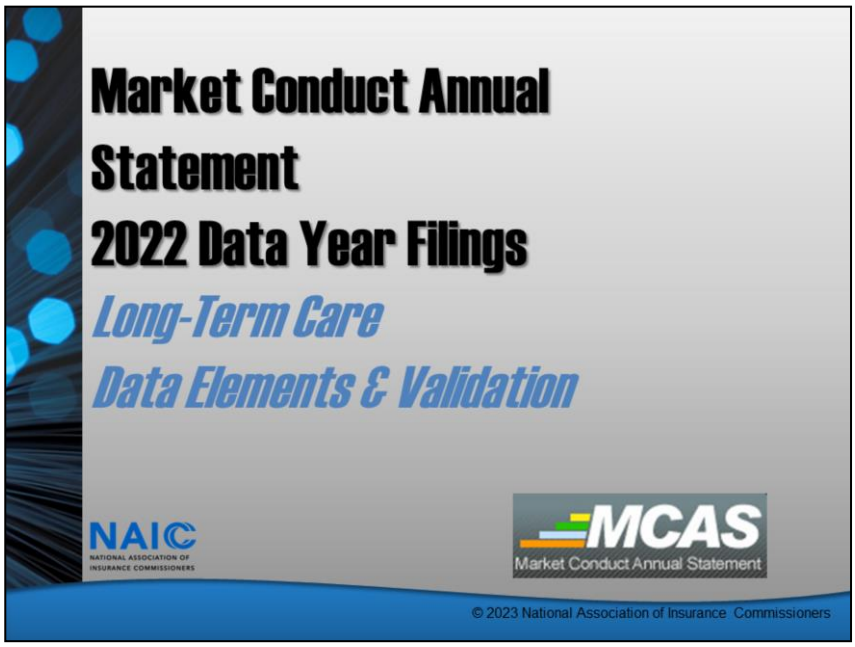
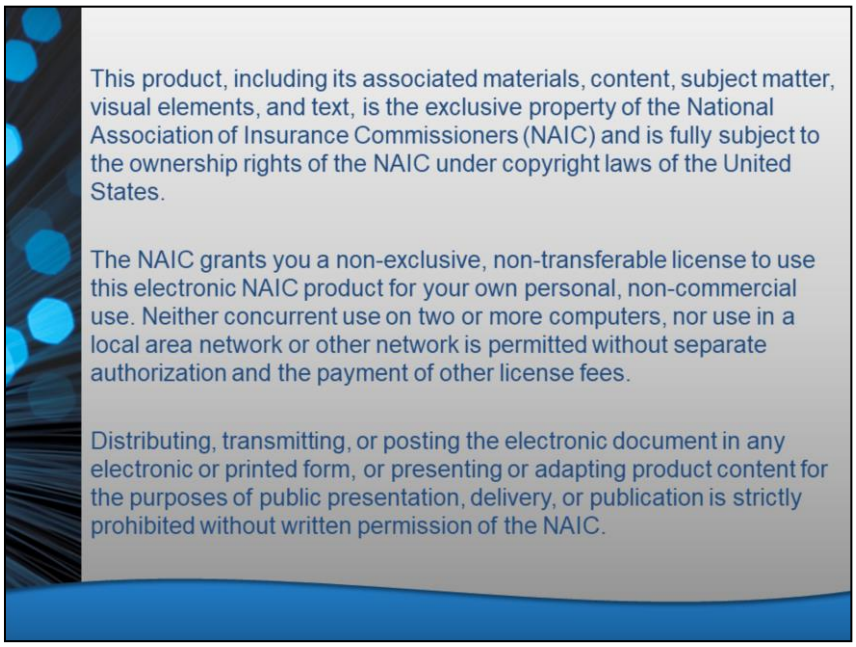
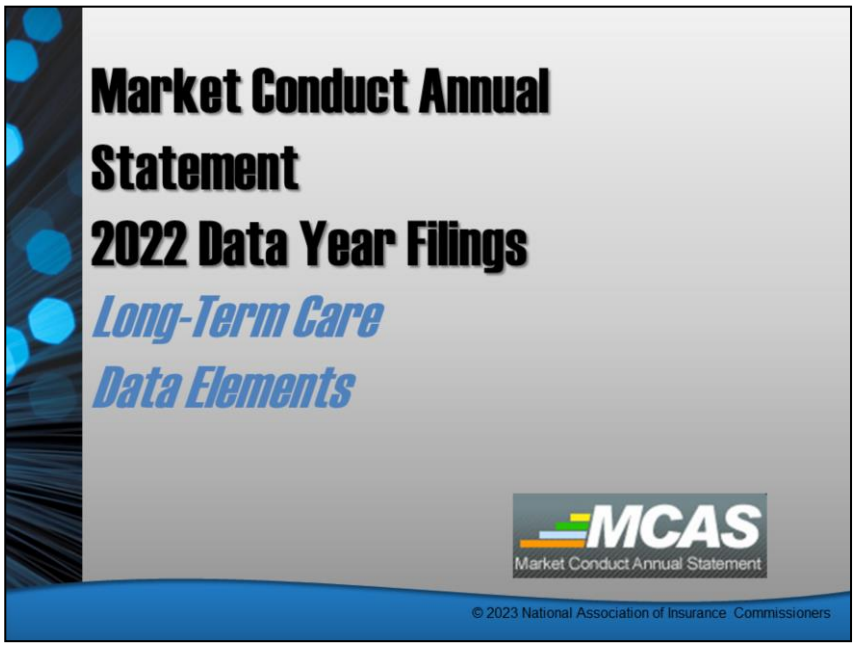


© 2023 National Association of Insurance Commissioners All Rights Reserved

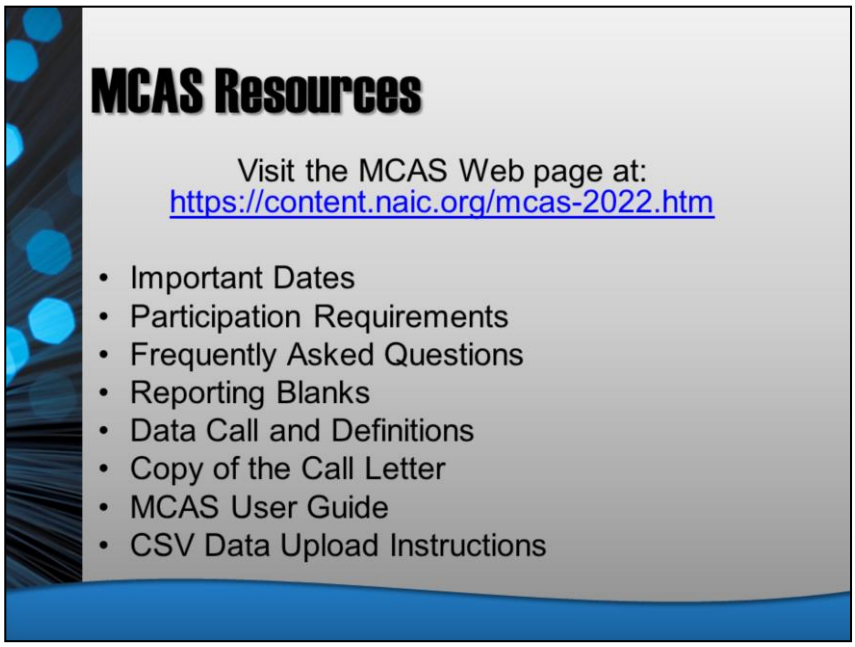


© 2023 National Association of Insurance Commissioners All Rights Reserved



In this handout you will be reviewing the data elements that must be provided for the Long-Term Care MCAS.

© 2023 National Association of Insurance Commissioners All Rights Reserved



Many MCAS related resources are available to you on the MCAS web page. I encourage you to visit the page frequently to find the latest reporting information.

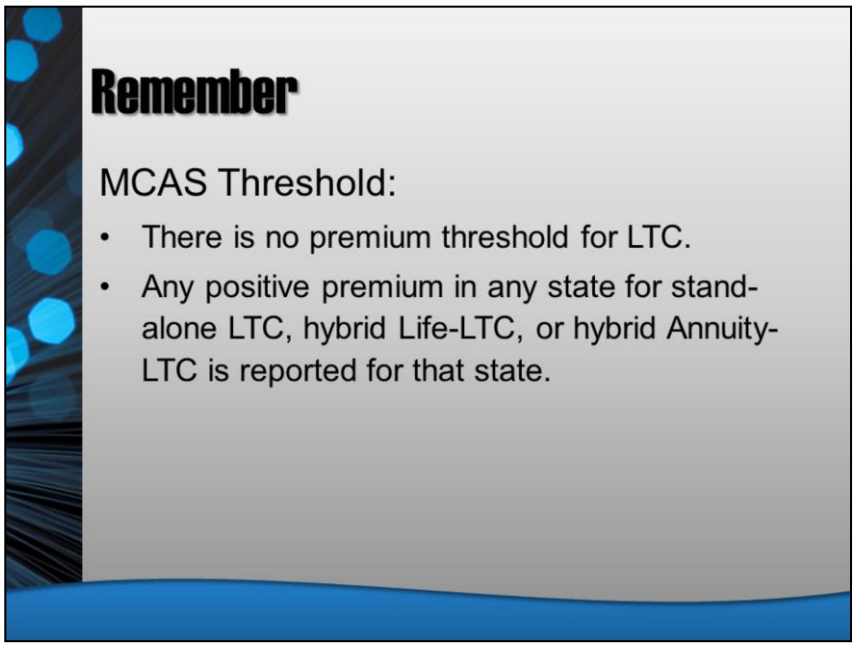
The available resources include:

- A Listing of Important Dates
- Participation Requirements
- Frequently Asked Questions
- Reporting Blanks
- Data Call and Definitions
- Copy of the Call Letter
- MCAS User Guide
- And CSV Data Upload Instructions

© 2023 National Association of Insurance Commissioners All Rights Reserved

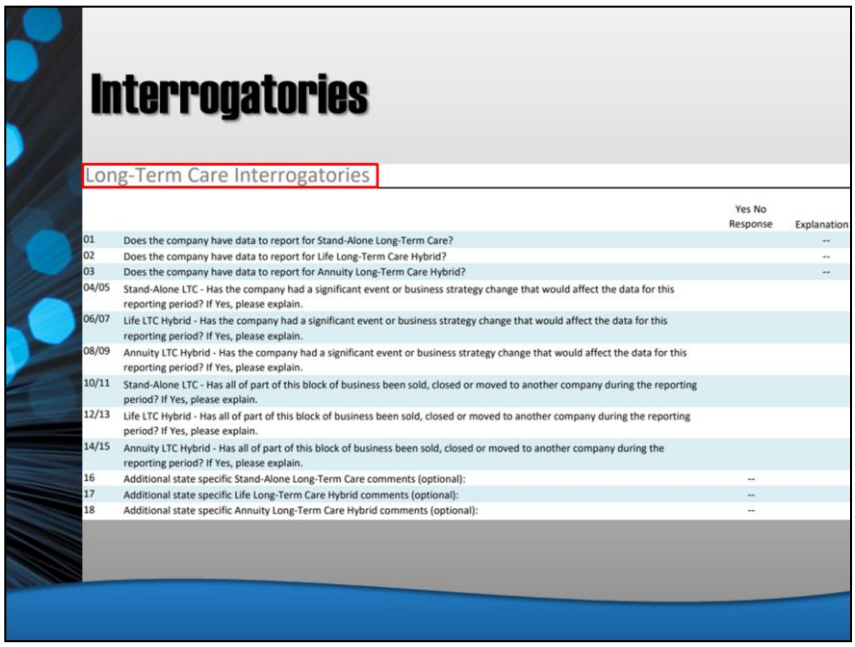
Before we begin, please be sure to remember that the current year MCAS filing deadline is April 30th.

© 2023 National Association of Insurance Commissioners All Rights Reserved



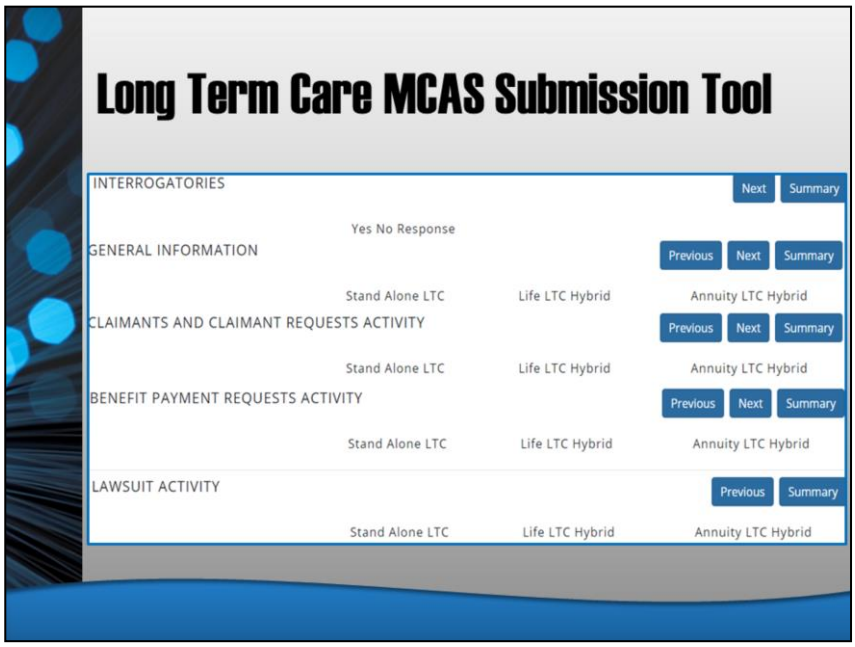
There is no premium threshold for this line of business. Companies with any in-force Long Term Care policies are required to report in all participating jurisdictions (for those jurisdictions in which they have in-force policies).

© 2023 National Association of Insurance Commissioners All Rights Reserved



The first section of questions that you will see in the data entry screen is the interrogatories. The interrogatories provide one location for all comments and questions that require a text response.

© 2023 National Association of Insurance Commissioners All Rights Reserved



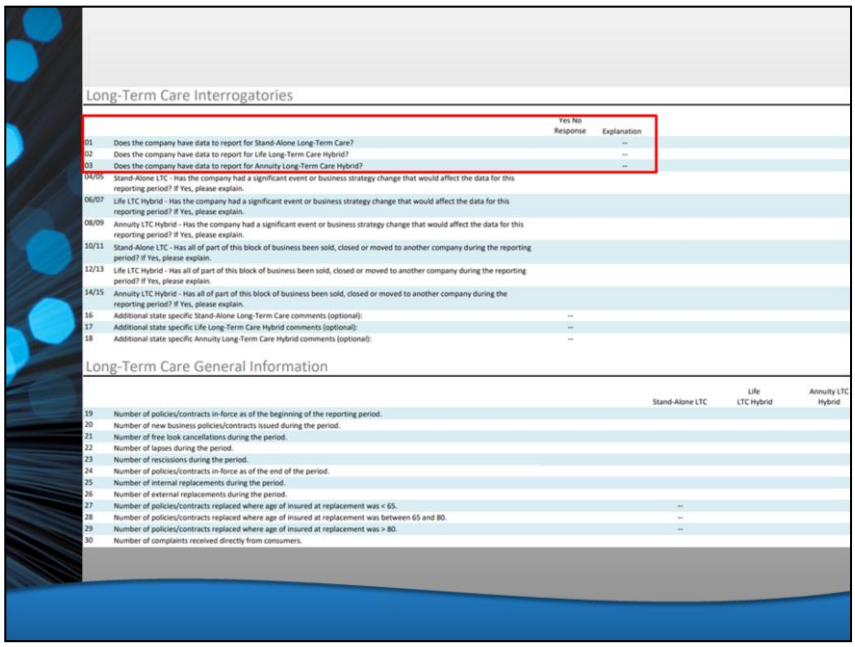
You will notice on your data entry screen within the MCAS submission tool that there is one page for Interrogatory questions and four separate pages of data questions for the policy types.

There are a total of 7 sections or schedules for the Long-Term Care MCAS, with the Interrogatories being the first, however, within the MCAS submission tool the data questions are separated into five total pages for a better user experience within the tool itself.

The five pages of data entry are Interrogatories, General Information, Claimants and Claimant Requests Activity, Benefit Payment Requests Activity and Lawsuit Activity.

We will discuss the details of each section throughout this handout, but the way each page of information begins for the Long-Term Care MCAS appear here.

