

11 NCAC 12 .1029 SCOPE AND APPLICATION

(a) Except as otherwise specifically provided, this Section applies to all long-term care insurance policies and life insurance policies that accelerate benefits for long-term care delivered or issued for delivery in this state on or after the effective date by insurers; fraternal benefit societies; nonprofit health, hospital and medical service corporations, prepaid health plans; health maintenance organizations and all similar organizations.

(b) This Section applies to policies having indemnity benefits that are triggered by activities of daily living and sold as disability income insurance if:

- (1) The benefits of the disability income policy are dependent upon or vary in amount based on the receipt of long-term care services; or
- (2) The disability income policy is advertised, marketed or offered as insurance for long-term care services; or
- (3) Benefits under the policy may commence after the policyholder has reached Social Security's normal retirement age unless benefits are designed to replace lost income or pay for specific expenses other than long-term care services.

*History Note: Authority G.S. 58-2-40; 58-2-210;
Eff. August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*