

State of Idaho

DEPARTMENT OF INSURANCE

JAMES E. RISCH
Governor

700 West State Street, 3rd Floor
P.O. Box 83720
Boise, Idaho 83720-0043
Phone: (208)334-4250
Fax: (208)334-4398

SHAD PRIEST
Acting Director

BULLETIN NO. 06-5

DATE: November 6, 2006

**TO: ALL INSURERS WRITING LONG-TERM CARE INSURANCE
BUSINESS IN IDAHO;**

**ALL INSURANCE PRODUCERS SELLING, SOLICITING OR
NEGOTIATING LONG-TERM CARE INSURANCE IN IDAHO;
and**

**ALL APPROVED CONTINUING EDUCATION PROVIDERS
OFFERING LONG TERM CARE INSURANCE TRAINING**

**FROM: SHAD PRIEST
ACTING DIRECTOR**

**SUBJECT: PRODUCER TRAINING FOR SALE OF POLICIES QUALIFYING
FOR THE IDAHO LONG-TERM CARE INSURANCE
PARTNERSHIP PROGRAM**

The Deficit Reduction Act of 2005, Public Law 109-171, (the "DRA") allows for the expansion of Qualified Long Term Care Insurance Partnership Programs by states. Idaho's Long Term Care Insurance Partnership Program was approved to become effective in November 2006. Under this Program, persons purchasing a qualified Long-Term Care Insurance Partnership Policy may be subject to special rules relating to eligibility for Medicaid in Idaho.

The DRA and the State Medicaid Director's Letter (SMDL #06-019) dated July 27, 2006, issued by Centers for Medicare and Medicaid Services, require the Idaho Department of Insurance to provide assurance that any producer who sells, solicits or negotiates a policy under Idaho's Long-Term Care Insurance Partnership Program receives appropriate training and demonstrates an understanding of Partnership Policies and their relationship to public and private coverage for long-term care. In accordance with this requirement, effective November 1, 2006, Idaho Department of Insurance Rule 60 (IDAPA 18.01.60) prohibits an individual from selling, soliciting or negotiating long-term care insurance in Idaho unless the individual is authorized as an insurance producer for accident and health or sickness and has completed a one-time training course by November 1, 2007. Producers are also required to complete ongoing long-term care insurance training every 24 months thereafter.

Prior to November 1, 2007, an insurance producer for accident and health or sickness selling Partnership Policies will be considered to have satisfied these requirements by virtue of holding appropriate licensing for the sale of long-term care insurance in Idaho. This means that producers have until November 1, 2007 to complete the required training and may continue selling long-term care insurance, including qualifying Partnership Policies, until that date. After November 1, 2007, it will be a violation of Idaho law for a producer to sell, solicit or negotiate a long-term care insurance policy without having completed the initial training requirements of Rule 18.01.60.

Insurers offering long-term care insurance products in Idaho are required to obtain verification that the producers representing the insurer have received the required training, and must maintain records of verification. Records of verification must be made available to the Idaho Department of Insurance upon request.

The initial one time training course must be no less than eight hours and ongoing training shall be no less than four hours every 24 months. The training shall cover the following topics: long-term care insurance, qualified partnership program insurance policies, and the relationship between partnership policies and other public and private coverage of long-term care.

The satisfaction of these training requirements in any state will be deemed to satisfy the training requirements in Idaho. These training requirements may be approved as continuing education courses under Department of Insurance Rule 18.01.53 "Continuing Education."