© 2023 National Association of Insurance Commissioners All Rights Reserved



Long-Term Care Interrogatories

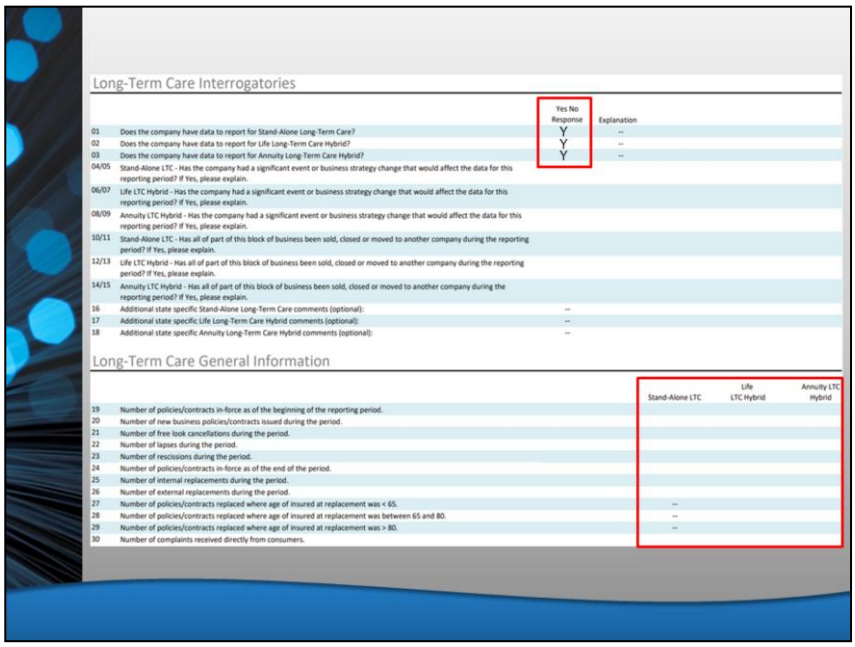
		Yes No Response	Explanation
01	Does the company have data to report for Stand-Alone Long-Term Care?		--
02	Does the company have data to report for Life Long-Term Care Hybrid?		--
03	Does the company have data to report for Annuity Long-Term Care Hybrid?		--
04/05	Stand-Alone LTC - Has the company had a significant event or business strategy change that would affect the data for this reporting period? If Yes, please explain.		
06/07	Life LTC Hybrid - Has the company had a significant event or business strategy change that would affect the data for this reporting period? If Yes, please explain.		
08/09	Annuity LTC Hybrid - Has the company had a significant event or business strategy change that would affect the data for this reporting period? If Yes, please explain.		
10/11	Stand-Alone LTC - Has all of part of this block of business been sold, closed or moved to another company during the reporting period? If Yes, please explain.		
12/13	Life LTC Hybrid - Has all of part of this block of business been sold, closed or moved to another company during the reporting period? If Yes, please explain.		
14/15	Annuity LTC Hybrid - Has all of part of this block of business been sold, closed or moved to another company during the reporting period? If Yes, please explain.		
16	Additional state specific Stand-Alone Long-Term Care comments (optional):	--	
17	Additional state specific Life Long-Term Care Hybrid comments (optional):	--	
18	Additional state specific Annuity Long-Term Care Hybrid comments (optional):	--	

Long-Term Care General Information

		Stand-Alone LTC	Life LTC Hybrid	Annuity LTC Hybrid
19	Number of policies/contracts in-force as of the beginning of the reporting period.			
20	Number of new business policies/contracts issued during the period.			
21	Number of free look cancellations during the period.			
22	Number of lapses during the period.			
23	Number of rescissions during the period.			
24	Number of policies/contracts in-force as of the end of the period.			
25	Number of internal replacements during the period.			
26	Number of external replacements during the period.			
27	Number of policies/contracts replaced where age of insured at replacement was < 65.	--		
28	Number of policies/contracts replaced where age of insured at replacement was between 65 and 80.	--		
29	Number of policies/contracts replaced where age of insured at replacement was > 80.	--		
30	Number of complaints received directly from consumers.			

The first interrogatories ask insurers to indicate if they will be reporting data for each of the policy types for the line of business selected.

© 2023 National Association of Insurance Commissioners All Rights Reserved



Long-Term Care Interrogatories

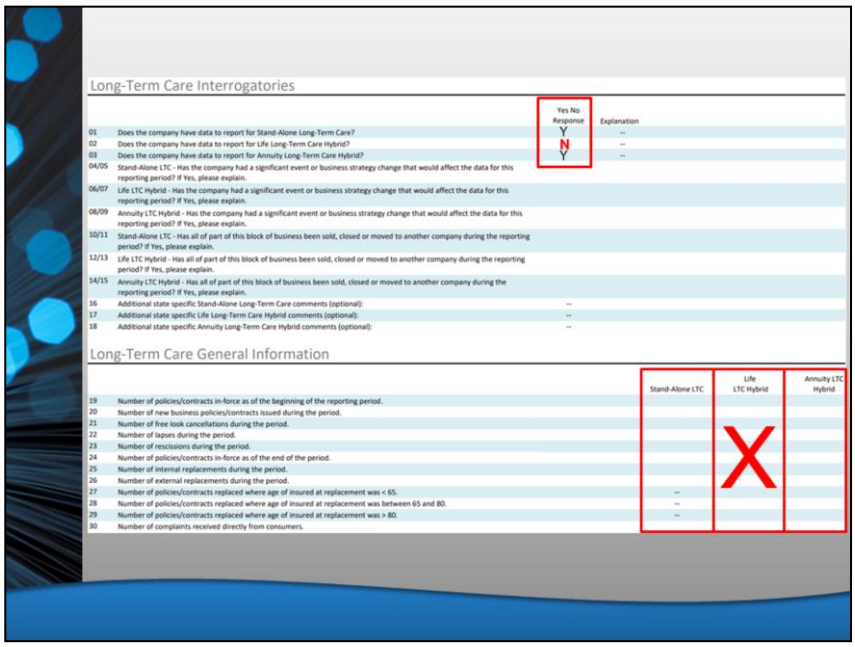
		Yes No Response	Explanation
01	Does the company have data to report for Stand-Alone Long-Term Care?	Y	--
02	Does the company have data to report for Life Long-Term Care Hybrid?	Y	--
03	Does the company have data to report for Annuity Long-Term Care Hybrid?	Y	--
04/05	Stand-Alone LTC - Has the company had a significant event or business strategy change that would affect the data for this reporting period? If Yes, please explain.		
06/07	Life LTC Hybrid - Has the company had a significant event or business strategy change that would affect the data for this reporting period? If Yes, please explain.		
08/09	Annuity LTC Hybrid - Has the company had a significant event or business strategy change that would affect the data for this reporting period? If Yes, please explain.		
10/11	Stand-Alone LTC - Has all of part of this block of business been sold, closed or moved to another company during the reporting period? If Yes, please explain.		
12/13	Life LTC Hybrid - Has all of part of this block of business been sold, closed or moved to another company during the reporting period? If Yes, please explain.		
14/15	Annuity LTC Hybrid - Has all of part of this block of business been sold, closed or moved to another company during the reporting period? If Yes, please explain.		
16	Additional state specific Stand-Alone Long-Term Care comments (optional):	--	
17	Additional state specific Life Long-Term Care Hybrid comments (optional):	--	
18	Additional state specific Annuity Long-Term Care Hybrid comments (optional):	--	

Long-Term Care General Information

		Stand-Alone LTC	Life LTC Hybrid	Annuity LTC Hybrid
19	Number of policies/contracts in-force as of the beginning of the reporting period.			
20	Number of new business policies/contracts issued during the period.			
21	Number of free look cancellations during the period.			
22	Number of lapses during the period.			
23	Number of rescissions during the period.			
24	Number of policies/contracts in-force as of the end of the period.			
25	Number of internal replacements during the period.			
26	Number of external replacements during the period.			
27	Number of policies/contracts replaced where age of insured at replacement was < 65.	--		
28	Number of policies/contracts replaced where age of insured at replacement was between 65 and 80.	--		
29	Number of policies/contracts replaced where age of insured at replacement was > 80.	--		
30	Number of complaints received directly from consumers.			

If you answer “YES” you must provide data to each of the data questions in the schedule;

© 2023 National Association of Insurance Commissioners All Rights Reserved



Long-Term Care Interrogatories

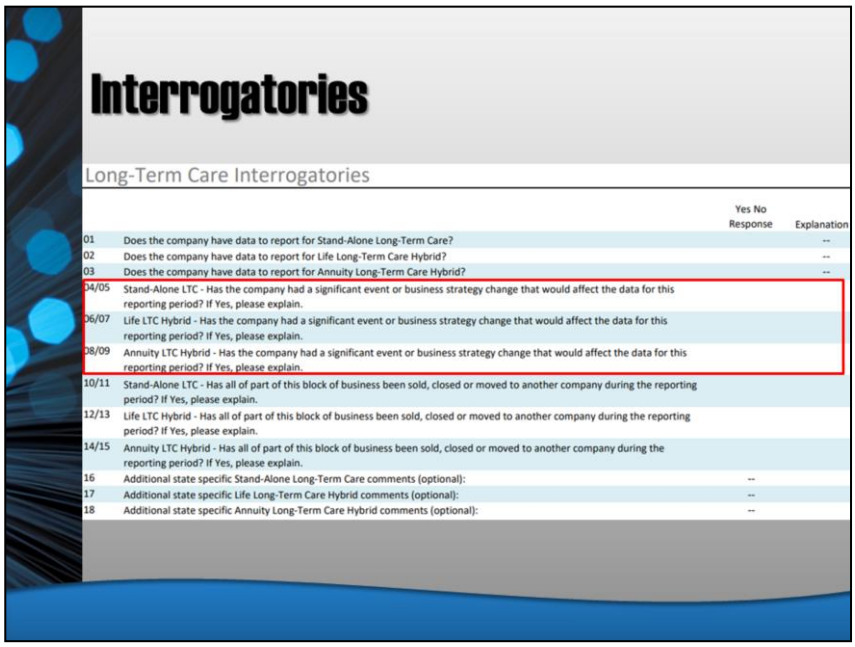
		Yes No Response	Explanation
01	Does the company have data to report for Stand-Alone Long-Term Care?	Y	--
02	Does the company have data to report for Life Long-Term Care Hybrid?	N	--
03	Does the company have data to report for Annuity Long-Term Care Hybrid?	Y	--
04/05	Stand-Alone LTC - Has the company had a significant event or business strategy change that would affect the data for this reporting period? If Yes, please explain.		
06/07	Life LTC Hybrid - Has the company had a significant event or business strategy change that would affect the data for this reporting period? If Yes, please explain.		
08/09	Annuity LTC Hybrid - Has the company had a significant event or business strategy change that would affect the data for this reporting period? If Yes, please explain.		
10/11	Stand-Alone LTC - Has all of part of this block of business been sold, closed or moved to another company during the reporting period? If Yes, please explain.		
12/13	Life LTC Hybrid - Has all of part of this block of business been sold, closed or moved to another company during the reporting period? If Yes, please explain.		
14/15	Annuity LTC Hybrid - Has all of part of this block of business been sold, closed or moved to another company during the reporting period? If Yes, please explain.		
16	Additional state specific Stand-Alone Long-Term Care comments (optional):	--	
17	Additional state specific Life Long-Term Care Hybrid comments (optional):	--	
18	Additional state specific Annuity Long-Term Care Hybrid comments (optional):	--	

Long-Term Care General Information

		Stand-Alone LTC	Life LTC Hybrid	Annuity LTC Hybrid
19	Number of policies/contracts in-force as of the beginning of the reporting period.			
20	Number of new business policies/contracts issued during the period.			
21	Number of free look cancellations during the period.			
22	Number of lapses during the period.		X	
23	Number of rescissions during the period.			
24	Number of policies/contracts in-force as of the end of the period.			
25	Number of internal replacements during the period.			
26	Number of external replacements during the period.			
27	Number of policies/contracts replaced where age of insured at replacement was < 65.	--		
28	Number of policies/contracts replaced where age of insured at replacement was between 65 and 80.	--		
29	Number of policies/contracts replaced where age of insured at replacement was > 80.	--		
30	Number of complaints received directly from consumers.			

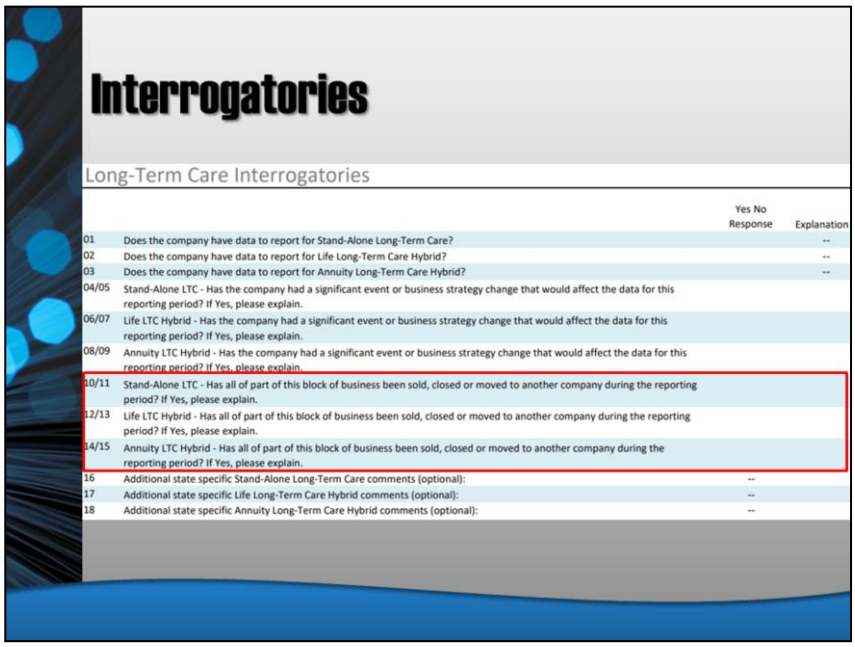
If you respond “NO”, you must leave all the response boxes blank for that line of business. You should only provide data for schedules that you are required to report on.

© 2023 National Association of Insurance Commissioners All Rights Reserved



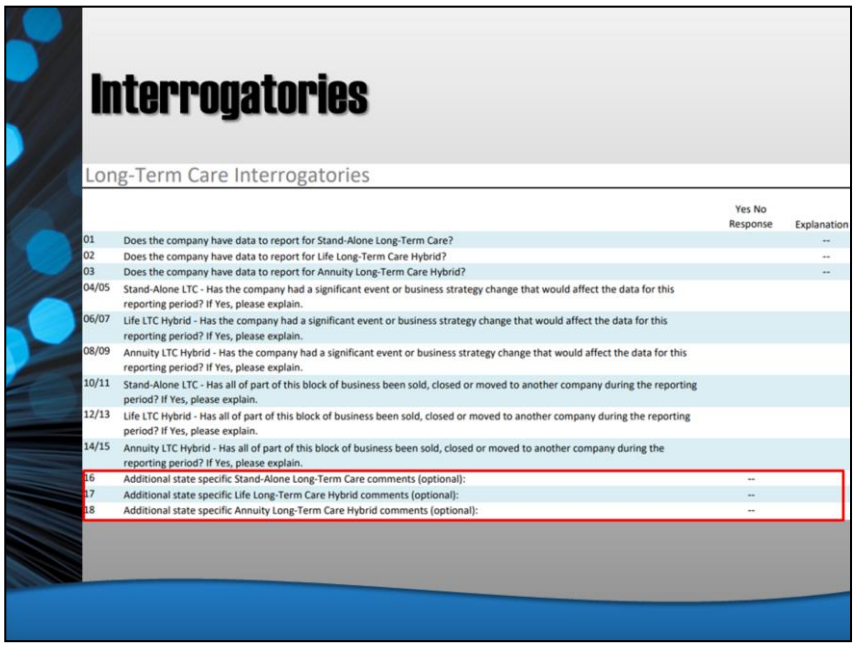
If you indicate that you will be reporting data for a policy type, you are asked if there has been a significant event or business strategy change that would affect the data for this reporting period. These could include assuming blocks of business, shifting market strategies, or underwriting changes.

© 2023 National Association of Insurance Commissioners All Rights Reserved



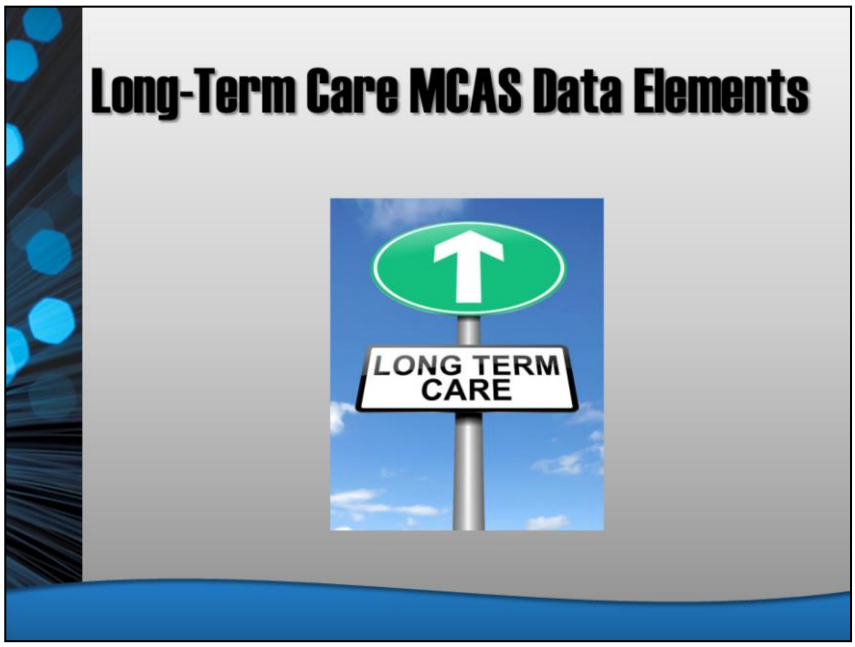
You are also asked if any part of the block of business has been sold, closed or moved to another company during the reporting period. These questions are your opportunity to explain any of your data that you anticipate may generate an inquiry from the state regulators. It is important that these questions be answered fully to allow regulators to have an understanding of your company's MCAS filing results.

© 2023 National Association of Insurance Commissioners All Rights Reserved



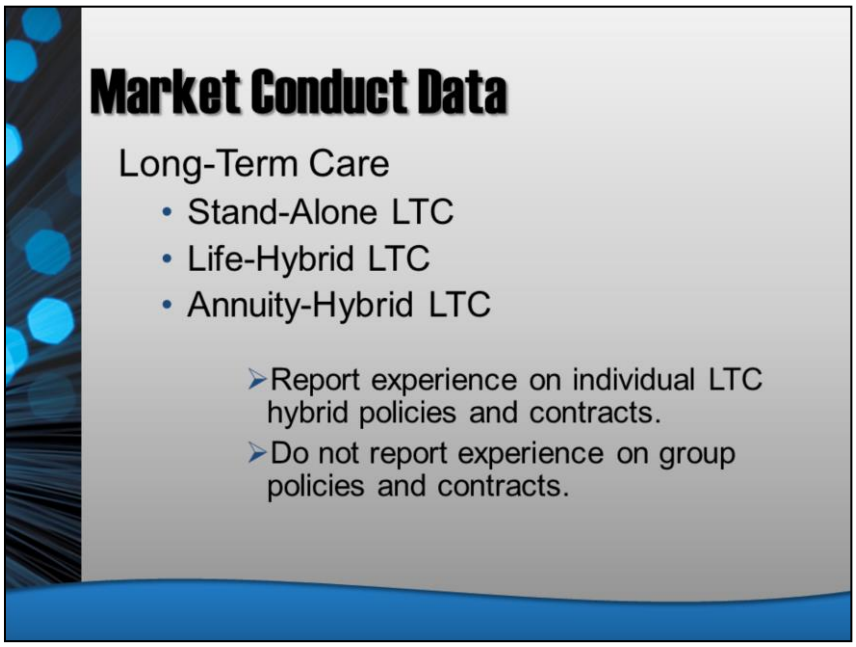
The interrogatories also provide space where you may enter any state specific comments for the policy types. Any areas of your data that may raise questions or generated a warning when your data was validated should be explained fully in these comment areas. Please review the MCAS validations in more detail along with the importance of using the comments sections.

