by disregard of assets for Medicaid purposes after benefits are exhausted. § 49-4-162 Suitability standards and shopper’s guide required.	Requirements for group coverage.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	IDAHO (6/23)	ILLINOIS (6/23)	INDIANA (6/23)
Cite	§§ 41-4601 to 41-4611	215 ILCS 5/351A-1 to 351A-11; 50 IL ADC 2012.10 to 2012.150	§§ 27-8-12-1 to 27-8-12-19; 760 IAC 2-1-1 to 2-19.5-3
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Required offer	Required offer
Policy Summary for Life Products	Yes	Yes	Yes
Report of Accelerated Death Benefits Required?	Yes	Yes	Yes
Incontestability provision	Yes	Yes	No provision
Miscellaneous	Premium payments may be deducted from state taxes. § 63-3022Q Requirements for group coverage.	Suitability standards and shopper's guide required. Requirements for group coverage.	Suitability standards and shopper's guide required.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	IOWA (6/23)	KANSAS (6/23)	KENTUCKY (6/23)
Cite	§§ 514G.101 to 514G.113	§§ 40-2225 to 40-2228e; KAR 40-4-37 to 40-4-37v; 40-2-20	§§ 304.14-600 to 304.14-625; 304.14-560; 806 KAR 17:081
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	No minimum term.	At least 12 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	No provision	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Required offer	No required offer
Policy Summary for Life Products	Yes	Yes	Yes
Report of Accelerated Death Benefits Required?	Yes	No provision	Yes
Incontestability provision	Yes	No provision	No provision
Miscellaneous	Requirements for group coverage.	Shopper's guide required.	Suitability standards and shopper's guide required. Requirements for group coverage.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	LOUISIANA (6/23)	MAINE (6/23)	MARYLAND (6/23)
Cite	§§ 22:1181 to 22:1191	24-A M.R.S.A. §§ 5051 to 5056; 5071 to 5083	Ins. §§ 18-101 to 18-120; COMAR 31.14.01.01 to 31.14.01.36
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.	At least 24 months of consecutive coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Required offer	Required offer
Policy Summary for Life Products	Yes	Yes	Yes
Report of Accelerated Death Benefits Required?	Yes	Yes	Yes
Incontestability provision	Yes	Yes	Yes
Miscellaneous	Defines federally tax-qualified long-term care insurance contracts; provides standards. Requirements for group coverage.	Innovative policy designs encouraged; tit. 36, § 5122 allows an income tax credit for LTC premiums; employers also qualify for credit under tit. 36, §§ 2525 & 2525-A.	Specific provisions concerning issuing long-term policy to applicants age 80 and older. Buyer's guide required. Tax § 10-718 provides a tax credit for premiums paid by an individual.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	MASSACHUSETTS (6/23)	MICHIGAN (6/23)	MINNESOTA (6/23)
Cite	M.G.L.A. 176U §§ 1 to 9; 211 CMR 65.01 to 65.102	§§ 500.3901 to 500.3955	§§ 62S.01 to 62S.34; 62A.46 to 62A.56
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Yes	Required offer
Policy Summary for Life Products	Yes	Yes	Yes
Report of Accelerated Death Benefits Required?	Yes	Yes	Yes
Incontestability provision	Yes	No provision	Yes
Miscellaneous	Includes policy illustration form. Defines federally tax-qualified long-term care insurance contracts; provides standards. Requirements for group coverage.	Requirements for group coverage. Summary of coverage required. Shopper's guide required.	§ 290.0672 allows an individual a credit of 25% of premiums paid for LTC against income tax. Suitability standards and shopper's guide required. Requirements for group coverage.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	MISSISSIPPI (6/23)	MISSOURI (6/23)	MONTANA (6/23)
Cite	Miss. Admin. Code 19-3:8.01 to 19-3:8.19	§§ 376.1100 to 376.1130	§§ 33-22-1101 to 33-22-1129; 33-20-127 to 33-20-128
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	No provision	Required offer, contingent benefit upon lapse.	Required offer
Policy Summary for Life Products	Yes	Yes	Yes
Report of Accelerated Death Benefits Required?	Yes	Yes	Yes
Incontestability provision	No provision	Yes	Yes
Miscellaneous	§ 27-7-22.33 allows an individual a credit of 25% of premiums paid for LTC against income tax. Shopper's guide required. Requirements for group coverage.	§ 135.096 affords individuals a 50% income-tax credit for premiums paid for LTC insurance if those premiums are not included in the individual's itemized deductions. Requirements for group coverage. Buyer's guide required.	Premiums paid for LTC insurance are a deduction from net income. §15-30-2131 Requirements for group coverage.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	NEBRASKA (6/23)	NEVADA (6/23)	NEW HAMPSHIRE (6/23)
Cite	§§ 44-4501 to 44-4521	NAC 687B.005 to 687B.140	§§ 415-D:1 to 415-D:13
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Required offer	Required offer
Policy Summary for Life Products	Yes	Yes	Yes
Report of Accelerated Death Benefits Required?	Yes	Yes	Yes
Incontestability provision	Yes	Yes	Yes
Miscellaneous	Requirements for group coverage.	Specific provisions concerning issuing long-term contract to applicants age 80 and older. Requirements for group coverage. Suitability standards and shopper's guide required.	Requirements for group coverage.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	NEW JERSEY (6/23)	NEW MEXICO (6/23)	NEW YORK (6/23)
Cite	§§ 17B:27E-1 to 17B-27E-12; N.J.A.C. 11:4-34.1 to 11:4-34.32	§§ 59A-23A-1 to 59A-23A-13; N.M. Admin. Code 13.10.15	Ins. Law § 1117 & 3209; 11 NY ADC 41.8; 52.12; 52.25; 52.29; 52.59; 52.65
