

31A-22-1407 Restricted conditional terms.

- (1) A long-term care insurance policy may not contain a provision that conditions eligibility:
 - (a) for any benefits on a prior hospitalization requirement;
 - (b) for benefits provided in an institutional care setting on the receipt of a higher level of institutional care; or
 - (c) for any benefits on a prior institutionalization requirement except for eligibility for:
 - (i) waiver of premium;
 - (ii) post confinement;
 - (iii) post-acute care; or
 - (iv) recuperative benefits.
- (2) A long-term care insurance policy containing post confinement, post-acute care, or recuperative benefits shall clearly label the limitations or conditions, including any required number of days of confinement in a separate paragraph of the policy or certificate that is entitled "Limitations or Conditions on Eligibility for Benefits."
- (3) A long-term care insurance policy or rider that conditions eligibility of noninstitutional benefits on the prior receipt of institutional care may not require a prior institutional stay of more than 30 days.

Amended by Chapter 116, 2001 General Session