© 2023 National Association of Insurance Commissioners All Rights Reserved



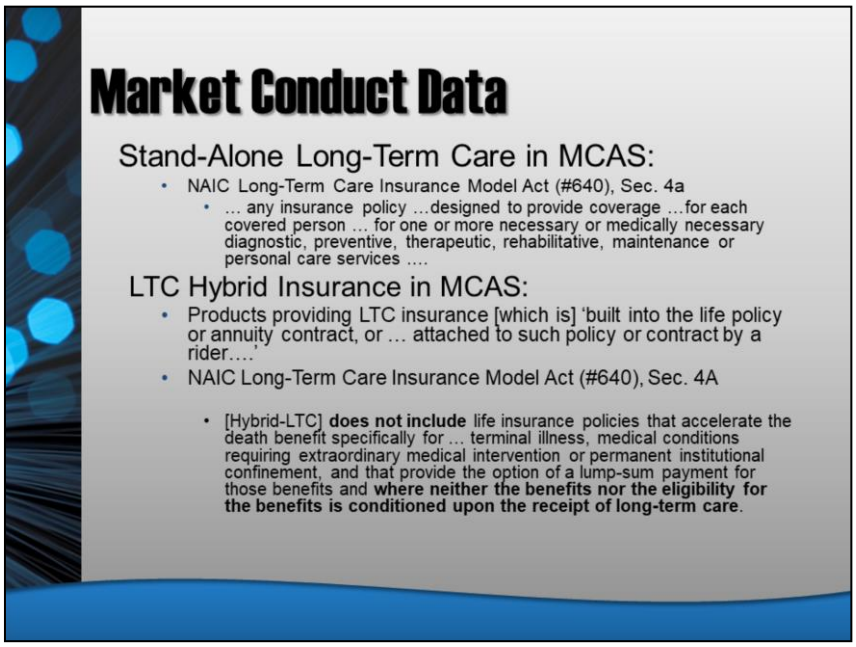
The LTC MCAS requests market conduct data on three types of policies that offer long-term care coverage:

© 2023 National Association of Insurance Commissioners All Rights Reserved



Stand-Alone LTC policies, Life LTC Hybrid policies and Annuity LTC Hybrid policies. Please note, that MCAS is only collecting data on individual policies, not LTC offered through group coverage.

© 2023 National Association of Insurance Commissioners All Rights Reserved

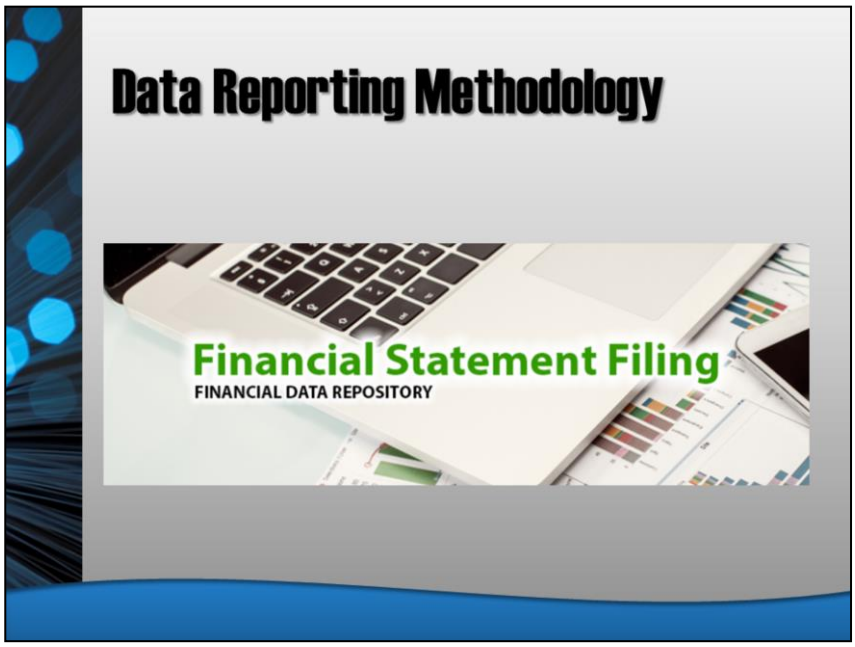


The definitions of Stand-Alone and Hybrid-LTC insurance can be found in the MCAS Data Call and Definitions. The Data Call and Definitions reference Section 4.A. of the NAIC Long-Term Care Insurance Model Act (#640). Stand-Alone LTC, per the Model Act, is "any insurance policy…designed to provide coverage …for each covered person … for one or more necessary or medically necessary diagnostic, preventive, therapeutic, rehabilitative, maintenance or personal care services …." LTC-Hybrid products, per the MCAS Hybrid-LTC Data Call and Definitions are products in which LTC coverage is built into the life policy or annuity contract, or attached to them by a rider.

The definitions for hybrid LTC also references Sec 4A of the LTC Model Act. Per the Model, Hybrid-LTC riders and policies would only qualify for reporting if the trigger for coverage is solely conditioned on the receipt of eligible long-term care. So, if a life policy provides accelerated death benefits, but those benefits can be received for other conditions in addition to LTC needs, it would not be included in MCAS.

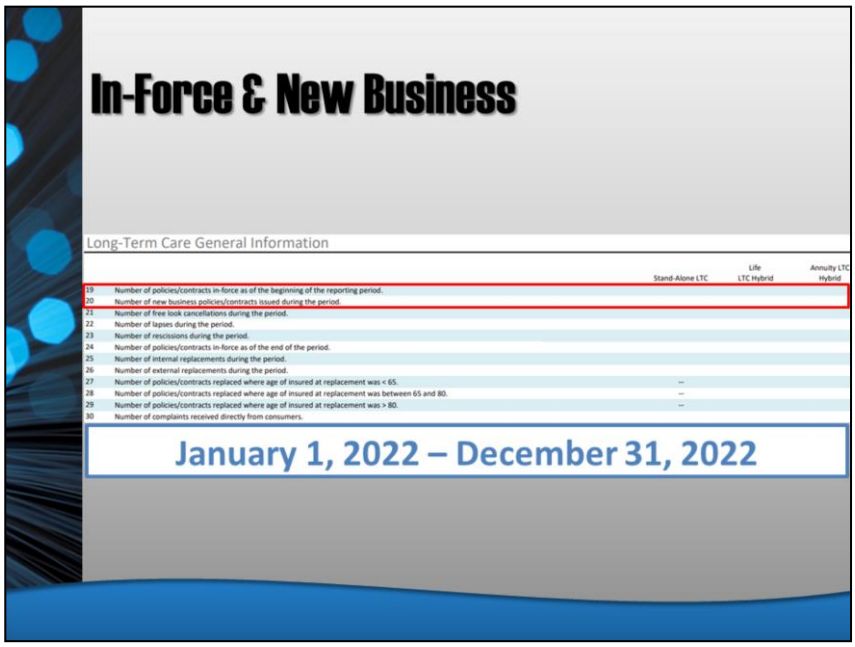
As the data elements for hybrid products and stand-alone products are basically the same, with one exception, we will discuss them all together. However, they must be reported separately.

© 2023 National Association of Insurance Commissioners All Rights Reserved



Before we move on to the main data elements, it's important to point out that if there is any question regarding data reporting methodology, you should follow the same methodology used to report on the Financial Annual Statement.

© 2023 National Association of Insurance Commissioners All Rights Reserved



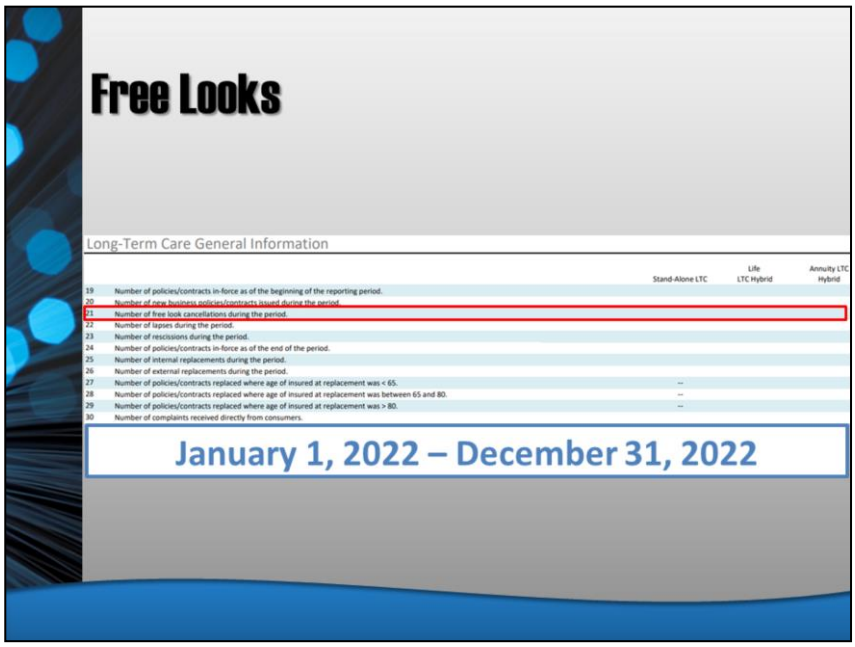
Now we're ready to discuss the Long-Term Care MCAS questions. The first questions are about policies issued during the period:

Both the Stand-Alone and Hybrid LTC schedules ask for the:

- Total number of policies/contracts in-force at the beginning of the reporting period, and
- The total number of new business policies/contracts issued by the company during the period

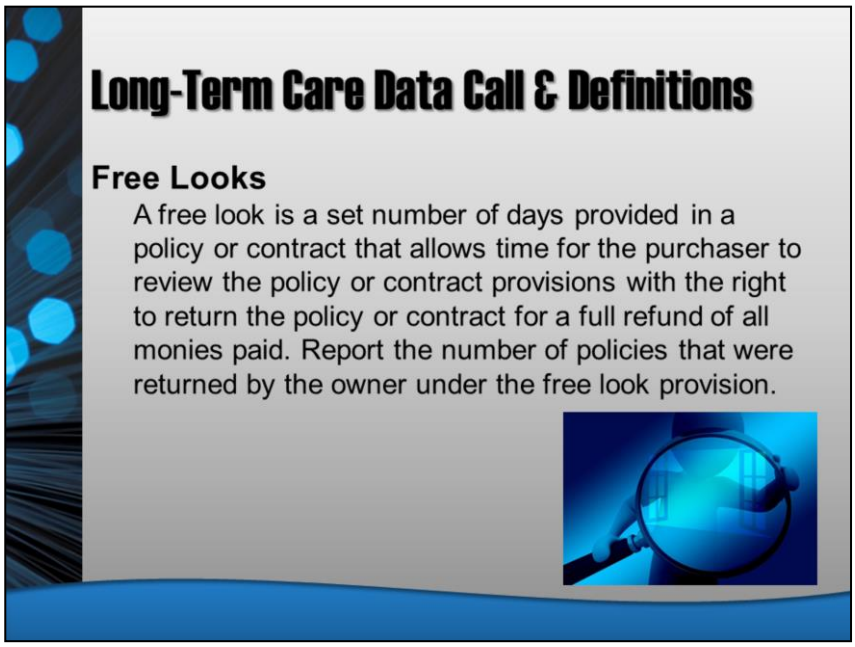
As mentioned before, the reporting period only includes those policies issued between January 1 and December 31. If a policy was applied for on December 31 of the reporting period, but not finally issued until the middle of January, do not count it.

© 2023 National Association of Insurance Commissioners All Rights Reserved



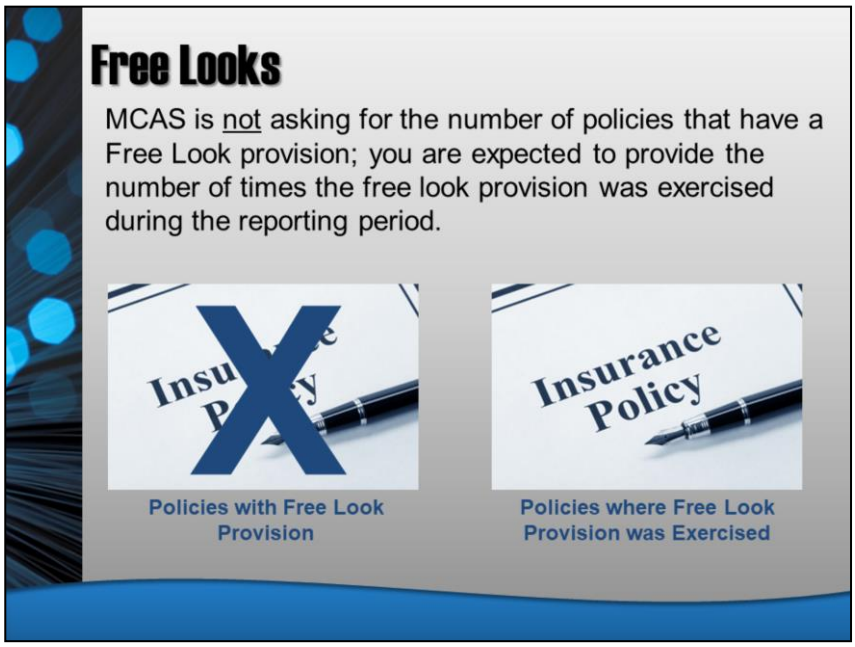
Next you are asked to report the number of free look cancellations during the period. Note that, regardless of when the policy was issued, you should include only those free looks that occurred during the reporting period

© 2023 National Association of Insurance Commissioners All Rights Reserved



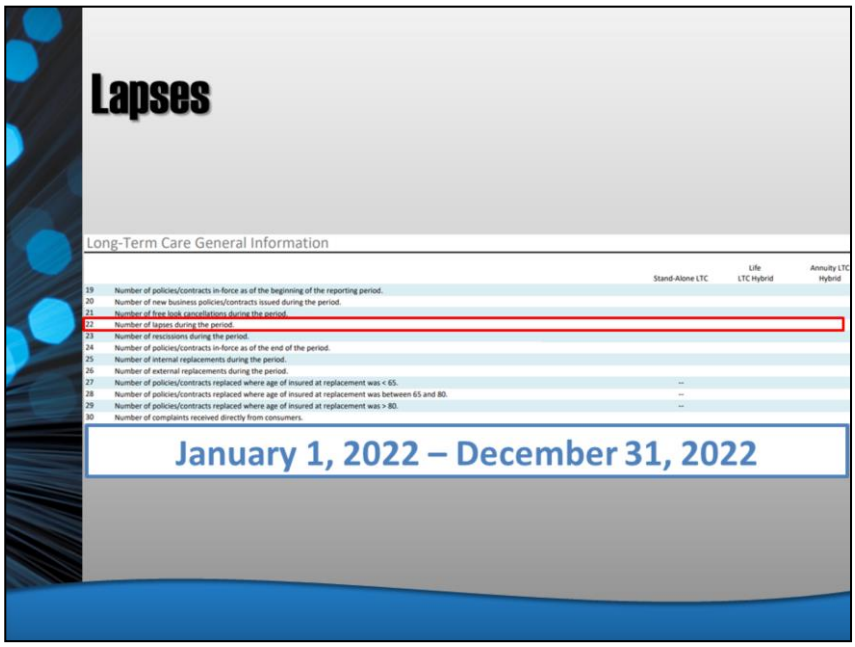
A free look is a set number of days provided in a policy or contract that allows time for the purchaser to review the policy or contract provisions with the right to return the policy or contract for a full refund of all monies paid. Report the number of policies that were returned by the owner under the free look provision.

© 2023 National Association of Insurance Commissioners All Rights Reserved



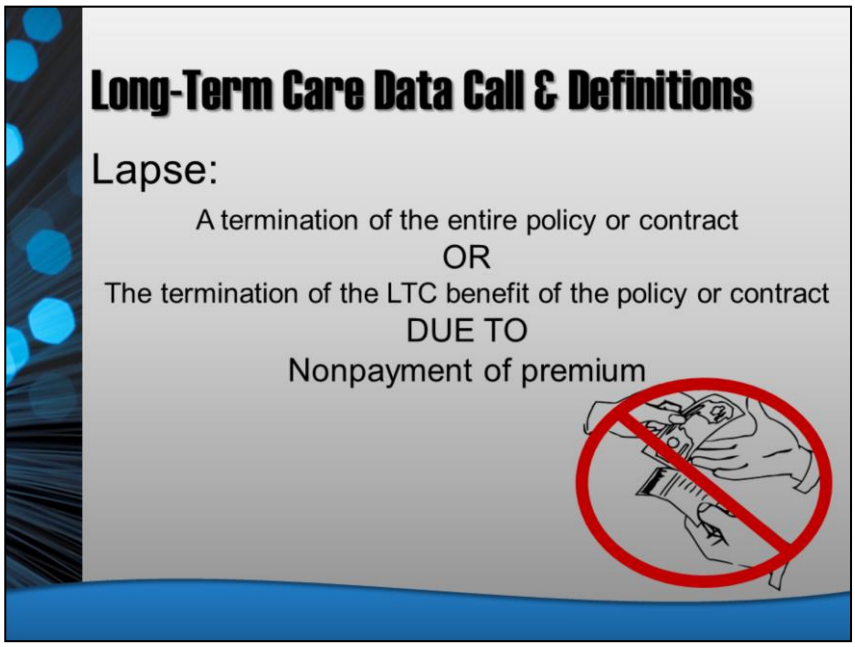
MCAS is **not** asking for the number of policies that have a Free Look provision; you are expected to provide the number of times the free look provision was exercised during the reporting period.

