



A REPORT BY THE SUPERINTENDENT OF FINANCIAL SERVICES

TO

THE GOVERNOR AND THE LEGISLATURE

ON

LONG TERM CARE HEALTH INSURANCE PLANS

(REPORT FOR THE TWO-YEAR PERIOD ENDING DECEMBER 31, 2016)

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SUPERINTENDENT



NEW YORK STATE
DEPARTMENT *of*
FINANCIAL SERVICES

Andrew M. Cuomo
Governor

Maria T. Vullo
Superintendent

To Governor Andrew M. Cuomo and the Legislature:

I am pleased to submit this report of the Department of Financial Services on the implementation of Chapter 245 of the Laws of 1986 permitting approval of certain long term care health insurance plans in accordance with the provisions of such act. The current report is for the two-year period ending December 31, 2016.

Respectfully submitted,

Maria T. Vullo
Superintendent of Financial Services

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Executive Summary

Purpose of this Report

Pursuant to Chapter 245 of the Laws of 1986, the Superintendent of Financial Services (Superintendent) is required to make this biennial report to the Governor and the Legislature regarding long term care (LTC) insurance, including but not limited to a description of the plans authorized, factors contributing to or impeding the development of the enrollment in such plans, the adequacy of consumer information in relation to insurance coverage for LTC services, and such recommendations as the Superintendent may deem appropriate. The current report is for the two-year period ending December 31, 2016.

General Background

The predecessor agency to the New York State Department of Financial Services (DFS), the New York State Insurance Department (Insurance Department), approved the first LTC plans in 1986. For the first two decades, the number of insurers offering such coverage remained steady. However, over the last five to ten years, reflecting an apparent national trend, the number of insurers offering LTC coverage in New York State (NYS) has declined. As of the end of the reporting period, eight insurers write individual LTC policies and one insurer writes group LTC policies in NYS. As of December 31, 2016, there were 70,518 persons enrolled in NYS Partnership for LTC (Partnership, described below) policies and 362,139 persons enrolled in non-Partnership policies.¹

Legislation and Programs to Encourage the Purchase of Coverage for Long Term Care

- In 1989, to encourage more New Yorkers to purchase LTC insurance, NYS established the Partnership program pursuant to Chapter 454 of the Laws of 1989. Under the Partnership program, NYS residents who purchase qualified LTC insurance policies will, upon exhaustion of the policy benefits, protect all or part of their assets in qualifying for Medicaid assistance. The NYS Partnership program is different than other states' Partnership programs which have been established under the federal Deficit Reduction Act of 2005 (DRA). The NYS program, the first of its kind in the nation, pre-dated the DRA programs by sixteen years.
- In 1996, the federal government enacted the Health Insurance Portability and Accountability Act (HIPAA) (Pub. L. No. 104-191, 110 Stat. 1936 (1996)) which, in part, provided federal tax incentives for purchasing LTC insurance. Pursuant to the law, benefits received by a chronically ill individual under a "qualified" LTC insurance policy are excludable from income if the payments are based on actual expenses incurred.
- In 1997, pursuant to Chapter 659 of the Laws of 1997, NYS began providing favorable state income tax treatment for those persons purchasing LTC policies that qualify for the federal income tax deduction. Chapter 659 of the Laws of 1997 also promoted the

¹ The total LTC enrollment contained in this Report increased slightly compared to the last report (December 31, 2015) as a result of a reporting error made by an insurer in the data that it submitted for inclusion in the previous report.

development of a broader and more integrated continuum of LTC coverage, financed by a range of private, public and public/private options, including the development of continuing care retirement communities (CCRCs).

