

West's Annotated Code of Maryland

Health--General

Title 15. Assistance Programs

Subtitle 4. Qualified State Long-Term Care Insurance Partnership

MD Code, Health - General, T. 15, Subt. 4, Refs & Annos

[Currentness](#)

MD Code, Health - General, T. 15, Subt. 4, Refs & Annos, MD HEALTH GEN T. 15, Subt. 4, Refs & Annos

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Health--General

Title 15. Assistance Programs (Refs & Annos)

Subtitle 4. Qualified State Long-Term Care Insurance Partnership (Refs & Annos)

MD Code, Health - General, § 15-401

§ 15-401. Definitions

Effective: October 1, 2011

[Currentness](#)

In general

(a) In this subtitle the following words have the meanings indicated.

Commissioner

(b) “Commissioner” means the Insurance Commissioner.

Program

(c) “Program” means the Qualified State Long-Term Care Insurance Partnership.

Credits

Added by [Acts 1993, c. 513, § 1, eff. Oct. 1, 1993](#). Amended by [Acts 2006, c. 492, § 1, eff. July 1, 2006](#); [Acts 2007, c. 28, § 1, eff. June 1, 2007](#); [Acts 2007, c. 29, § 1, eff. June 1, 2007](#); [Acts 2011, c. 8, § 1, eff. Oct. 1, 2011](#); [Acts 2011, c. 9, § 1, eff. Oct. 1, 2011](#).

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Health--General

Title 15. Assistance Programs (Refs & Annos)

Subtitle 4. Qualified State Long-Term Care Insurance Partnership (Refs & Annos)

MD Code, Health - General, § 15-402

§ 15-402. Qualified State Long-Term Care Insurance Partnership

Effective: June 1, 2007

[Currentness](#)

In general

- (a) There is a Qualified State Long-Term Care Insurance Partnership.

Purpose

- (b) The purposes of the Program are to:

- (1) Provide incentives for individuals to insure against the costs of providing for their long-term care needs;
- (2) Provide mechanisms for individuals to qualify for coverage of the costs of their long-term care needs under the medical assistance program without first being required to substantially exhaust all their resources;
- (3) Assist in developing methods for increasing access to and the affordability of a long-term care policy; and
- (4) Alleviate the financial burden on the State's medical assistance program by encouraging pursuit of private initiatives.

Program requirements

- (c) The Program shall:

- (1) Be administered by:

(i) The Department; and

(ii) The Commissioner;

- (2) Provide for the financing of long-term care services by:

(i) Private insurance; and

(ii) State medical assistance; and

(3) Comply with the requirements of § 1917(b) of the Social Security Act and any applicable federal guidelines.

Credits

Added by [Acts 1993, c. 513, § 1, eff. Oct. 1, 1993](#). Amended by [Acts 2006, c. 492, § 1, eff. July 1, 2006](#); [Acts 2007, c. 28, § 1, eff. June 1, 2007](#); [Acts 2007, c. 29, § 1, eff. June 1, 2007](#).

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Title 15. Assistance Programs (Refs & Annos)

Subtitle 4. Qualified State Long-Term Care Insurance Partnership (Refs & Annos)

MD Code, Health - General, § 15-403

§ 15-403. Long-Term Care Program eligibility

Effective: June 1, 2007

[Currentness](#)

In general

(a) To be eligible for the Program, an individual must:

(1) Be covered by a long-term care policy that is approved for the Program by the Commissioner under [§ 15-404](#) of this subtitle; and

(2) Satisfy any other requirement for eligibility established by the Department.

Denial of eligibility

(b) Program eligibility may not be denied under this section for policy benefits that are not available or appropriate for treating the insured's condition.

Credits

Added by [Acts 1993, c. 513, § 1, eff. Oct. 1, 1993](#). Amended by [Acts 2006, c. 492, § 1, eff. July 1, 2006](#); [Acts 2007, c. 28, § 1, eff. June 1, 2007](#); [Acts 2007, c. 29, § 1, eff. June 1, 2007](#).

