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I N   S E N A T E

February 24, 2016

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Introduced by Sens. SEWARD, HANNON, FARLEY, FUNKE, LARKIN, MARCELLINO,  
SERINO -- read twice and ordered printed, and when printed to be  
committed to the Committee on Insurance

AN ACT to direct the department of financial services to study and  
report upon the provision of long term care insurance coverage in this  
state

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The department of financial services shall examine, evalu-  
2     ate, and make recommendations concerning the provision of long term care  
3     insurance coverage in this state, as authorized pursuant to section 1117  
4     of the insurance law. In conducting its study, such department shall  
5     seek input from a representation of interested parties, such as policy-  
6     holders, insurance carriers, and caregivers. Such study shall specif-  
7     ically include, but not be limited to the following:  
8     (a) the present state of the long term care insurance market, with  
9     respect to the growing aging population and other demographic shifts as  
10    well as market participation by insurance carriers;  
11    (b) the impact of long term care coverage to public benefits such as  
12    Medicaid, care recipients and caregivers;  
13    (c) identifiable trends in life expectancy, policy claim and utiliza-  
14    tion rates, and policy lapse rates;  
15    (d) a review of the National Association of Insurance Commissioners  
16    (NAIC) activities as well as studies and reports prepared by the Ameri-  
17    can Academy of Actuaries and/or the Society of Actuaries regarding long  
18    term care insurance premium rates increases;  
19    (e) the actuarial assumptions and methodologies used by such depart-  
20    ment to ensure benefits are reasonable to premiums charged when approv-  
21    ing and adjusting premium for this product, at this product's inception  
22    and presently;  
23    (f) the impact of premium rates on the solvency of the plans offering  
24    this product;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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LBD13687-03-6

1 (g) the impact of premium increases, and options offered to policy-  
2 holders, on the affordability of long term care insurance and the abili-  
3 ty of policyholders to maintain meaningful benefits; and

4 (h) solutions to making this public benefit more affordable and  
5 attractive to consumers.

6 S 2. Within twelve months of the effective date of this act, the  
7 superintendent of financial services shall submit a report to the gover-  
8 nor, the temporary president of the senate, and the speaker of the  
9 assembly, of the department's findings, conclusions, and recommenda-  
10 tions.

11 S 3. This act shall take effect immediately.