- In 1998, pursuant to Chapter 585 of the Laws of 1998 and to further encourage the purchase of LTC insurance, NYS enacted the New York Public Employee and Retiree Long Term Care Insurance Plan (NYPERL). The NYPERL offered LTC coverage to State employees, retirees and eligible family members under a group policy issued to NYS. The full cost of the plan, including coverage of eligible family members, is paid by the employee or insured person and can be deducted from the employee's salary. Local governments and other public and quasi-public employers were also allowed to participate in the NYPERL if the employer was eligible for the NYS's health insurance program and the governing body elected to participate. The NYPERL is not currently offering LTC coverage to new applicants as the existing insurer, MedAmerica Insurance Company of New York, elected not to renew its contract with NYS in 2016. A Request for Proposal released by the NYS Department of Civil Service in 2016 failed to attract a new insurer to the NYPERL. Coverage remains in effect for existing insureds under the NYPERL.
- In 2000, NYS increased the tax deduction caps by allowing businesses and individuals to take a state tax credit equal to 10% of their LTC insurance premiums (NY Tax Law Section 606(aa)). The Legislature extended the tax credit in 2002 to NYS residents covered under a federally qualified out-of-state group LTC insurance contract. In 2004, NYS's tax credit for the purchase of LTC insurance increased from 10% to 20% of premiums.
- In 2005, the Insurance Department promulgated the Second Amendment to Insurance Regulation 144 (11 NYCRR 39). The amendment provided for three new LTC insurance product designs for the Partnership program in addition to the original product design. With this regulatory amendment, two product designs provided dollar for dollar asset protection, and two product designs provided total asset protection.
- In 2011, in an effort to add an important consumer protection, DFS promulgated the Forty-Third Amendment to Insurance Regulation 62 (11 NYCRR 52), establishing an internal appeal process for LTC insurance. The internal appeal procedure permits an insured to request a review by the insurer of a claim denial for payment of benefits under the policy.
- In 2012, in accordance with the findings of Governor Andrew M. Cuomo's Medicaid Re-Design Team, DFS promulgated the Third Amendment to Insurance Regulation 144 (11 NYCRR 39). The amendment made the Partnership more affordable by establishing a new 3.5% annual compound inflation benefit option and by establishing a lower cost minimum Partnership insurance plan design that enables the insured to protect all assets upon Medicaid eligibility. The amendment also made the Partnership more marketable by requiring consumer protections for NYS Partnership insureds who moved from NYS and subsequently became eligible for asset protection under another state's Medicaid program.

- In 2013, DFS promulgated the Fourth Amendment to Insurance Regulation 144 (11 NYCRR 39) which set forth the minimum daily benefit amounts for the five Partnership plan designs from January 1, 2014 through December 31, 2023.

Factors Contributing to or Impeding the Development of Long Term Care Plans

Key factors directly affecting the development of the enrollment in LTC insurance policies in NYS include:

- 1) consumer awareness;
- 2) underwriting;
- 3) new products; and
- 4) the high cost of LTC policies.

Purpose of Report

Chapter 245 of the Laws of 1986 added Section 1117 to the NYS Insurance Law to permit certain insurers authorized by the Superintendent to issue policies providing benefits for LTC. In pertinent part, the Act provides that "on or before January first, nineteen hundred eighty-eight, and biannually thereafter, the superintendent of insurance shall report to the governor and the legislature on the implementation of this act, including but not limited to a description of the plans authorized pursuant to this act, factors contributing to or impeding the development of the enrollment in such plans, the adequacy of consumer information in relation to insurance coverage for long term care services, and such recommendations as the superintendent may deem appropriate." The current report is for the two-year period ending December 31, 2016.

General Background

The predecessor agency to DFS, the NYS Insurance Department, first approved LTC insurance plans in 1986. In 1991, the Insurance Department promulgated the Sixteenth Amendment to Insurance Regulation 62 (11 NYCRR 52), which established minimum standards and set forth disclosure requirements for LTC insurance. The regulations took effect on January 1, 1992.

In order to allow insurers some flexibility in designing benefit packages to meet the varying needs of the public, and to provide meaningful coverage that is affordable to the greatest number of consumers, the Insurance Department established four categories of insurance policies providing LTC type benefits:

1. **LTC Insurance** provides at least 24 months of coverage which meets one of the following options:
 - Coverage of all levels of care in a nursing home of at least \$100 per day for policies sold in the New York City metropolitan area (i.e., the counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, Rockland and Westchester) and \$70 per day for all other parts of NYS; home care coverage of at least 50% of the daily indemnity amount provided for care in a nursing home;
 - Coverage of all levels of care in a nursing home and coverage of home care, both at no less than 60% of the reasonable charge; and
 - Coverage of all levels of care in a participating nursing home (one which has contracted with an insurer to provide services to their policyholders) at no less than 75% of the negotiated rate. For non-participating nursing homes, payment must be no less than 50% of the reasonable charge or \$55 per day, whichever is less. Coverage of home care by a participating home care provider at no less than 75% of the negotiated rate. For non-participating home care providers, payment must be no less than 50% of the reasonable charge or \$30 per day, whichever is less.
2. **Nursing Home and Home Care Insurance** provides at least 12 months of coverage for custodial care services of at least \$50 a day while confined in a nursing home and coverage for custodial care services in a private home of at least \$25 per day.