© 2023 National Association of Insurance Commissioners All Rights Reserved



The next data element asks that you report the number of lapses during the period.

© 2023 National Association of Insurance Commissioners All Rights Reserved

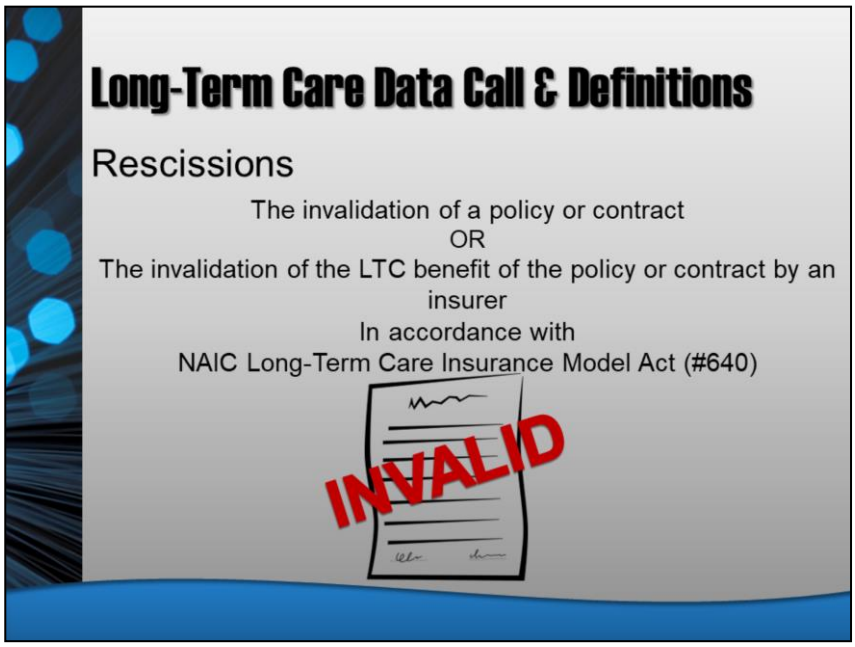


A lapse is the termination of the entire policy or contract or the termination of the LTC benefit of the policy or contract due to nonpayment of premium.

© 2023 National Association of Insurance Commissioners All Rights Reserved

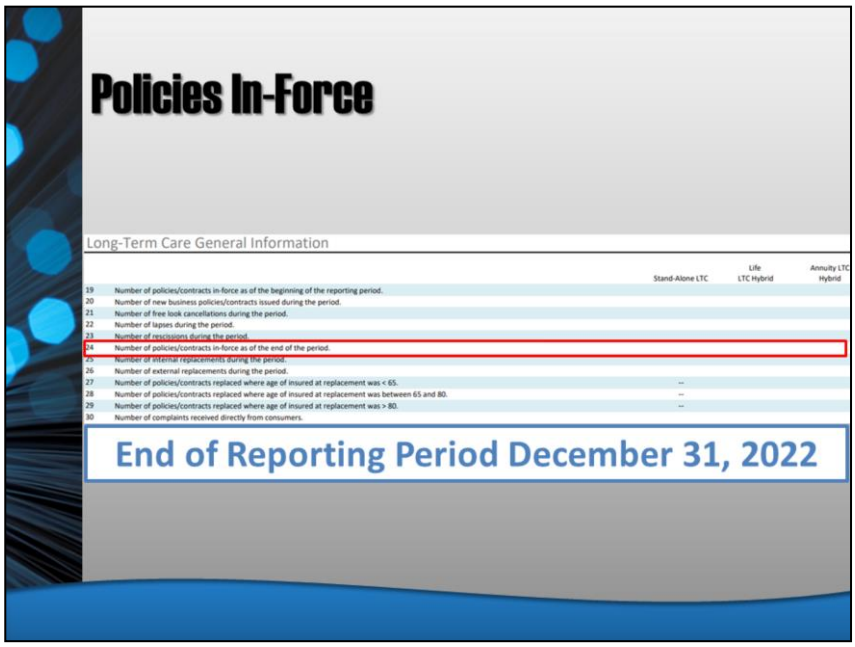
Then you are asked to report the number of rescissions during the period.

© 2023 National Association of Insurance Commissioners All Rights Reserved



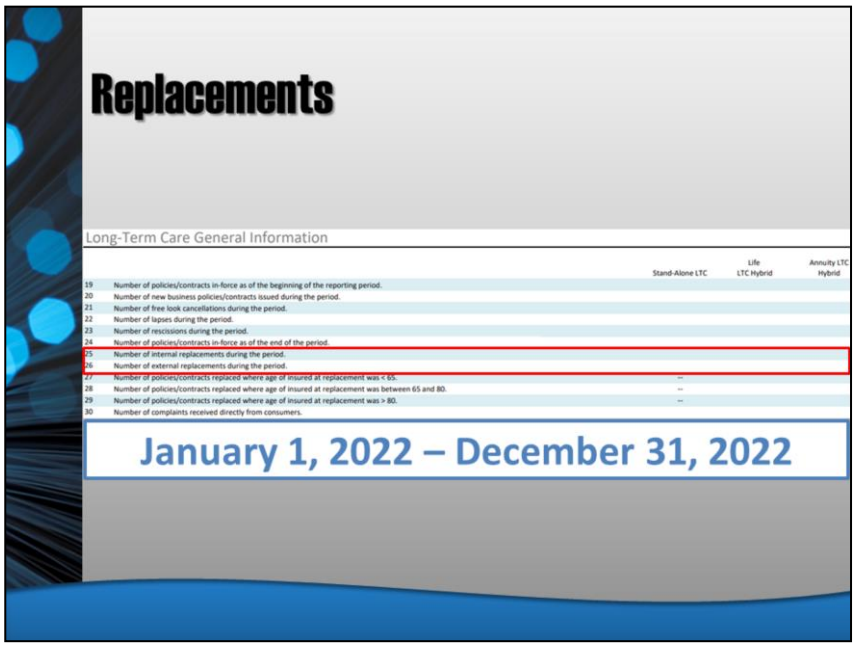
A rescission is the invalidation of a policy or contract or invalidation of the LTC coverage portion of a policy or contract by an insurer, in accordance with the guidelines provided in the NAIC Long-Term Care Insurance Model Act (#640).

© 2023 National Association of Insurance Commissioners All Rights Reserved



Next, you are asked to report the number of policies in-force at the end of the period. The number of policies in-force, is simply the number of in-force policies and contracts on the last day of the **reporting** period (which is December 31).

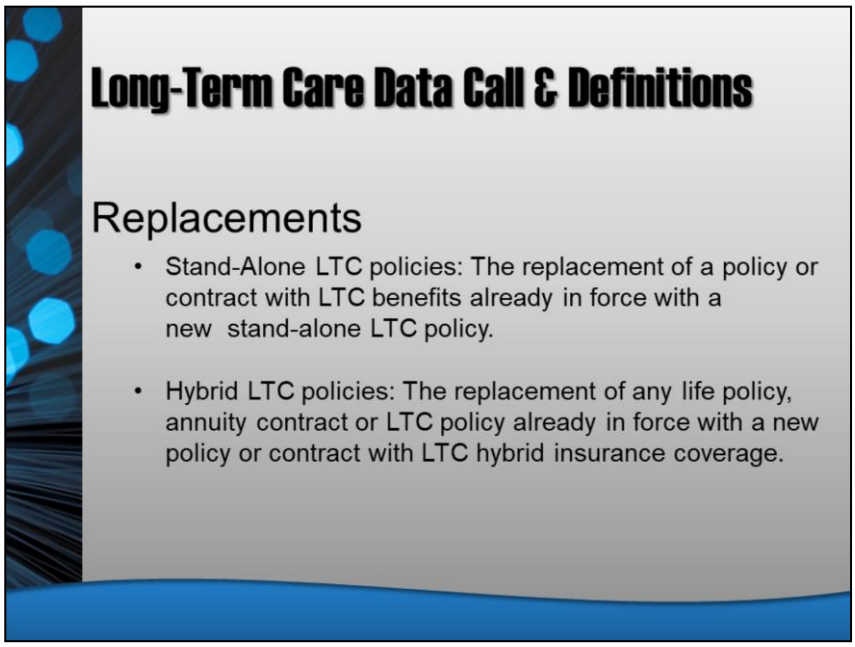
© 2023 National Association of Insurance Commissioners All Rights Reserved



There is a series of questions addressing “replacement” activity during the reporting period. As we mentioned, the reporting period for the data year is January 1 through December 31. So, you would provide the number of replacements **issued** between January 1 and December 31. For all products (Stand-Alone LTC, Life LTC Hybrid and Annuity LTC Hybrid) you are asked to provide the:

- Number of internal replacements issued during the period, and the
- Number of external replacements issued during the period

© 2023 National Association of Insurance Commissioners All Rights Reserved

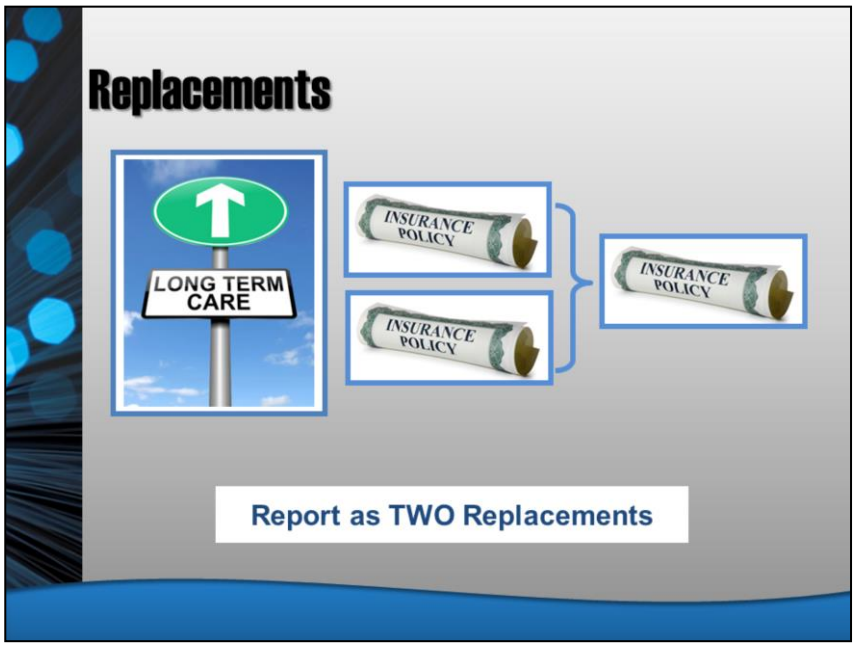


The definition of a replacement policy as stated in the Long-Term Care Data Call & Definitions for Stand-Alone LTC policies is the replacement of a policy or contract with LTC benefits already in force with a new LTC policy. (Please note that new LTC policy means a stand-alone LTC policy.)

The definition for Hybrid LTC policies is the replacement of any life policy, annuity contract (that is, any life or annuity policy whether or not it already has LTC coverage) or LTC policy already in force with a new policy or contract with LTC hybrid insurance coverage.

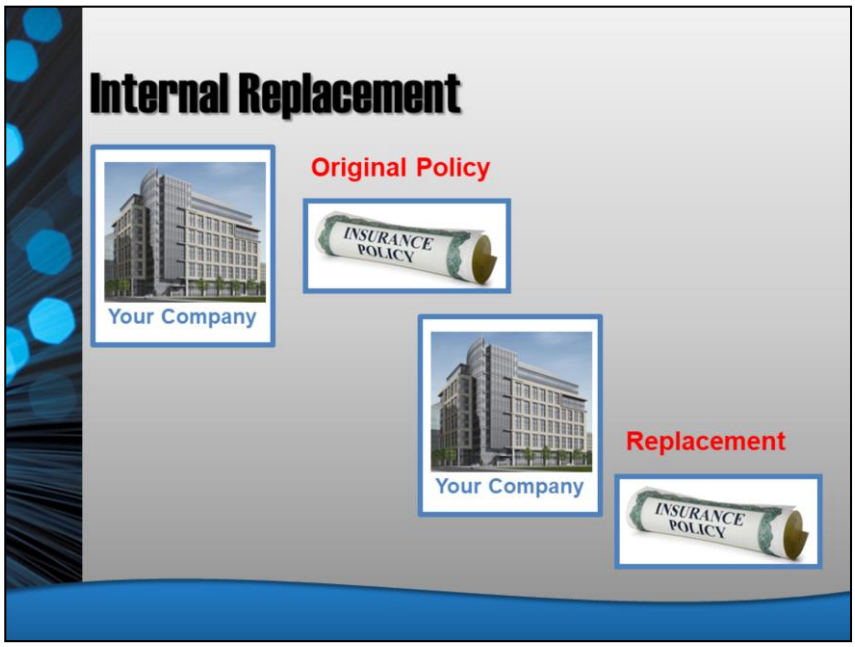
Remember that you should report the replacement according to what type of product the new policy is.

© 2023 National Association of Insurance Commissioners All Rights Reserved



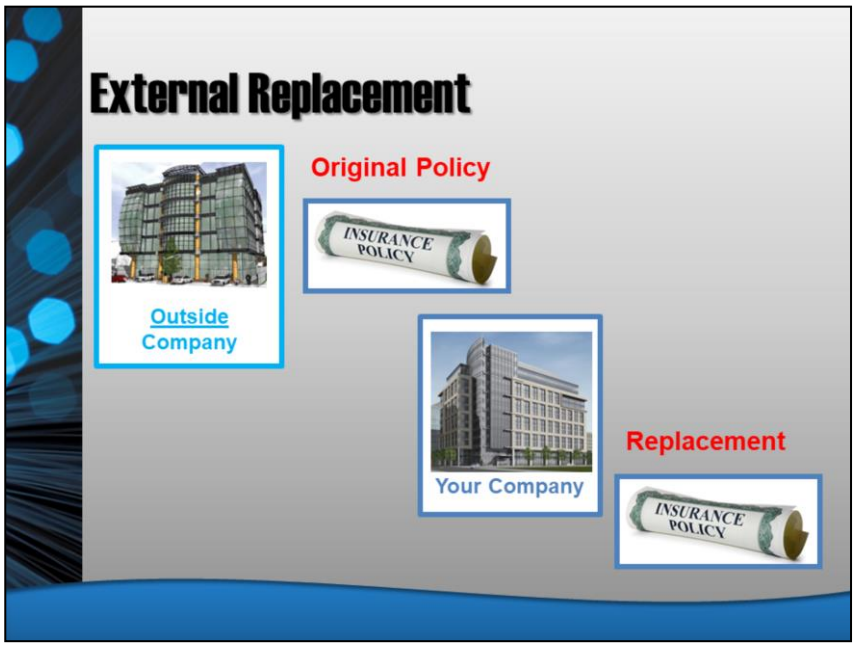
Note that if a person replaces two policies with one policy, this should be counted as two replacements.

© 2023 National Association of Insurance Commissioners All Rights Reserved



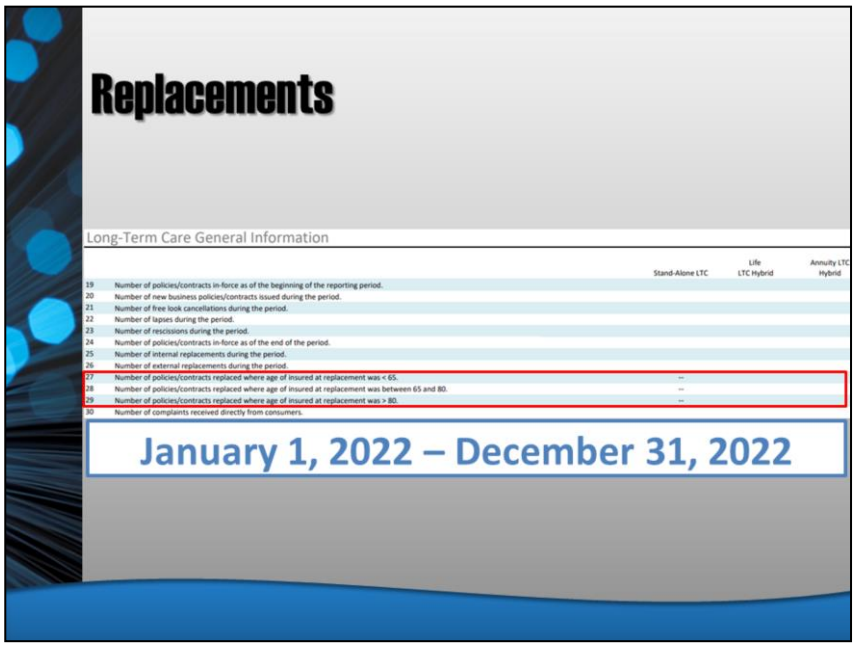
An internal replacement is when the policy to be replaced was also issued by your company,

© 2023 National Association of Insurance Commissioners All Rights Reserved



And an external replacement is when the policy to be replaced was issued by another company. The replacements reported **do not** include policies written by your company that are replaced by policies issued by another company.