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.	At least 24 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	No provision
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; but no statutory provision regarding exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Required offer	Required offer
Policy Summary for Life Products	Yes	Yes	No provision
Report of Accelerated Death Benefits Required?	Yes	Yes	Yes
Incontestability provision	Yes	Yes	No provision
Miscellaneous		Requirements for group coverage.	Contains criteria superintendent may use for policy approval. Tax Law § 606 allows a credit against income tax for LTC premiums.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	NORTH CAROLINA (6/23)	NORTH DAKOTA (6/23)	OHIO (6/23)
Cite	§§ 58-55-1 to 58-55-50; 11 NCAC 12.1002 to 12.1030	§§ 26.1-45-01 to 26.1-45-14	§§ 3923.41 to 3923.50
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.	At least one year of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	Yes
Preexisting Condition Provision	Six months; but no statutory provision regarding exclusions or waivers.	Six months; but with exception for group policy or certificate; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Yes, if insurer also offers a policy without the prior hospitalization requirement.	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Required offer	Required offer
Policy Summary for Life Products	No provision	Yes	Yes
Report of Accelerated Death Benefits Required?	No provision	Yes	Yes
Incontestability provision	Yes	Yes	Yes
Miscellaneous	Suitability standards and shopper's guide required. Requirements for group coverage.	Comparison guide required. Requirements for group coverage. § 57-38-29.3 allows an individual tax credit, up to \$250 per year, for LTC partnership plan insurance premiums.	Department of insurance required to establish outreach program to educate consumers about LTC insurance.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	OKLAHOMA (6/23)	OREGON (6/23)	PENNSYLVANIA (6/23)
Cite	36 Okl.St.Ann. §§ 4421 to 4430	§§ 743.650 to 743.665	40 P.S. §§ 991.1101 to 991.1115; 31 PA ADC §§ 89a.101 to 89a.129
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 24 consecutive months of coverage.	At least 12 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; but no statutory provision regarding exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Required offer	Required offer
Policy Summary for Life Products	Yes	Yes	No provision
Report of Accelerated Death Benefits Required?	Yes	Yes	No provision
Incontestability provision	Yes	Yes	No provision
Miscellaneous	Residential care homes and assisted living facilities are excluded. Requirements for group coverage. Suitability standards required.	§ 315.610 allows a credit against individual income tax of the lesser of 15% of premiums paid or \$500. Requirements for group coverage.	Requirements for group coverage. Shopper's guide required.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	PUERTO RICO (6/23)	RHODE ISLAND (6/23)	SOUTH CAROLINA (6/23)
Cite	26 L.P.R.A. §§ 10251 to 10261	§§ 27-34.2-1 to 27-34.2-22	§§ 38-72-10 to 38-72-100
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Required offer	Required offer
Policy Summary for Life Products	Yes	Yes	Yes
Report of Accelerated Death Benefits Required?	Yes	Yes	Yes
Incontestability provision	Yes	Yes	Yes
Miscellaneous	Requirements for group coverage.	Requirements for group coverage. Requirement to deliver shopper's guide.	Requirements for group coverage.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	SOUTH DAKOTA (6/23)	TENNESSEE (6/23)	TEXAS (6/23)
Cite	§§ 58-17B-1 to 58-17B-16; ARSD 20:06:21:01 to 20:06:21:108	§§ 56-42-101 to 56-42-111	I.C. §§ 1201.105; 1651.001 to 1651.056; 28 TAC 3.3801 to 3.3874
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes, evaluation based on aggregate days of care covered for lower levels of care when compared to days of care covered for skilled care.	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer	Required offer	Required offer
Policy Summary for Life Products	Yes	Yes	Yes
Report of Accelerated Death Benefits Required?	Yes	Yes	Yes
Incontestability provision	Yes	Yes	Yes
Miscellaneous	Unless otherwise provided in the policy or certificate, an insurer cannot consider absence from a nursing home in determining payments for expenses incurred or waiver of premium if the absence does not exceed 14 days per year. Requirements for group coverage. Suitability standards and shopper's guide required.	Requirements for group coverage.	Commissioner authorized to adopt regulations no less favorable than model. Requirements for applicants age 80 or older. Shopper's guide required.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	UTAH (6/23)	VERMONT (6/23)	VIRGIN ISLANDS (6/23)
Cite	§§ 31A-1-301; 31A-22-1401 to 31A-22-1414	8 V.S.A. §§ 8081 to 8099	No provision
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.	
Specific Provision for Life Insurance Riders?	Yes	Yes	
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	
Uniform 30-Day "Free Look"	Yes	Yes	
Requires Outline of Coverage	Yes	Yes	
Nonforfeiture	Required offer	Required offer	
Policy Summary for Life Products	Yes	Yes	
Report of Accelerated Death Benefits Required?	Yes	Yes	
Incontestability provision	Yes	Yes	
Miscellaneous		Insurer must develop and use suitability standards to determine the applicant's LTC needs. Shopper's guide required. Requirements for group coverage.	