3. **Nursing Home Insurance Only** provides at least 12 months of coverage for custodial care services of at least \$50 per day in a nursing home.
4. **Home Care Insurance Only** provides at least 12 months of coverage for custodial care services of at least \$25 per day in a private home.

For all categories, the Insurance Department mandated the offering of the following additional benefits:

- **An inflation protection benefit.** An insurer must offer an insured one of the following three options:
 - 1) Five percent compound inflation (lower percentages are also permitted);
 - 2) Increased benefit levels in proportion to the increase in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, compounded annually; or
 - 3) Guaranteed purchase option (insurer periodically offers increased benefit levels without providing evidence of insurability or health status so long as the insured has not declined the option three consecutive times).
- **A nonforfeiture benefit.** An insurer must offer an insured the option to purchase a rider that provides a reduced benefit upon policy lapse, without the insured having to pay any additional premium.

As of the end of the reporting period, eight insurers write individual LTC insurance policies and one insurer writes group LTC insurance policies in NYS. (See the chart below for details)

Authorized Long Term Care Insurers

Insurers continue to offer a variety of benefit packages in connection with the four types of LTC coverage described above. The following chart identifies the insurers currently offering LTC type coverage to New Yorkers as of the end of the reporting period²:

Insurer	Individual		Group	
	NP	P	NP	P
Bankers Conseco Life Insurance Company	X			
Genworth Life Insurance Company of New York	X	X	X	
Knights of Columbus	X			
Massachusetts Mutual Life Insurance Company	X	X		
Mutual of Omaha Insurance Company	X			
New York Life Insurance Company	X			
Northwestern Long Term Care Insurance Company	X			
Transamerica Financial Life Insurance Company	X			
P = Partnership coverage NP = Non-partnership coverage				

² Data regarding closed blocks of business (coverage not currently offered) can be found in Appendices.

Legislation and Programs to Encourage the Purchase of Coverage for Long Term Care

Tax Incentives – Federal

In 1996, the federal government enacted the Health Insurance Portability and Accountability Act (HIPAA) which, in part, provided federal tax incentives for purchasing LTC insurance. Pursuant to the law, benefits received by a chronically ill individual under a "qualified" LTC insurance policy are excludable from income if the payments are based on actual expenses incurred.

Generally, for 2017, benefits received under "qualified" policies that pay on an indemnity basis are excludable from income as long as the benefit payments do not exceed \$360 per day and are not in excess of the actual expenses. These caps will be indexed for inflation. Payments in excess of the cap are excludable from income only to the extent of actual costs incurred for LTC services. Amounts received in excess of the dollar cap for which no actual costs were incurred for LTC services are fully includable in income.

Individuals who itemize on their tax returns should be aware that, under HIPAA, premiums for "qualified" LTC insurance policies are treated as medical expenses for purposes of itemized deductions (medical expenses must be more than 10% of adjusted gross income to qualify for the deduction). The maximum amounts deductible in 2017 are set forth in the table below.

In the case of an individual with an attained age before the close of the taxable year of:	The annual maximum deductible amount is:
40 or less	\$410
41 to 50	\$770
51 to 60	\$1,530
61 to 70	\$4,090
71 & Over	\$5,110

Under HIPAA, for a LTC insurance policy to be qualified for the favorable tax treatment, the policy must meet the following requirements:

- Provide only coverage of qualified LTC services;
- Generally not pay or reimburse expenses incurred for services or items that would be reimbursed under Medicare, except where Medicare is a secondary payer, or where the contract makes per diem or other periodic payments without regard to expenses subject to federal interpretation of special rules in HIPAA;
- Be guaranteed renewable;
- Provide that refunds (other than refunds on the death of the insured or complete surrender or cancellation of the policy) and dividends under the policy must be used only to reduce future premiums or increase future benefits; and
- Not provide for a cash surrender value or other money that can be paid, assigned, pledged or borrowed.