© 2023 National Association of Insurance Commissioners All Rights Reserved



In addition, *ONLY* for the Life LTC Hybrid and Annuity LTC Hybrid products you are asked to provide;

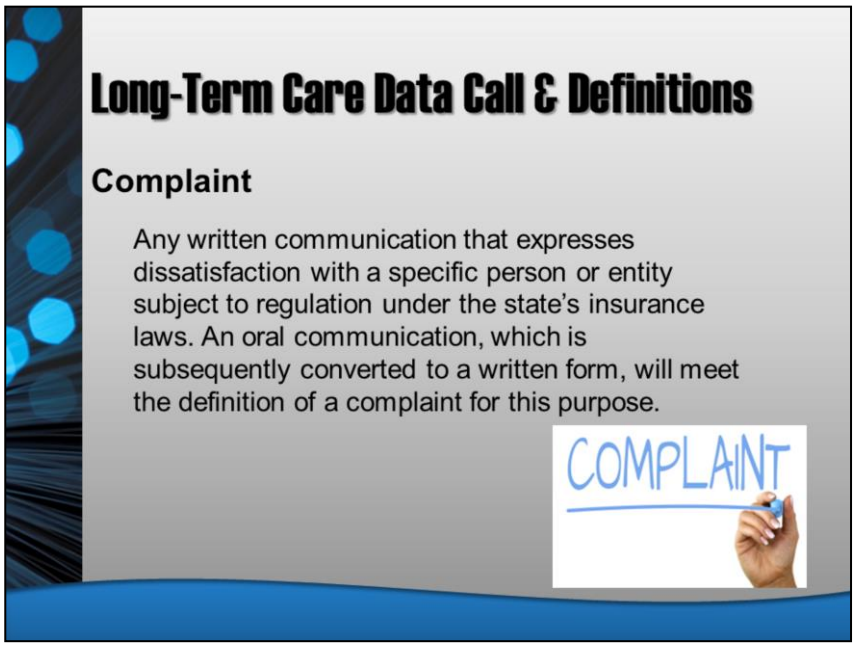
- The number of policies replaced where the age of insured at replacement was < 65 years old,
- The number of policies replaced where the age of insured at replacement was between 65 years old and 80 years old, and the
- Number of policies replaced where the age of insured at replacement was > 80 years old

Please note that if more than one person is insured on the policy, you would use the age of the oldest insured.

© 2023 National Association of Insurance Commissioners All Rights Reserved

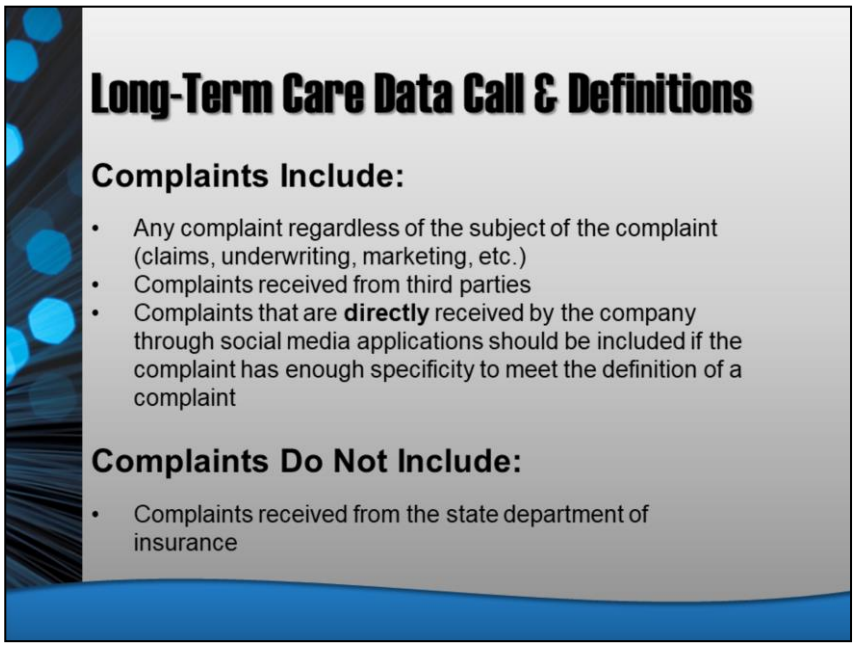
The next question asks for the number of complaints received directly from consumers. Please note that complaints should be counted separately for Stand-Alone LTC, Life-Hybrid LTC, and Annuity-Hybrid LTC.

© 2023 National Association of Insurance Commissioners All Rights Reserved



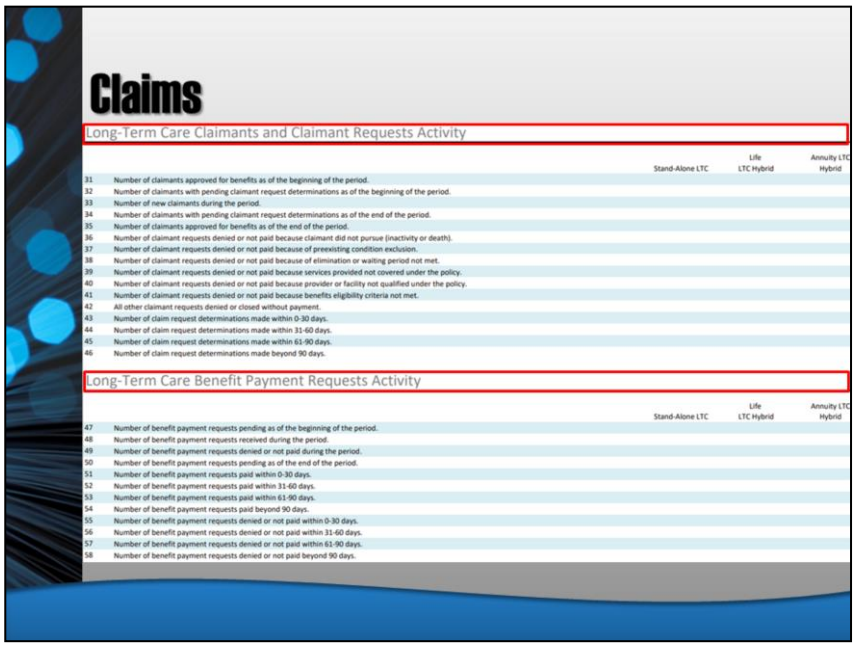
A complaint is defined as “Any written communication from a consumer that expresses dissatisfaction with a specific person, or entity, or product subject to regulation under the state’s insurance laws. An oral communication, which is subsequently converted to a written form, will meet the definition of a complaint for this purpose.“

© 2023 National Association of Insurance Commissioners All Rights Reserved



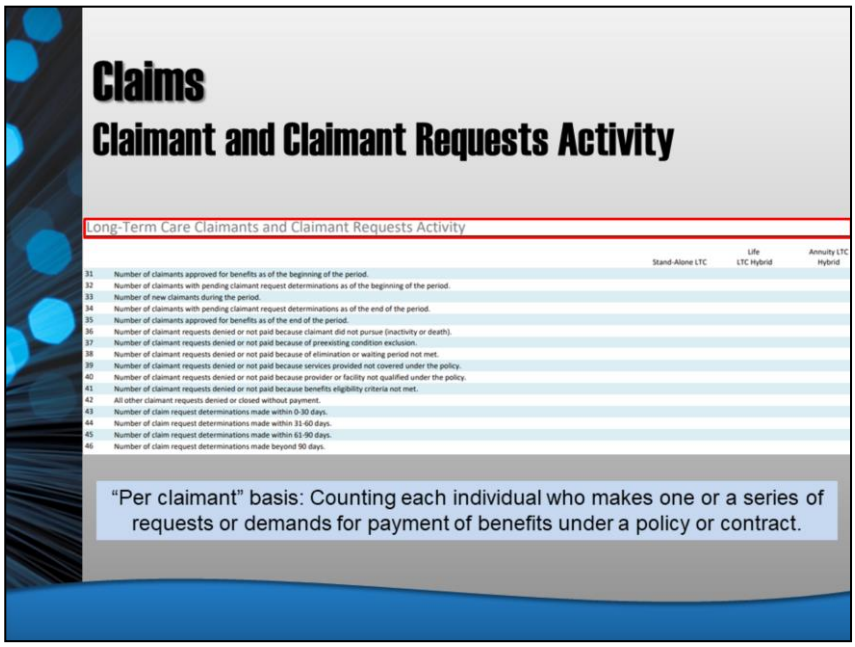
Complaints should be included in the complaint count regardless of the subject of the complaint. So, whether it is regarding claims, underwriting, marketing, or another area, it should be included. Complaints received from third parties also should be included. Complaints that are **directly** received by the company through social media applications should be included if the complaint has enough specificity to meet the definition of a complaint. Please note that this does not include complaints that have been received via the department of insurance.

© 2023 National Association of Insurance Commissioners All Rights Reserved



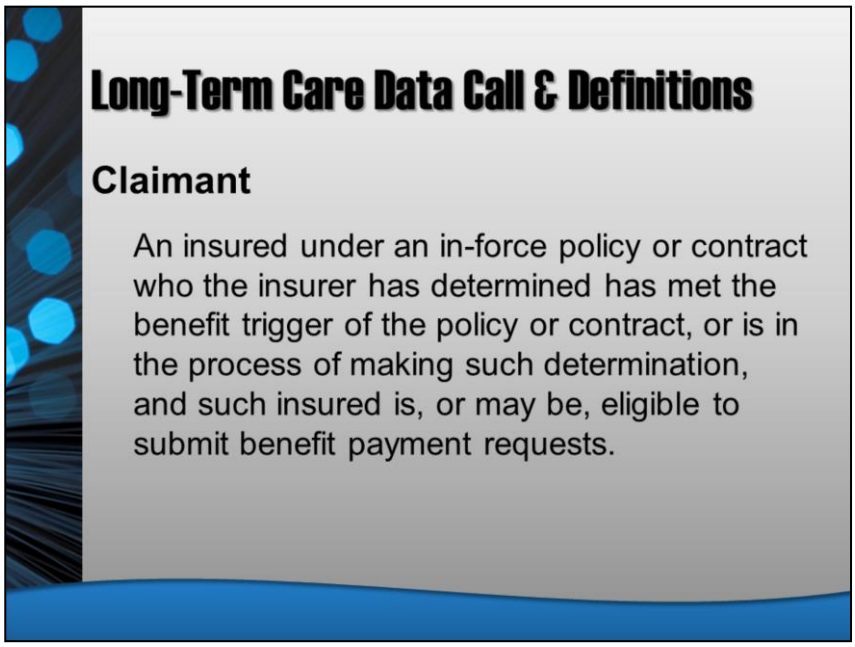
The next two sections in MCAS deal with the claims activity. Please note that there are different sections for reporting claimant and claimant requests vs benefit payment requests. These differences are explained in further detail for each section. It is important to remember to report the experience for those policies or contracts with LTC hybrid benefits and report experience only for the LTC benefit portion of the policy or contract. For example, if the insured on a life LTC hybrid policy dies, you would not report this as a claim on the LTC MCAS. You only report experience for the LTC benefit portion of the LTC hybrid product.

© 2023 National Association of Insurance Commissioners All Rights Reserved



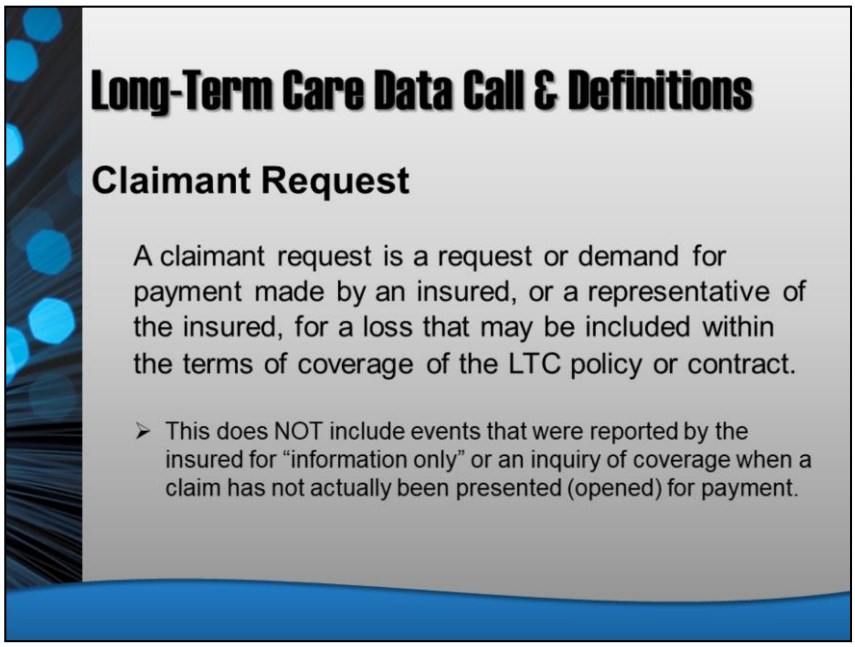
The first few questions deal with claimant requests and claimant request determinations. Reporting for this section is to be done on a "per claimant" basis which means that we are counting **each** individual who makes one or more requests for coverage under a policy or contract. It is ***NOT*** the actual benefit payment request. Those are reported in the Benefits section.

© 2023 National Association of Insurance Commissioners All Rights Reserved



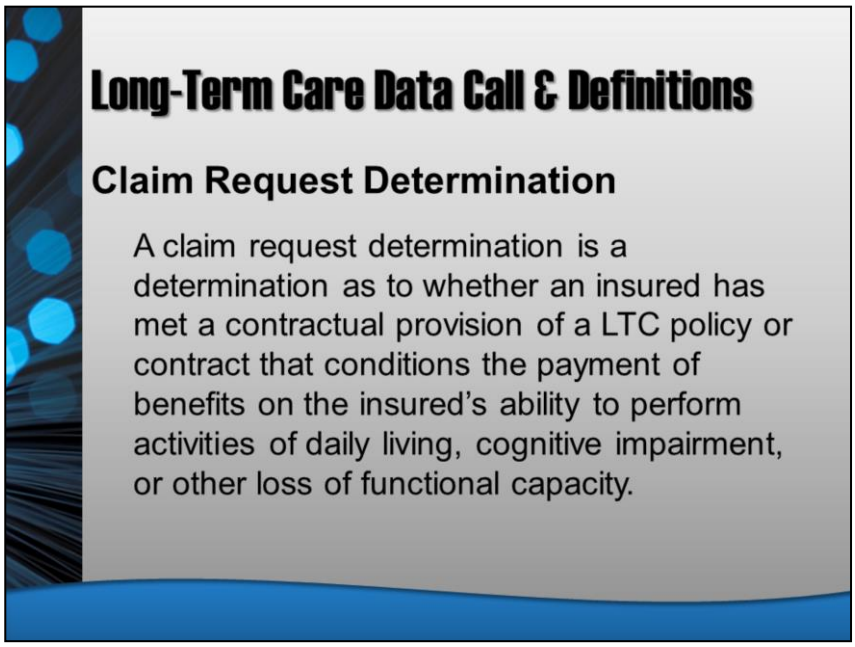
It may help to review the definition of claimant that is used in the MCAS LTC Data Call and Definitions. A claimant is an insured under an in-force policy or contract who the insurer has determined has met the benefit trigger of the policy or contract, or is in the process of making such determination, and such insured is, or may be, eligible to submit benefit payment requests.

© 2023 National Association of Insurance Commissioners All Rights Reserved



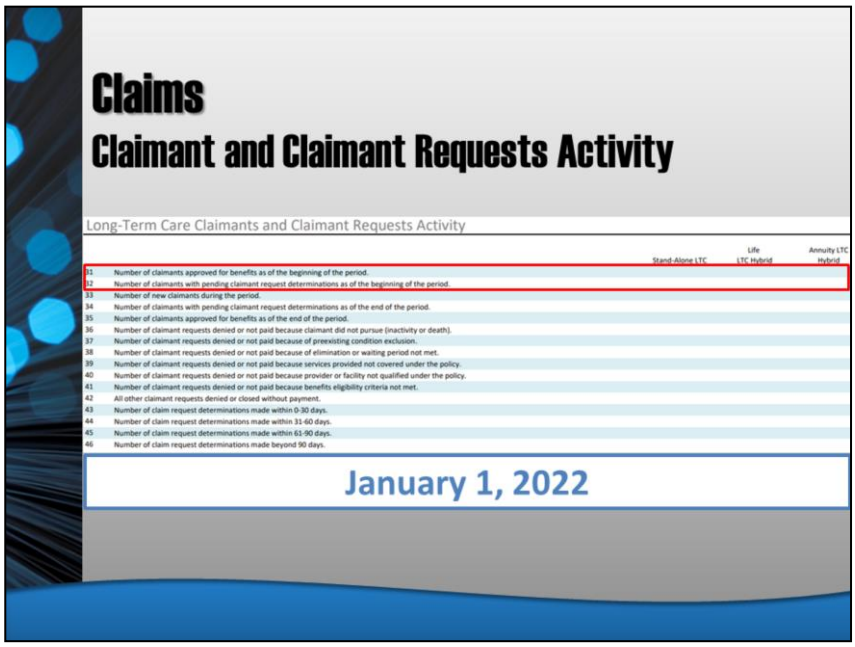
A claimant request is a request or demand for payment made by an insured, or a representative of the insured, for a loss that ***may*** be included within the terms of coverage of the LTC policy or contract. It does not, however, include events that were reported by the insured for "information only" or an inquiry of coverage when a claim has not actually been presented (opened) for payment.

