*** § 217-a. Long term care insurance education and outreach program.** 1. For the purposes of this section, the term "long term care insurance resource center" shall mean a project within an area agency on aging funded pursuant to this section that provides direct assistance to the general public in choosing and obtaining long term care insurance.

2. The commissioner of health, in consultation with the director of the office for the aging and the superintendent of financial services, is hereby authorized and directed, within amounts allocated therefor pursuant to paragraph (qq) of subdivision one of section twenty-eight hundred seven-v of the public health law, to establish a long term care insurance education and outreach program within the department of health for the purpose of informing and educating the general public about long term care insurance, including those policies that are available through the partnership for long term care program.

3. The commissioner of health, the superintendent of financial services and the director of the office for the aging shall appoint a state program coordinator to implement, administer and supervise the long term care insurance education and outreach program, and coordinate the development of the educational and informational materials. The state program coordinator shall be an employee of the office for the aging who shall be selected from among individuals with expertise and experience in the fields of long term care insurance, and with other qualifications determined by the commissioner of health, the superintendent of financial services and the director of the office for the aging to be appropriate for the position. The state program coordinator shall, within amounts available, personally or through authorized representatives, be responsible for training staff persons of the program, including staff persons of the long term care insurance resource centers, and shall provide for the collection and dissemination of timely and accurate long term care insurance information to said staff persons.

4. The long term care insurance education and outreach program shall, within amounts available, consist of the following elements which shall be provided by the office for the aging:

(a) educational and informational materials in print, audio, visual, electronic or other media;

(b) public service announcements, advertisements, media campaigns, workshops, mass mailings, conferences or presentations;

(c) establishment of a toll-free telephone hotline and electronic services to provide information; and

(d) establishment of long term care insurance resource centers within each area agency on aging.

5. Long term care insurance resource centers shall, within amounts available, provide the general public with the following items or services:

(a) educational and informational materials in print, audio, visual, electronic or other media;

(b) public service announcements, advertisements, media campaigns, workshops, mass mailings, conferences or presentations; and

(c) counseling, information, referral services, and direct assistance in choosing and obtaining long term care insurance. Direct assistance shall, within amounts available, include but not be limited to assistance with the following:

(i) planning for the financing of long term care;

(ii) understanding policy options, benefits and appeal rights;

(iii) obtaining the coverage needed and the appropriate benefits; and

(iv) avoiding or reporting illegal billing, fraudulent practices or scams.

Each long term care insurance resource center shall be responsible, within amounts available, for providing a sufficient number of staff positions (including volunteers) necessary to provide and carry out the services of the long term care insurance education and outreach program, provided that at least one position shall be filled by an individual who is employed full time and paid by the area agency on aging. The long term care insurance resource center shall be responsible for ensuring that its staff persons have no conflict of interest in providing the services described in subdivision four of this section.

6. Annually, in order to receive funding, each area agency on aging

shall submit a service plan and proposed budget for the operation of a long term care insurance resource center to the state program coordinator for approval. An area agency on aging shall be eligible to receive funds in an amount of up to fifty thousand dollars, except that an area agency on aging located within a city of one million or more shall be eligible to receive funds in an amount of up to one hundred thousand dollars.

7. The department of health shall produce, post on its website, make available to others for reproduction, or contract with others to develop such materials required by this section. The material produced pursuant to this section shall be culturally and linguistically appropriate for the communities served by the long term care insurance resource centers. These materials shall be made available to the public free of charge.

8. In exercising any of their powers under this section, the commissioner of health and/or the director of the office for the aging may consult with appropriate agencies, organizations, and consumers and providers of long term care insurance or organizations representing them.

9. In addition to state funds allocated for programs under this section, the commissioner of health and/or the director of the office for the aging may accept funding from public sources for these programs, and may undertake joint or cooperative programs with other public entities or a private not-for-profit corporation which is neither a provider or regulator of long term care insurance, or an affiliate or unit of such agency or corporation.

10. The commissioner of health, the director of the office for the aging and the superintendent of financial services shall issue an annual report to the governor, the speaker of the assembly, and the temporary president of the senate. Such report shall contain, at a minimum, the following information: the number of individuals who have received counseling and assistance by the long term care insurance education and outreach program, their ages and their occupations; whether these individuals have purchased a long term care insurance policy, and if so,

the policy that was purchased; a description of all of the services, including counseling, education and outreach services, being provided by the long term care education and outreach program, broken down by county; the activities used to promote the partnership for long term care program; and a description of the long term care education and outreach program's funding sources and whether they are adequate. The report shall also contain recommendations for targeting specific age groups to buy long term care insurance, creating new methods of promoting the purchase of long term care insurance, and improving long term care insurance products.

11. An area agency on aging may use up to five percent of the total of any funds provided to an area agency on aging pursuant to this section for administration.

* NB Added Ch. 58/2004 Part B §23, language juxtaposed per Ch. 642/2004 §12

* NB Section number supplied by the Legislative Bill Drafting Commission