HIPAA also provides that any policy issued before January 1, 1997, which meets the LTC insurance requirements of the state in which the policy was issued, will be treated as federally "qualified" LTC insurance policy for federal tax purposes, and services provided under the policy will be treated as qualified LTC services. The "grandfather" status for policies issued before January 1, 1997 will continue so long as there is no "material change" in the policy on or after January 1, 1997 within the meaning of federal law.

Tax Incentives – State

NYS has also encouraged the purchase of LTC insurance by enacting legislation that provides favorable state income tax treatment for those persons purchasing LTC policies that qualify for the federal income tax deduction. In 1997, pursuant to Chapter 659 of the Laws of 1997, premiums paid for "qualified" LTC policies were deductible to the same extent as under the federal law. The deduction in NYS was taken from federal adjusted gross income. This deduction, therefore, was available even to those taxpayers who did not itemize their deductions. Benefits received under federally "qualified" LTC policies were excluded from income on the same basis as under the federal law.

In 2000, NYS repealed this tax deduction for LTC insurance premiums and instead provided for a tax credit equal to 10% of LTC insurance premiums for taxable years beginning January 1, 2002. Also, in 2002, NYS amended its Tax and Insurance Laws to permit NYS residents covered under a federally qualified out-of-state group LTC insurance contract to deduct or receive a tax credit equal to 10% of the premium paid on their state income tax returns. Prior to this legislation, a NYS resident's premium payment had to be for the purchase of a LTC insurance policy, approved in NYS by the Superintendent of Insurance, in order to deduct or receive the tax credit. In 2004, legislation was enacted increasing the tax credit for LTC insurance premiums from 10% to 20% for tax years beginning in 2004.

Thus, a NYS resident who pays \$2,000 in premiums for a tax qualified LTC insurance policy in tax year 2017 would receive a NYS tax credit in the amount of \$400 on his/her 2017 NYS income tax return. This tax credit translates into a direct dollar-for-dollar reduction of the amount of income tax owed to NYS.

Continuing Care Retirement Communities (CCRCs)

In an effort to promote the development of a broader and more integrated continuum of LTC, financed by a range of private, public and public/private options, NYS amended the Public Health Law in 1997 to allow a continuing care retirement community (CCRC) the flexibility to offer more cost-conscious options of contracts beyond the lifetime guarantee for nursing facility care option. In addition to establishing a process for approval of CCRCs, the Public Health Law also provided for the following:

- Streamlining the approval process for residential health care facility beds and licensed home care service agencies operated as part of a CCRC;
- Establishing a comprehensive and flexible statutory and regulatory framework for an increased number of demonstration programs providing managed care for the elderly and chronically ill population who would not otherwise be served in a special needs plan or other managed care program;
- Making the LTC security demonstration program permanent; and

- Permitting accelerated payment of death benefits under a life insurance policy when the insured is chronically ill and requiring LTC services for the duration of his or her life.

Four different types of CCRC contracts are authorized for sale in NYS. Type A is all-inclusive, Type B provides modified services, Type C requires fee for service, and Type D provides care at home.

- 1) **Type A** contracts provide housing, residential services, many amenities and unlimited, specific health-related services, including LTC services. If the resident’s health deteriorates to the point that they need LTC services or admission to the nursing home, all of the services covered under the contract are provided without an increase in the monthly fee (except for normal operating costs and inflation adjustments). The monthly fee also will not increase due to the amount of services the resident requires.
- 2) **Type B** contracts provide housing, residential services and many amenities. This contract differs from the Type A contract in the amount of LTC services that will be provided before an adjustment is made in the amount of the monthly fee paid by the resident. For example, under this type of contract, the CCRC could allow residents a specified number of days in a nursing home without a change in the monthly fee. Once this limit is reached, the resident could be required to pay for continued nursing home services on a full per diem basis or a discounted per diem basis.
- 3) **Type C** contracts cover housing, residential services and amenities under the entrance fee and/or monthly fee in the same way as Type A and B contracts. This contract differs from the other two types of contracts in that all other health related services, including nursing home care, are paid for by the resident as they are needed on a fee for service basis. Under this type of contract, the resident pays lower fees upon entry, but in turn accepts the risk of paying for the care needed.
- 4) **Type D** contracts allow CCRCs to offer individuals an additional care option. This type of contract provides the traditional services and benefits of CCRCs while allowing individuals to remain in their own homes and receive home care prior to moving to the CCRC campus. Type D contracts are not currently offered by a CCRC in NYS, but a few CCRCs have indicated an interest in offering this contract type in the future.