© 2023 National Association of Insurance Commissioners All Rights Reserved



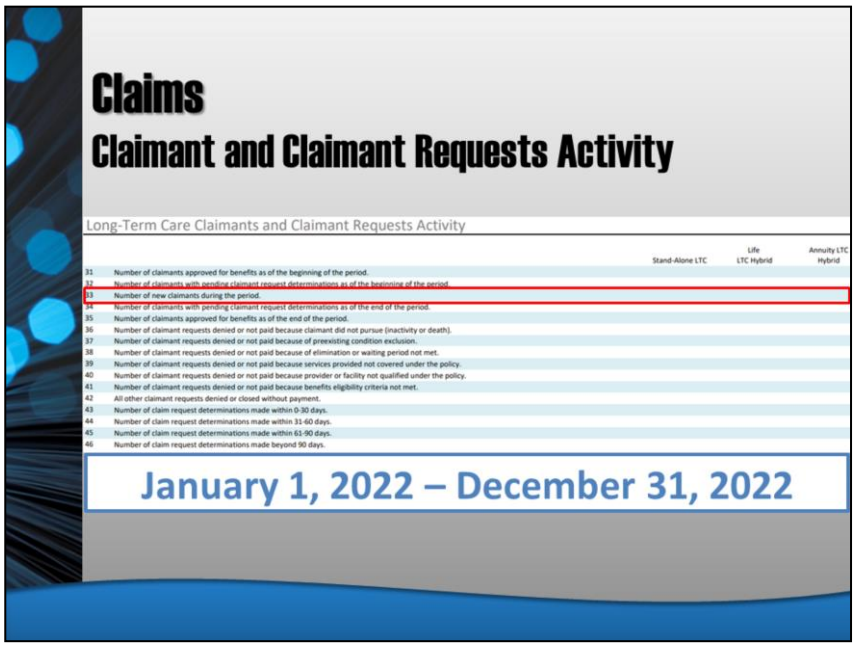
A claim request determination is a determination, by your company, as to whether an insured has met a contractual provision of a LTC policy or contract that conditions the payment of benefits on the insured's ability to perform activities of daily living, cognitive impairment, or other loss of functional capacity.

© 2023 National Association of Insurance Commissioners All Rights Reserved



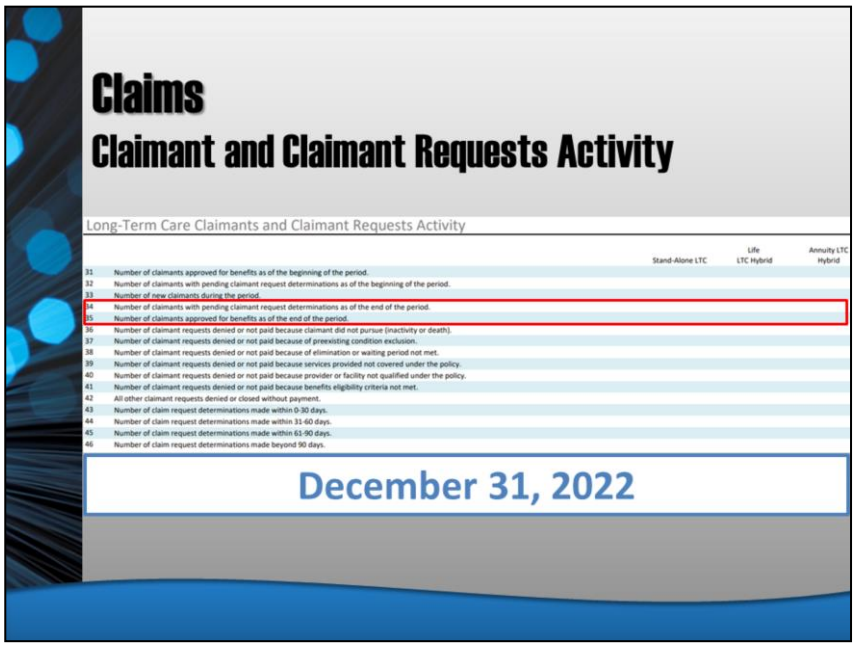
Now that we have defined these terms, there are varying types of data that we ask for regarding them. The first two questions are regarding what activity is pending as of the beginning of the reporting period (January 1st). The first question asks for the number of claimants approved for benefits as of the beginning of the period. The second asks for the number of claimants with pending claimant request determinations as of the beginning of the period.

© 2023 National Association of Insurance Commissioners All Rights Reserved



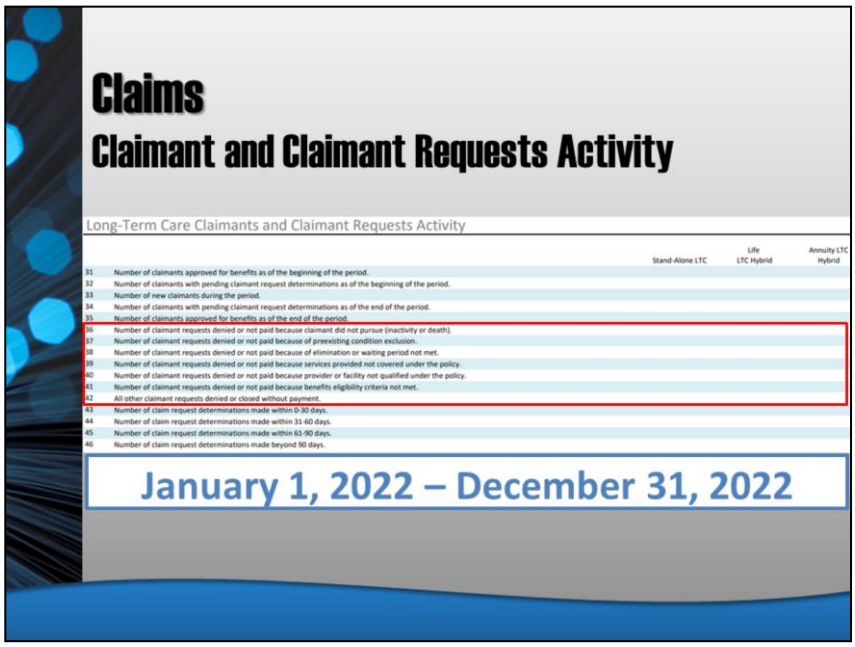
Next, we ask how many new claimants there are during the period. Please note that if a claim is re-opened, report the claim as new.

© 2023 National Association of Insurance Commissioners All Rights Reserved



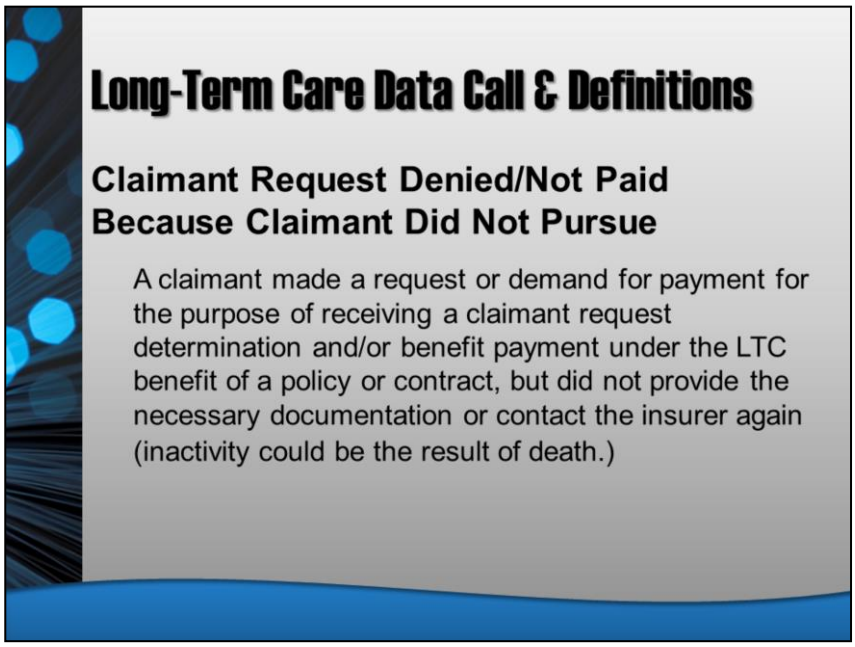
The next two questions are very similar to the first two in this section. However, these are regarding what activity is pending as of the **end** of the reporting period (December 31st). The first question asks for the number of claimants approved for benefits as of the end of the period. The second asks for the number of claimants with pending claimant request determinations as of the end of the period.

© 2023 National Association of Insurance Commissioners All Rights Reserved



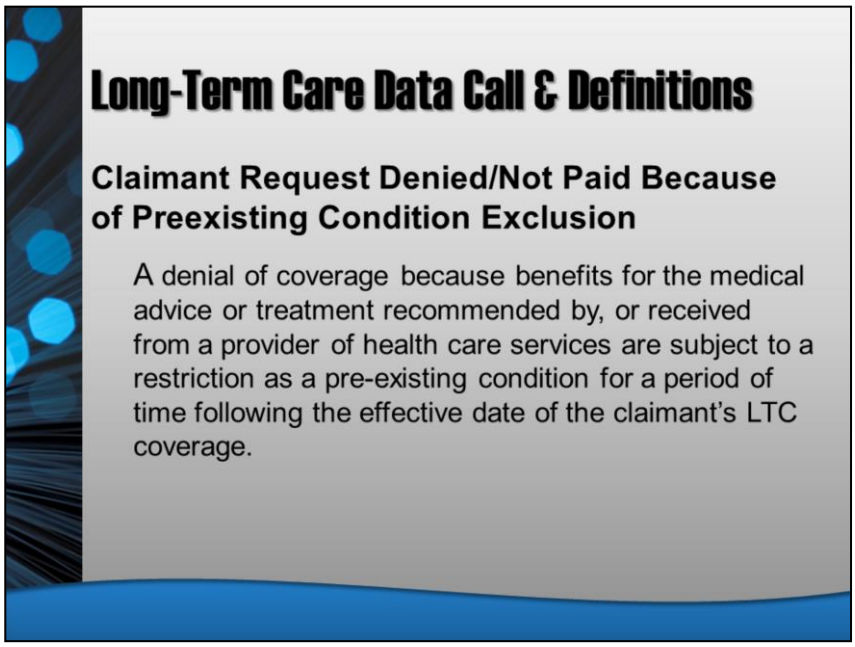
The next section of questions, in MCAS, deal with reasons that claimant requests could be denied. There are six reasons to choose from, and one “all other” category. We will quickly cover the reasons in the next few slides. Please note that if a denial could be reported under more than one of the categories, you should report the denial in the category that is most specific to the circumstances surrounding the denial. If a claimant’s request was denied, the denial should ***NOT*** be counted more than once.

© 2023 National Association of Insurance Commissioners All Rights Reserved



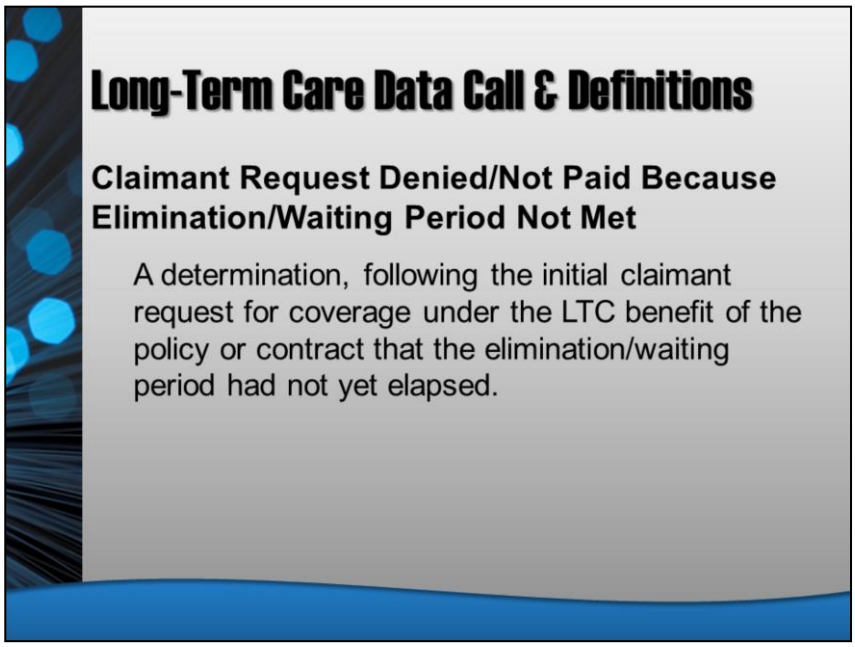
Claimant Request Denied/Not Paid Because Claimant Did Not Pursue—this would be if a claimant made a request or demand for payment for the purpose of receiving a claimant request determination and/or benefit payment under the LTC benefit of a policy or contract, but did not provide the necessary documentation or contact the insurer again.

© 2023 National Association of Insurance Commissioners All Rights Reserved



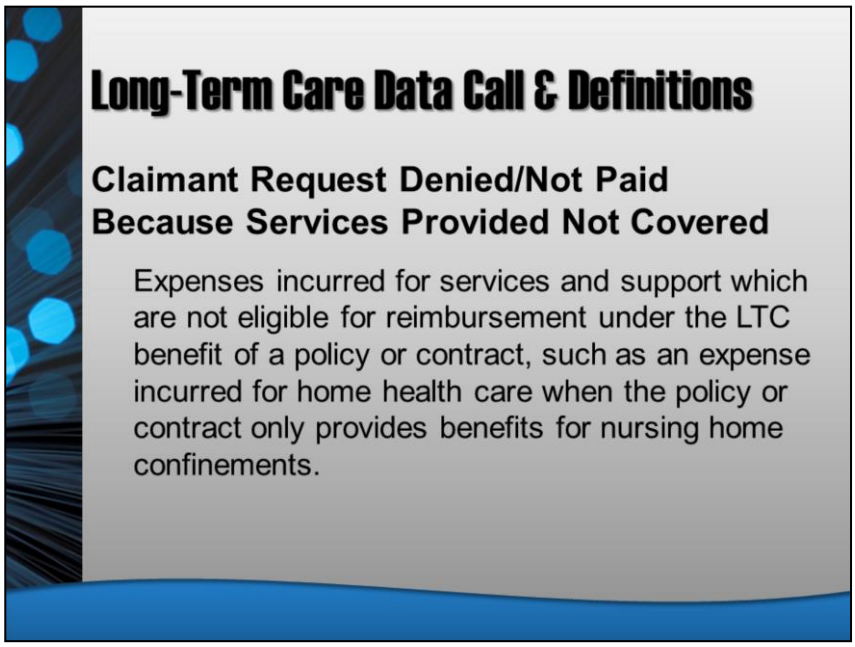
Claimant Request Denied/Not Paid Because of Preexisting Condition Exclusion—this is a denial of coverage if the benefits are subject to a restriction as a pre-existing condition.

© 2023 National Association of Insurance Commissioners All Rights Reserved



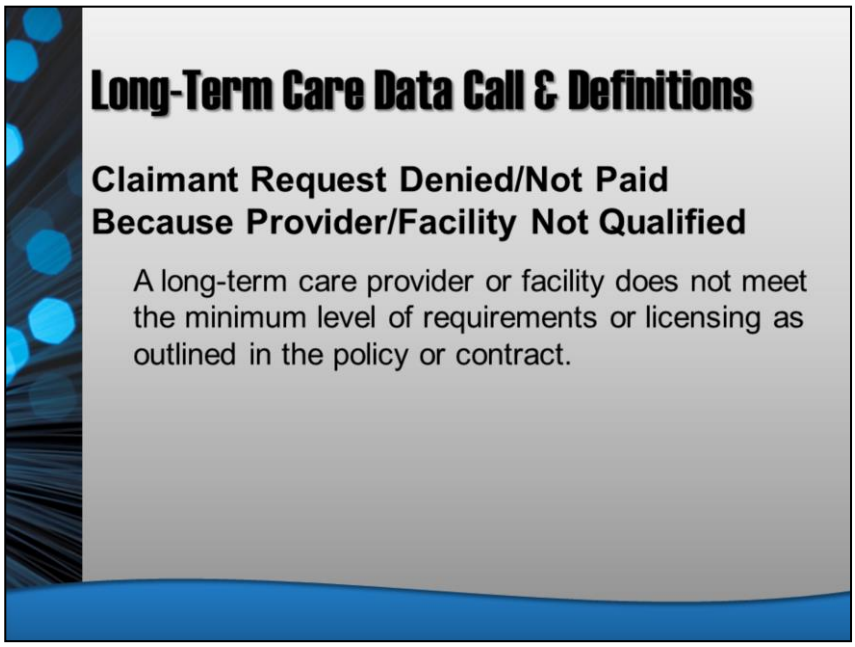
Claimant Request Denied/Not Paid Because Elimination/Waiting Period Not Met—this would be used if the elimination or waiting period had not yet elapsed.

© 2023 National Association of Insurance Commissioners All Rights Reserved



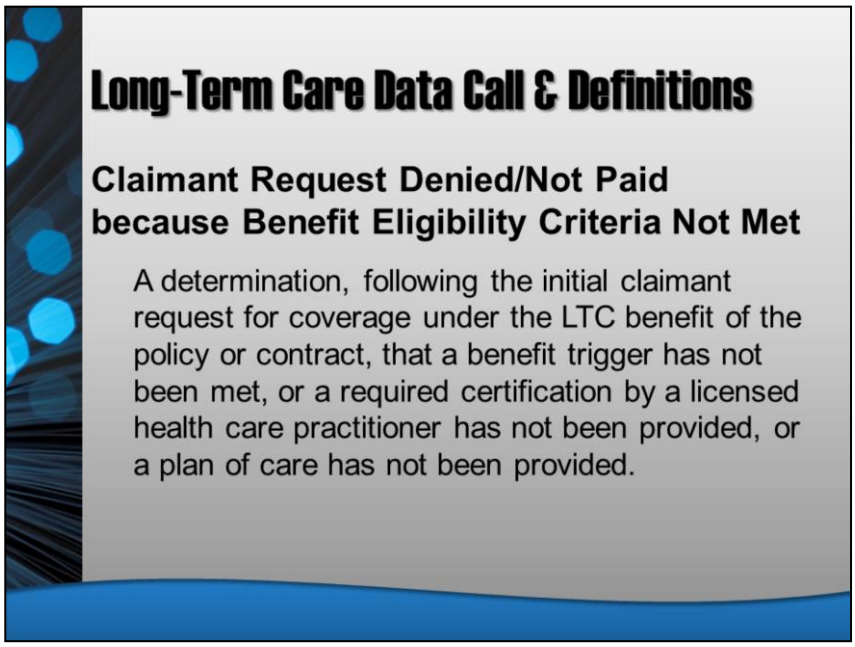
Claimant Request Denied/Not Paid Because Services Provided Not Covered—this would be chosen if the expenses incurred for services and support are not eligible for reimbursement under the LTC benefit of a policy or contract.

