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BULLETIN 2008-19

TO: All Licensed Insurers Writing Long-Term Care Insurance, State LTC Partnership Program, All Resident Insurance Producers Authorized to Sell, Solicit or Negotiate Long-Term Care Insurance, All Approved Continuing Education Providers

FROM: Scott H. Richardson, CPCU 
Director of Insurance

RE: Producer Training – Policies Issued Under Qualified State Long-Term Care Insurance Partnership (“Qualified Partnership”)

DATE: November 12, 2008

The Deficit Reduction Act of 2005, Pub. L. 109-171 (“the DRA”) allows for the expansion of Qualified Partnerships. The DRA and the State Medicaid Director’s Letter (SMDL #06-019) dated July 27, 2006, issued by Centers for Medicare & Medicaid Services, require the South Carolina Department of Insurance to provide assurance that any producer who sells, solicits or negotiates “a policy under a Partnership receives training and demonstrates an understanding of Partnership policies and their relationship to public and private coverage to long-term care.”

Accordingly, an individual may not sell, solicit or negotiate long-term care insurance unless the individual is authorized as an insurance producer for accident and health or life insurance and has completed a one-time training course by or before July 1, 2009 and ongoing training every 24 months thereafter.

Insurers providing LTC insurance shall obtain verification that the producer receives such training, maintain records for at least five years (see, e.g., §38-13-120) and make that verification available to the South Carolina Department of Insurance upon request. The one time training course shall be no less than 8 hours and the ongoing training shall be no less than 4 hours. Training shall cover the following topics: long-term care insurance, long-term care services, Qualified Partnerships, and the relationship between Qualified Partnerships and other public and private coverage of long-term care, available long term care services and providers, changes or improvements in long term care services or providers, alternatives to the purchase of private long term care insurance, the effect of inflation on benefits and the importance of inflation protection and consumer suitability standards and guidelines.

The satisfaction of these training requirements in any state shall be deemed to satisfy the training requirements in South Carolina. These training requirements may be approved as continuing education courses under S. C. Code Ann. § 38-43-106 (2002) or S. C. Code Ann. Reg. 69-50.

Questions regarding the information in this bulletin should be directed to the attention of Mary Ann O’Brien at mobrien@doi.sc.gov.

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