

**§5072. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1999, c. 292, §2 (NEW).]

**1. Applicant.** "Applicant" means:

A. In the case of an individual long-term care insurance policy, the person who seeks to contract for benefits; or [PL 1999, c. 292, §2 (NEW).]

B. In the case of a group long-term care insurance policy, the proposed certificate holder. [PL 1999, c. 292, §2 (NEW).]  
[PL 1999, c. 292, §2 (NEW).]

**2. Certificate.** "Certificate" means any certificate issued under a group long-term care insurance policy.  
[PL 1999, c. 292, §2 (NEW).]

**3. Group long-term care insurance policy.** "Group long-term care insurance policy" means a long-term care insurance policy that is delivered or issued for delivery in this State to an employer group, private purchasing alliance, labor union group, association group, trustee group, credit union group or other group as described in chapter 35.  
[PL 1999, c. 292, §2 (NEW).]

**4. Long-term care insurance policy.** "Long-term care insurance policy" means any individual or group insurance policy or rider offered by a life or health insurer, fraternal benefit society, nonprofit hospital and medical service organization, nonprofit health care service organization, prepaid health plan organization, health maintenance organization or other similar organization authorized to issue life or health insurance that is advertised, marketed, offered or designed to provide coverage for not less than 12 consecutive months for each covered person on an expense-incurred basis, indemnity basis, prepaid or other basis for one or more necessary or medically necessary diagnostic, preventive, therapeutic, rehabilitative, maintenance or personal care services provided in a setting other than an acute care unit of a hospital. "Long-term care insurance policy" includes individual and group annuities and life insurance policies or riders that directly provide or that supplement coverage for long-term care insurance and a policy or rider that provides for payment of benefits based upon cognitive impairment or the loss of functional capacity. "Long-term care insurance policy" does not include:

A. An insurance policy or contract described as Medicare supplement insurance under chapter 67;  
[PL 1999, c. 292, §2 (NEW).]

B. An insurance policy or contract offered primarily to provide basic hospital expense coverage, basic medical surgical expense coverage, hospital confinement indemnity coverage, major medical expense coverage, disability income or related asset-protection coverage, accident only coverage, specified disease or specified accident coverage or limited benefit health coverage; and [PL 1999, c. 292, §2 (NEW).]

C. With regard to life insurance, an insurance policy or contract that accelerates the death benefit specifically for one or more of the qualifying events of terminal illness, medical conditions requiring extraordinary medical intervention or permanent institutional confinement and that provides the option of a lump sum payment for those benefits and does not condition the benefits or the eligibility for those benefits upon the receipt of long-term care. [PL 1999, c. 292, §2 (NEW).]

[PL 1999, c. 292, §2 (NEW).]

**SECTION HISTORY**

PL 1999, c. 292, §2 (NEW).

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