

INSURANCE
DEPARTMENT OF BANKING AND INSURANCE
OFFICE OF LIFE AND HEALTH

Long-Term Care Insurance
Training Requirements; Partnership Policies - General Requirements

Adopted New Rules: N.J.A.C. 11:4-34.29 and 34.30, and 11:4-34 Appendices J and K

Adopted Amendment: N.J.A.C. 11:4-34.2

Proposed: November 3, 2008 at 40 N.J.R. 6377(a)

Adopted: January 22, 2009 by Steven M. Goldman, Commissioner, Department of Banking and Insurance

Filed: January 22, 2009 as R. 2009 d.65, with technical changes not requiring additional public notice and comment (See N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 17:1-8.1, 17:1-15e, 17B:27E-1 et seq, and 17:22A-26 et seq., and the Deficit Reduction Act of 2005, P.L. 109-171

Effective Date: February 17, 2009

Expiration Date: March 14, 2011

Summary of Public Comment and Agency Response.

No comments were received.

Federal Standards Statement

The adopted new rules and amendment implement the New Jersey Partnership Program approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services pursuant to the Federal Deficit Reduction Act of 2005, P.L. 109-171 (the DRA). While the DRA requires that the items set forth in the adopted new rules and amendment be addressed, the adopted new rules and amendment are not inconsistent with, nor do they impose greater requirements than, those required under applicable Federal law.

Full text of the adoption follows (additions to proposal indicated in boldface with asterisks ***thus***; deletions from proposal indicated in brackets with asterisks *[thus]*):

11:4-34.29 Training requirements

(a) No individual producer licensed on or after *[the effective date of this proposed new rule)]* ***February 17, 2009*** may sell, solicit or negotiate long-term care insurance unless the individual is licensed as an insurance producer for accident and health or sickness or life insurance pursuant to N.J.S.A. 17:22A-26 et seq. and has completed a one-time initial training course as set forth in (b) and (c) below. The training shall meet the requirements set forth in (b) below.

1. An individual already licensed and selling, soliciting or negotiating long-term care insurance on *[the effective date of this proposed new rule)]* ***February 17, 2009*** may not continue to sell, solicit, or negotiate long-term care insurance after July 1, 2009 unless the individual completes a one-time initial training course as set forth in (b) and (c) below no later than July 1, 2009.

2. – 3. (No change from proposal.)

(b) – (g) (No change from proposal.)