LONG-TERM CARE INSURANCE ACT PROVISIONS

	VIRGINIA (6/23)	WASHINGTON (6/23)	WEST VIRGINIA (6/23)
Cite	§§ 38.2-5200 to 38.2-5210	§§ 48.83.005 to 48.83.901	§§ 33-15A-1 to 33-15A-11
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes	Yes
Preexisting Condition Provision	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes	Yes
Requires Outline of Coverage	Yes	Yes	Yes
Nonforfeiture	Required offer; contingent benefit upon lapse.	Required offer	Required offer
Policy Summary for Life Products	Yes	Yes	Yes
Report of Accelerated Death Benefits Required?	Yes	Yes	Yes
Incontestability provision	Yes	Yes	Yes
Miscellaneous	2001 amendments allow development of regulations requiring disclosure of rating practices. Consumer's guide required.	Suitability standards and consumer-friendly personal worksheets required. Requirements for group coverage.	Requirements for group coverage.

LONG-TERM CARE INSURANCE ACT PROVISIONS

	WISCONSIN (6/23)	WYOMING (6/23)
Cite	§§ 632.73; 632.76; 600.03; 625.16; WI ADC § Ins. 3.46	§§ 26-38-101 to 26-38-111
Definition of Long-Term Care Insurance	At least 12 consecutive months of coverage.	At least 12 consecutive months of coverage.
Specific Provision for Life Insurance Riders?	Yes	Yes
Provision that Can't Limit to Skilled Care or Give Significantly More Coverage?	Yes	Yes
Preexisting Condition Provision	12 months	Six months; may not use exclusions or waivers.
Can Condition Coverage on Prior Hospitalization?	Prohibited	Prohibited
Uniform 30-Day "Free Look"	Yes	Yes
Requires Outline of Coverage	Yes	Yes
Nonforfeiture	Required offer	Required offer
Policy Summary for Life Products	No provision	Yes
Report of Accelerated Death Benefits Required?	No provision	Yes
Incontestability provision	Yes	Yes
Miscellaneous	"Guide to long-term care," suitability standards, and "Long-Term Care Insurance Personal Worksheet" required.	Requirements for group coverage.

This chart does not constitute a formal legal opinion by the NAIC staff on the provisions of state law and should not be relied upon as such. Every effort has been made to provide correct and accurate summaries to assist the reader in targeting useful information. For further details, the statutes and regulations cited should be consulted. The NAIC attempts to provide current information; however, readers should consult state law for additional adoptions.