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MD Code, Health - General, § 15-404

§ 15-404. Long-term care policy requirements

Effective: June 1, 2007

[Currentness](#)

To qualify under the Program, a long-term care policy shall:

- (1) Satisfy the requirements of § 1917(b) of the Social Security Act and any applicable federal guidelines;
- (2) Satisfy the requirements of Title 18 of the Insurance Article; and
- (3) Alert the purchaser to the availability of consumer information and public education provided by the Commissioner under [§ 15-406](#) of this subtitle in accordance with any applicable federal guidelines.

Credits

Added by [Acts 1993, c. 513, § 1, eff. Oct. 1, 1993](#). Amended by [Acts 2006, c. 492, § 1, eff. July 1, 2006](#); [Acts 2007, c. 28, § 1, eff. June 1, 2007](#); [Acts 2007, c. 29, § 1, eff. June 1, 2007](#).

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MD Code, Health - General, § 15-405

§ 15-405. Eligibility for medical assistance, calculation of resources

Effective: June 1, 2007

[Currentness](#)

In determining eligibility for medical assistance, an amount of resources equal to the amount of benefits paid under the long-term care policy shall be excluded from the Department's calculation of the individual's resources.

Credits

Added by [Acts 1993, c. 513, § 1, eff. Oct. 1, 1993](#). Amended by [Acts 2006, c. 492, § 1, eff. July 1, 2006](#); [Acts 2007, c. 28, § 1, eff. June 1, 2007](#); [Acts 2007, c. 29, § 1, eff. June 1, 2007](#).

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Title 15. Assistance Programs (Refs & Annos)

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MD Code, Health - General, § 15-406

§ 15-406. Education of public as to long-term care

Effective: June 1, 2007

[Currentness](#)

The Commissioner, through the Consumer Education and Advocacy Program, shall undertake measures to educate the public as to:

- (1) The need for long-term care;
- (2) Mechanisms for financing long-term care;
- (3) The availability of long-term care insurance; and
- (4) The asset protection provided under this subtitle.

Credits

Added by [Acts 1993, c. 513, § 1, eff. Oct. 1, 1993](#). Amended by [Acts 2006, c. 492, § 1, eff. July 1, 2006](#); [Acts 2007, c. 28, § 1, eff. June 1, 2007](#); [Acts 2007, c. 29, § 1, eff. June 1, 2007](#).

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MD Code, Health - General, § 15-407

§ 15-407. Reporting requirements

Effective: October 1, 2011

[Currentness](#)

The Department and the Commissioner shall jointly:

- (1) Adopt regulations necessary to carry out the provisions of this subtitle consistent with § 1917(b) of the Social Security Act and any applicable federal guidelines;
- (2) On or before January 1, 2008, report to the General Assembly, in accordance with [§ 2-1246 of the State Government Article](#), on the implementation of the Program, including:
 - (i) The number of long-term care policies approved by the Department for inclusion in the Program;
 - (ii) The measures undertaken to educate the public as required under [§ 15-406](#) of this subtitle; and
 - (iii) Any other information related to the implementation of the Program that the Department determines necessary; and
- (3) Beginning January 1, 2009, and on or before January 1 of each year thereafter, report to the General Assembly, in accordance with [§ 2-1246 of the State Government Article](#) on:
 - (i) The effectiveness of the Program;
 - (ii) The impact of the Program on State expenditures for medical assistance;
 - (iii) The number of enrollees in the Program; and
 - (iv) The number of long-term care policies offered in the State under the Program.

Credits

Added by Acts 1993, c. 513, § 1, eff. Oct. 1, 1993. Amended by Acts 1997, c. 635, § 9, eff. July 1, 1997; Acts 1997, c. 636, § 9, eff. July 1, 1997; Acts 2006, c. 492, § 1, eff. July 1, 2006; Acts 2007, c. 28, § 1, eff. June 1, 2007; Acts 2007, c. 29, § 1, eff. June 1, 2007; Acts 2011, c. 8, § 1, eff. Oct. 1, 2011; Acts 2011, c. 9, § 1, eff. Oct. 1, 2011.

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