© 2023 National Association of Insurance Commissioners All Rights Reserved



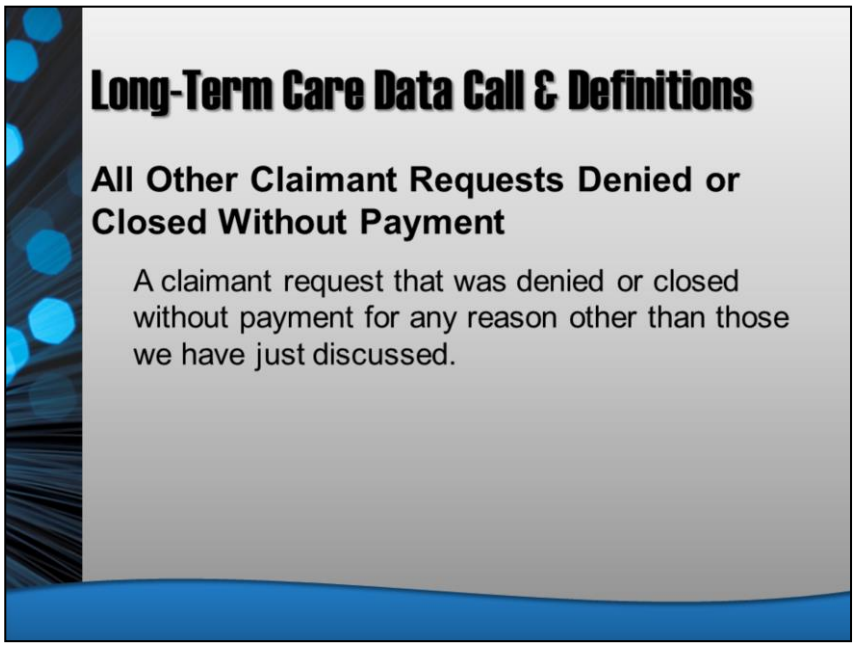
Claimant Request Denied/Not Paid Because Provider/Facility Not Qualified—this is for denials because the long-term care provider or facility does not meet the minimum level of requirements or licensing as outlined in the policy or contract.

© 2023 National Association of Insurance Commissioners All Rights Reserved



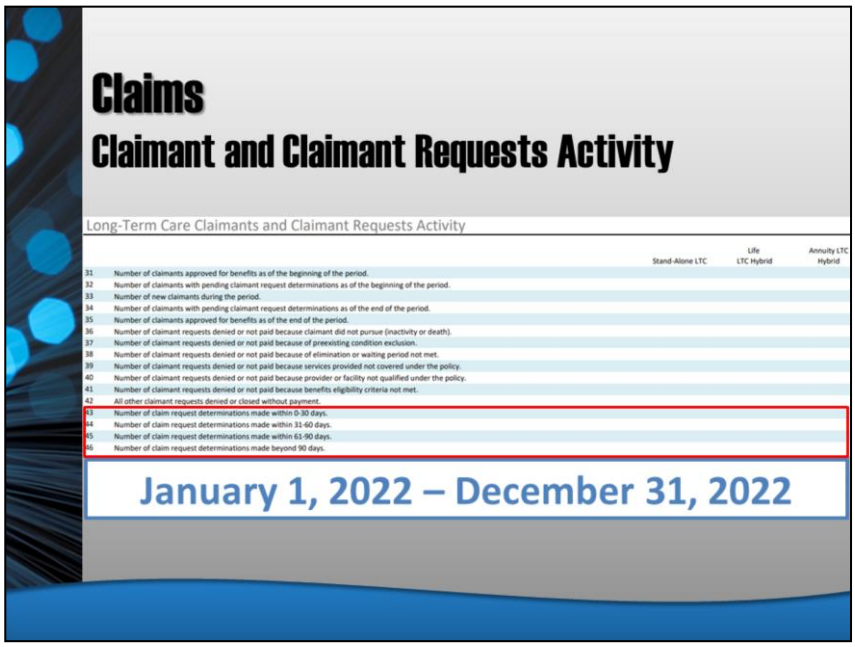
Claimant Request Denied/Not Paid because Benefit Eligibility Criteria Not Met—This is used if it is determined that the initial claimant request for coverage fails to meet any of the eligibility criteria or a required certification by a licensed health care practitioner has not been provided, or a plan of care has not been provided

© 2023 National Association of Insurance Commissioners All Rights Reserved



All Other Claimant Requests Denied or Closed Without Payment—this is a claimant request that was denied or closed without payment for any reason other than those specifically listed.

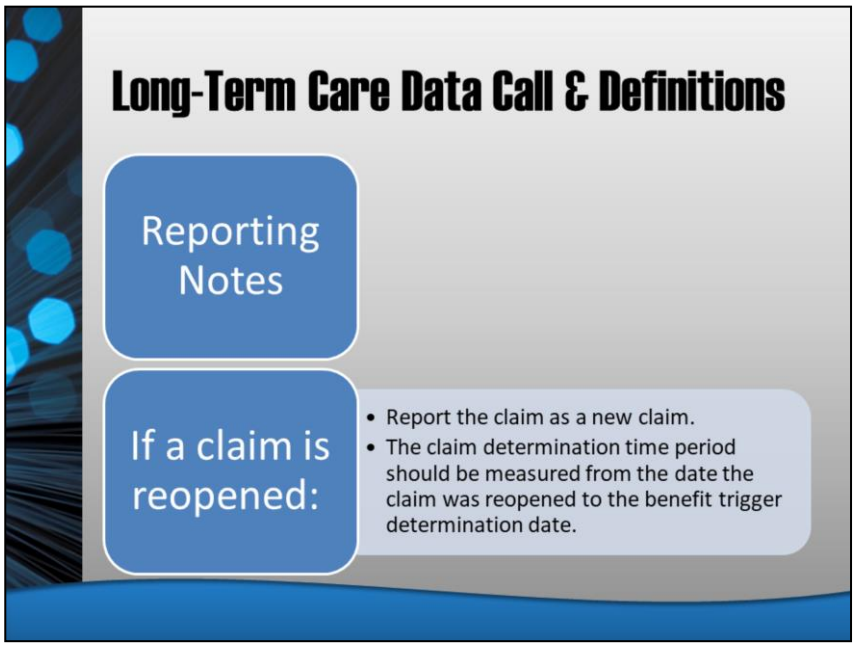
© 2023 National Association of Insurance Commissioners All Rights Reserved



The next questions refer to the length of time that it took for a claim request determination to be made. To review, a claim request determination is a determination as to whether an insured has met a contractual provision of an LTC policy or contract that conditions the payment of benefits on the insured's ability to perform activities of daily living, cognitive impairment, or other loss of functional capacity.

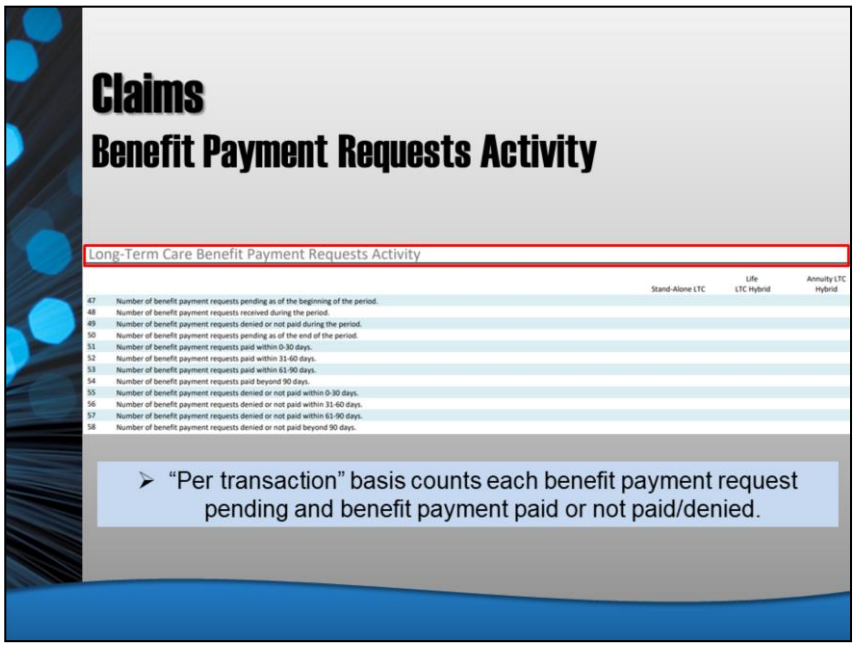
For purposes of the MCAS, the term applies to the initial claimant request, and captures the period of time from the notice of claim to the claimant request determination date. For claimant requests that are denied or not paid, you should report the period of time from the date of notice of claim to the date the claimant was ***notified*** of the determination to deny or not pay the claim. These are broken out into time frames from 0-30 days, from 31-60 days, from 61-90 days and those beyond 90 days.

© 2023 National Association of Insurance Commissioners All Rights Reserved



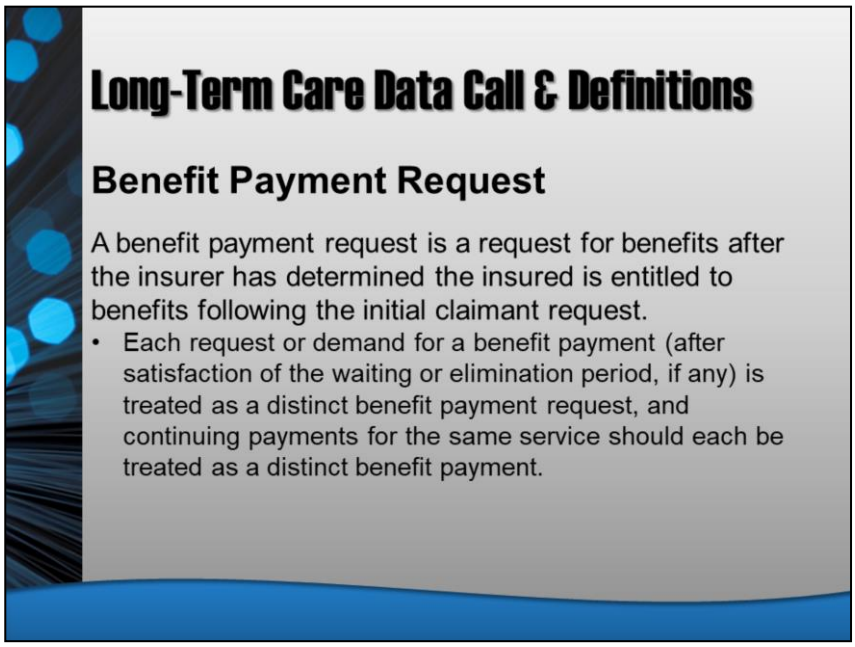
If a claim is re-opened, report the claim as a new claim and the claim determination time period should be measured from the date the claim was re-opened to the benefit trigger determination date.

© 2023 National Association of Insurance Commissioners All Rights Reserved



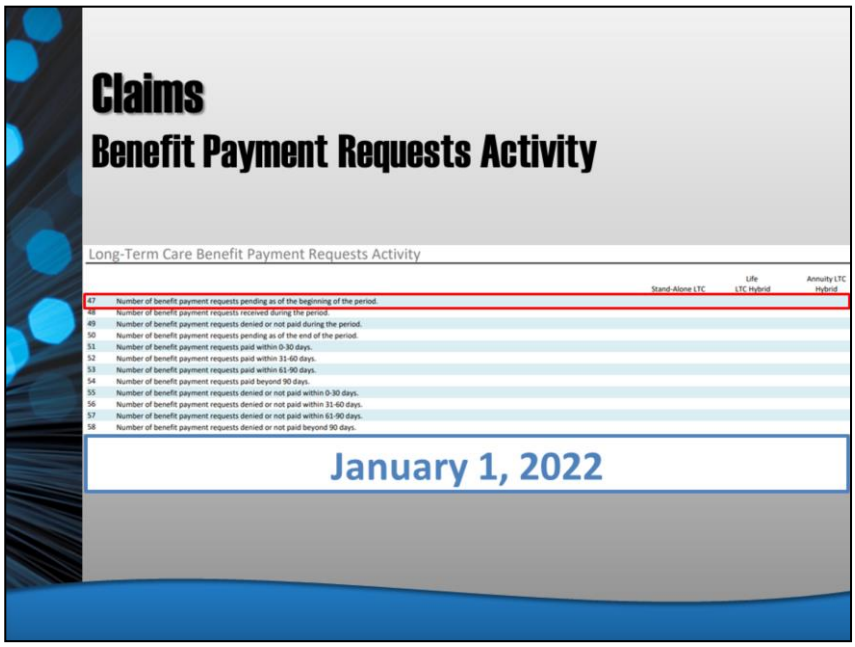
The next section in MCAS deals with benefit payment requests activity. This is to be done on a "per transaction" basis (that is, you count each benefit payment request pending and benefit payment paid or not paid (or denied.)

© 2023 National Association of Insurance Commissioners All Rights Reserved



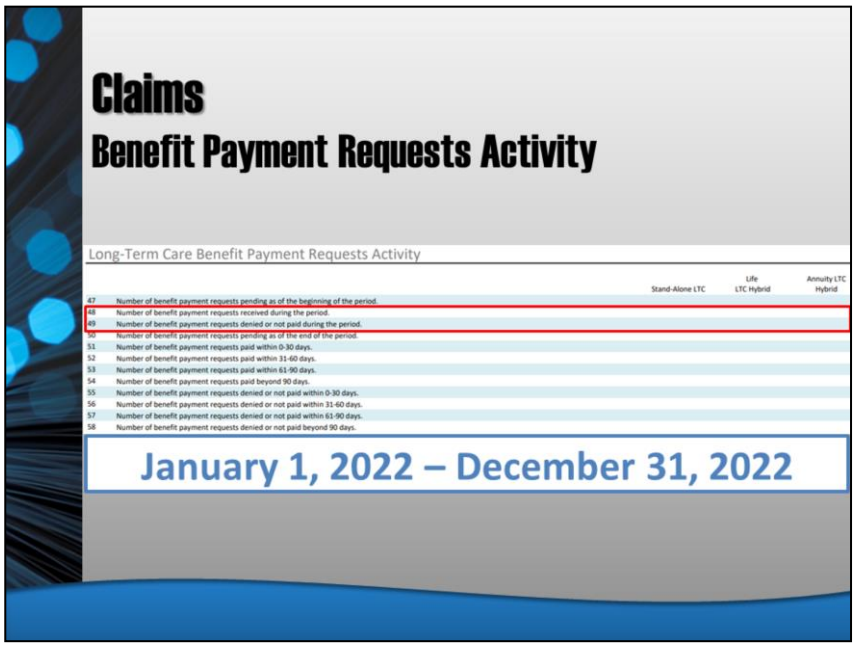
A benefit payment request is a request for benefits ***after*** the insurer has determined the insured is entitled to benefits following the initial claimant request. Each request or demand for a benefit payment (after satisfaction of the waiting or elimination period, if any) is treated as a distinct benefit payment request, and continuing payments for the same service should each be treated as a distinct benefit payment. These are broken out into groupings of information requested:

© 2023 National Association of Insurance Commissioners All Rights Reserved



Benefit payment requests pending as of the beginning of the reporting period – those requests that are pending as of January 1st,

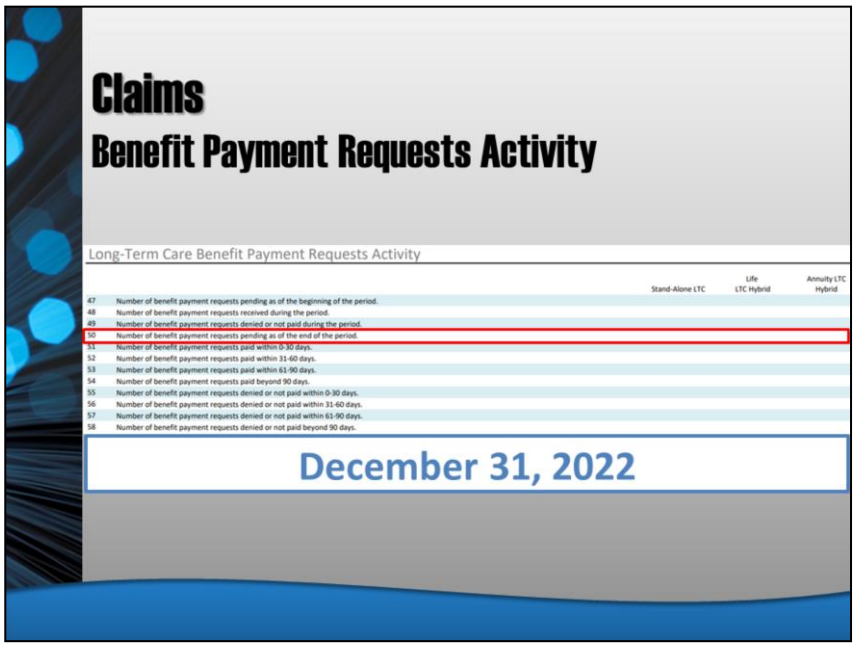
© 2023 National Association of Insurance Commissioners All Rights Reserved



Benefit payment requests received during the period – those requests that were received at any point during the reporting period,

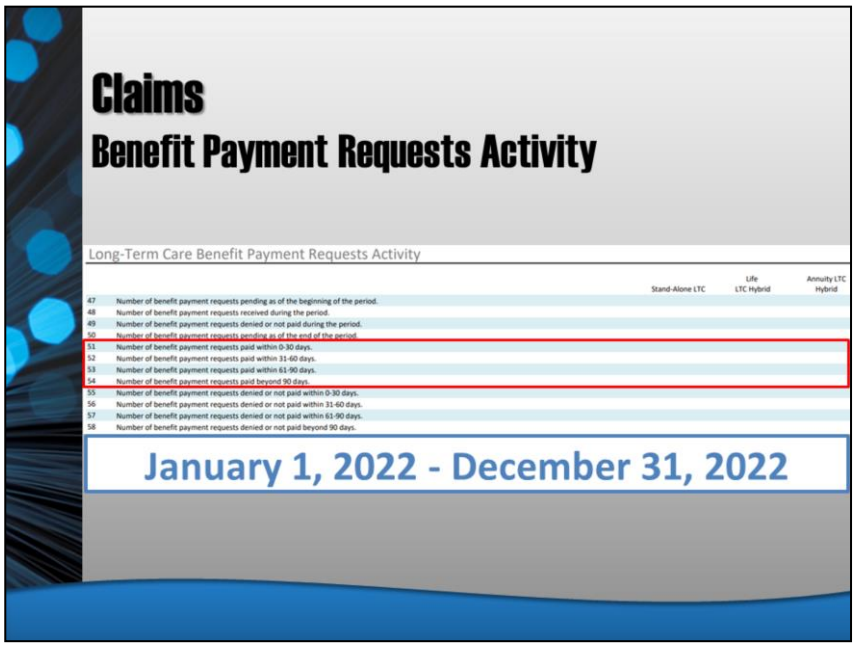
Benefit payment requests that were denied or not paid during the reporting period for any reason,

© 2023 National Association of Insurance Commissioners All Rights Reserved



And benefit payment requests that are still pending as of the end of the reporting period – those requests that are still pending on December 31st.

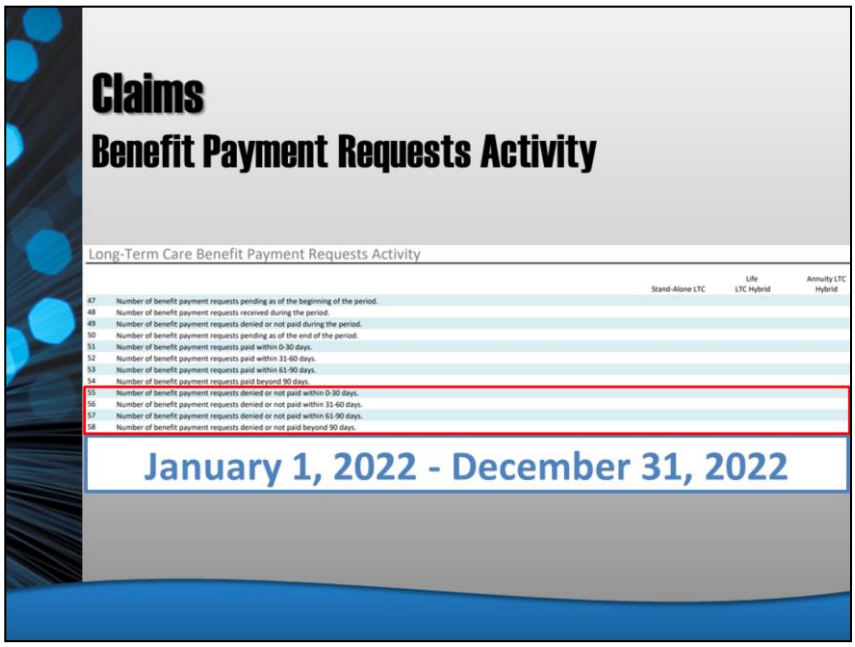
© 2023 National Association of Insurance Commissioners All Rights Reserved



Lastly, this section asks for the time frames during which benefit payment requests were paid or denied (or not paid.)

Benefit payment requests that were **paid** during the period are broken out into time frames from 0-30 days, from 31-60 days, from 61-90 days and those beyond 90 days.

© 2023 National Association of Insurance Commissioners All Rights Reserved

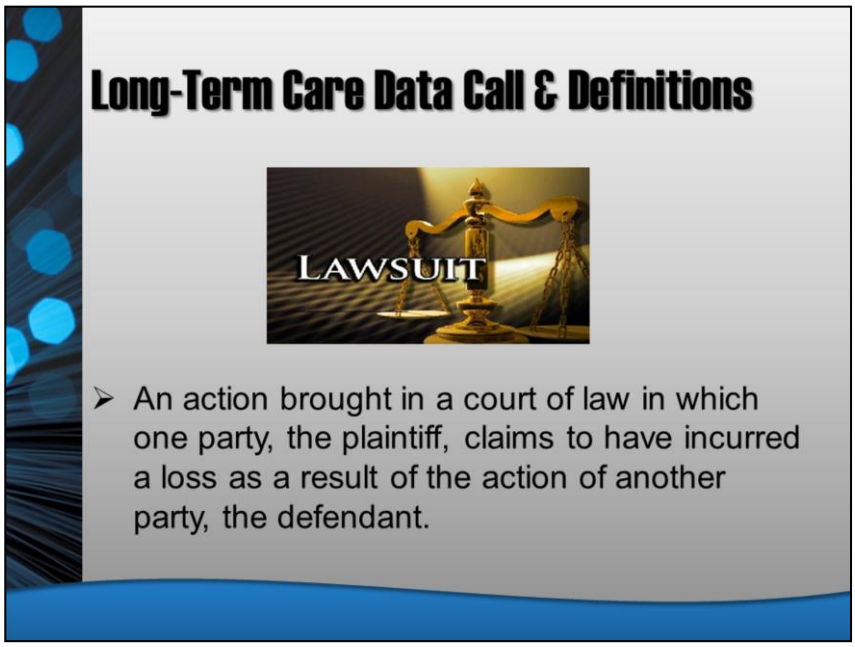


Those benefit payment requests that were denied or not paid are also broken out into time frames from 0-30 days, from 31-60 days, from 61-90 days and those beyond 90 days.

© 2023 National Association of Insurance Commissioners All Rights Reserved

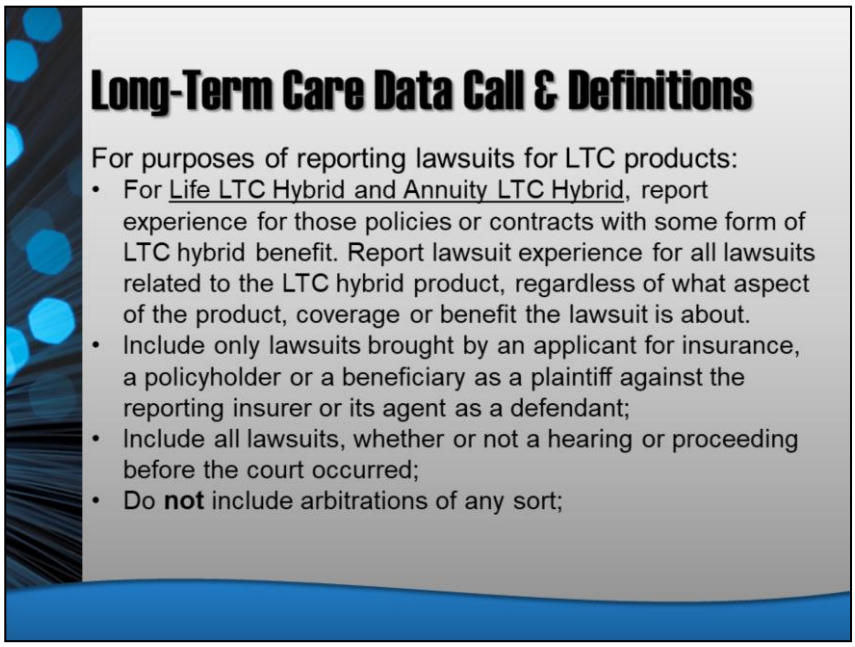
The final section of the LTC MCAS relates to Lawsuit Activity. There are some specifics you will need to know regarding the way lawsuits are defined.

© 2023 National Association of Insurance Commissioners All Rights Reserved



A lawsuit is an action brought in a court of law in which one party, the plaintiff, claims to have incurred a loss as a result of the action of another party, the defendant.

© 2023 National Association of Insurance Commissioners All Rights Reserved



For purposes of reporting lawsuits for LTC products:

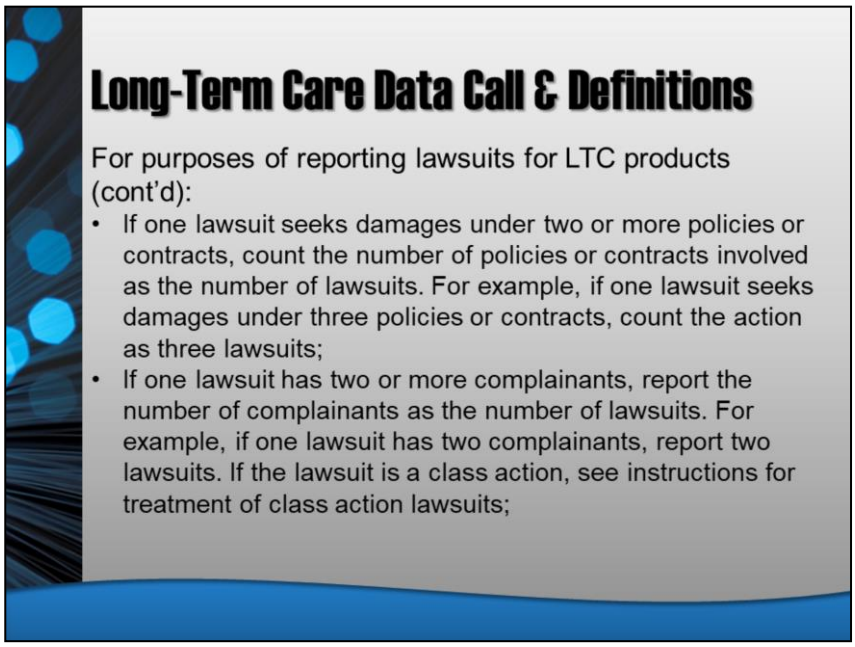
For Life LTC Hybrid and Annuity LTC Hybrid, you report lawsuit experience for all lawsuits related to the LTC-hybrid product, regardless of what aspect of the product, coverage or benefit the lawsuit is about.

You would only include lawsuits brought by an applicant for insurance, a policyholder or a beneficiary.

And you would include all lawsuits, whether or not a hearing or proceeding before the court occurred.

But you would not include arbitrations.

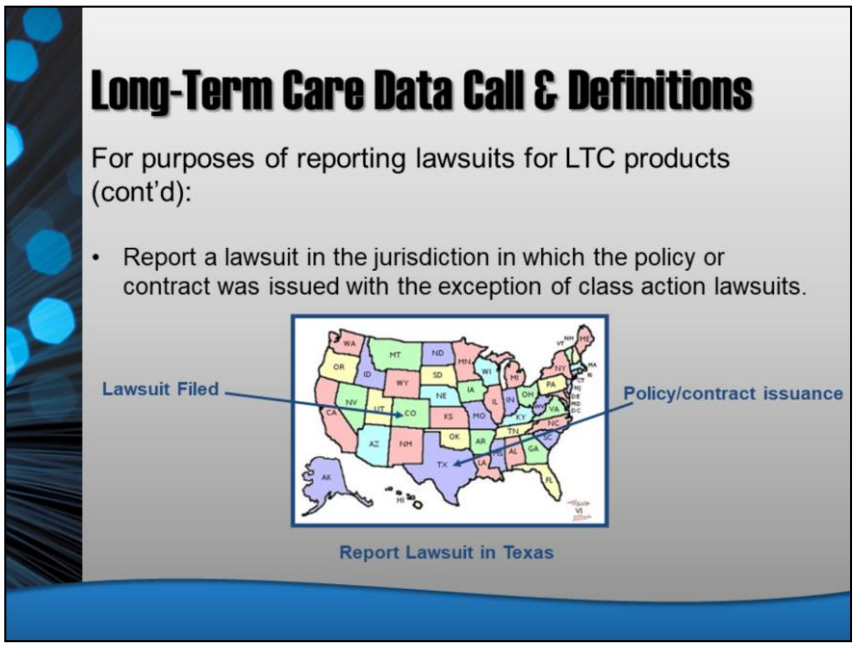
© 2023 National Association of Insurance Commissioners All Rights Reserved



If one lawsuit seeks damages under two or more policies or contracts, you would count the number of policies or contracts involved as the number of lawsuits. For example, if one lawsuit seeks damages under three policies or contracts, count the action as three lawsuits;

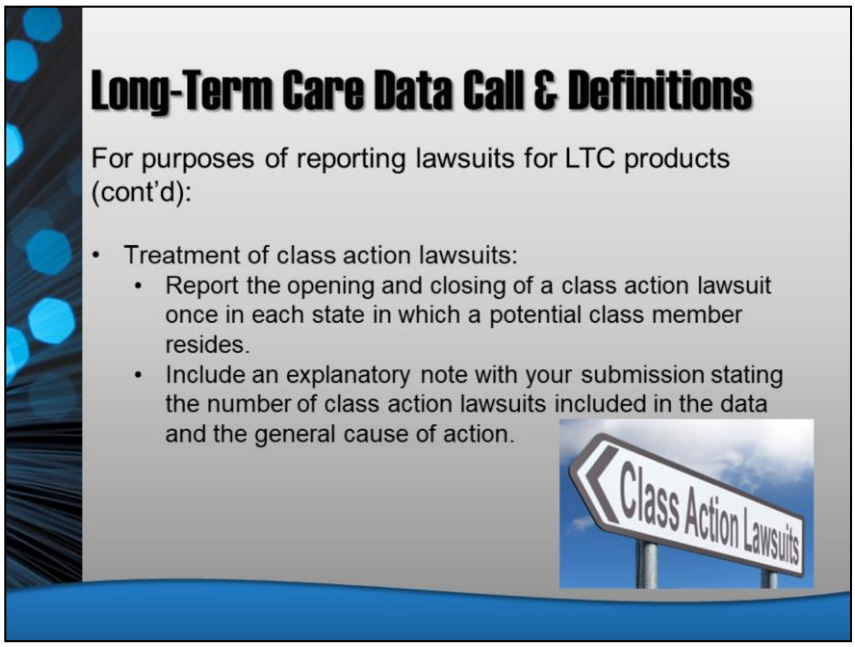
And, if one lawsuit has two or more complainants, you would report the number of complainants as the number of lawsuits. For example, if one lawsuit has two complainants, report two lawsuits.

© 2023 National Association of Insurance Commissioners All Rights Reserved



Finally, you should report a lawsuit in the jurisdiction in which the policy or contract was issued.

© 2023 National Association of Insurance Commissioners All Rights Reserved



Regarding the treatment of class action lawsuits: Report the opening and closing of a class action lawsuit once in each state in which a potential class member resides. Include an explanatory note with your submission stating the number of class action lawsuits included in the data and the general cause of action.

© 2023 National Association of Insurance Commissioners All Rights Reserved

The information requested regarding lawsuits includes the number of lawsuits open at the beginning of the reporting period (January 1st),

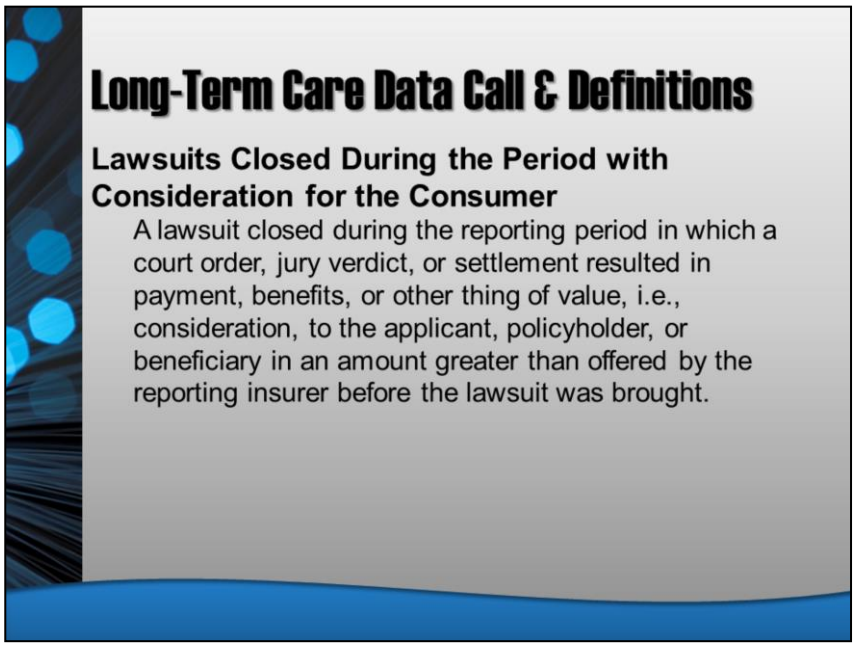
© 2023 National Association of Insurance Commissioners All Rights Reserved

The number of lawsuits opened during the reporting period,

© 2023 National Association of Insurance Commissioners All Rights Reserved

The total number of lawsuits closed during the reporting period (That is, all lawsuits), and the number of lawsuits closed during the period with consideration for the consumer.

© 2023 National Association of Insurance Commissioners All Rights Reserved



The definition of Lawsuits Closed During the Period with Consideration for the Consumer is defined as a lawsuit closed during the reporting period in which a court order, jury verdict, or settlement resulted in payment, benefits, or other thing of value, i.e., consideration, to the applicant, policyholder, or beneficiary in an amount greater than offered by the reporting insurer before the lawsuit was brought.

© 2023 National Association of Insurance Commissioners All Rights Reserved

And lastly, the number of lawsuits open at the end of the reporting period (December 31st).

© 2023 National Association of Insurance Commissioners All Rights Reserved

This concludes the data elements review portion of the Long-Term Care Data Elements.

© 2023 National Association of Insurance Commissioners All Rights Reserved