As of the end of the reporting period, eleven CCRCs have received a Certificate of Authority from the Commissioner of Health and are operating under Article 46 of the Public Health Law:

<u>Name</u>	<u>County</u>	<u>Living Facilities</u>
The Amsterdam at Harborside 300 East Overlook Port Washington, NY 11050 516-472-6610 www.theamsterdamatharborside.com	Nassau	Independent living units, enriched housing units, nursing home beds

<u>Name</u>	<u>County</u>	<u>Living Facilities</u>
Canterbury Woods 705 Renaissance Dr. Williamsville, New York 14221 716-929-5817 www.canterburywoods.org/home.html	Erie	Independent living units, enriched housing units, nursing home beds
Fox Run at Orchard Park One Fox Run Lane Orchard Park, NY 14127 716-662-5001 www.foxrunorchardpark.com	Erie	Independent living units, enriched housing units, nursing home beds
Glen Arden, Inc. 214 Harriman Drive Goshen, NY 10924 800-914-4051 www.glenardenny.com	Orange	Independent living units, enriched housing units, nursing home beds
Jefferson's Ferry 1 Jefferson Ferry Drive S. Setauket, NY 11720-9800 888-233-1330 www.jeffersonsferry.org	Suffolk	Independent living units, enriched housing units, nursing home beds
Kendal on Hudson 1010 Kendal Way Sleepy Hollow, NY 10591 914-922-1000 www.kohud.kendal.org	Westchester	Independent living units, enriched housing units, nursing home beds
Kendal at Ithaca 2230 N. Triphammer Road Ithaca, NY 14850 800-253-6325 www.kai.kendal.org	Tompkins	Independent living units, enriched housing units, nursing home beds
Peconic Landing at Southold, Inc. 1500 Brecknock Road Greenport, NY 11944 888-273-2664 www.peconiclanding.org	Suffolk	Independent living units, enriched housing units, nursing home beds
Summit at Brighton 2000 Summit Circle Drive Rochester, NY 14618 585-442-4500 www.summitbrighton.org	Monroe	Independent living units, enriched housing units, nursing home beds
The Knolls* 55 Grasslands Road Valhalla, New York 10595 914-461-4517 www.theknolls.org	Westchester	Independent living units, enriched housing units, nursing home beds
Woodland Pond at New Paltz 100 Woodland Pond Circle New Paltz, NY 12561 877-505-9800 www.wpatnp.org	Ulster	Independent living units, enriched housing units, nursing home beds

* Westchester Meadows, a CCRC which operated in NYS, filed for chapter 11 bankruptcy on December 9, 2015. As part of the bankruptcy proceeding, Westchester Meadows initiated a sale process and the United States Bankruptcy Court authorized the sale of Westchester Meadows to Bethel Methodist Home (Bethel), subject to the terms of a Purchase Agreement dated as of August 11, 2016. As part of the Purchase Agreement, Bethel submitted a Certificate of Authority (COA) application to DOH to operate as a CCRC. The DOH and DFS reviewed the COA application for financial feasibility data, actuarial data, rating methodology, fee structure and the adequacy of residency agreements and disclosure statements. Ultimately, the sale of Westchester Meadows to Bethel was approved by the Bankruptcy Court and Bethel acquired Westchester Meadows and changed the name of the CCRC in October 2016 to The Knolls. 100% of Westchester Meadows residents executed new residency agreements with The Knolls.

The New York State Partnership for Long Term Care Insurance

In an effort to encourage more New Yorkers to purchase LTC insurance, NYS established the NYS Partnership for Long Term Care Program (Partnership) pursuant to Chapter 454 of the Laws of 1989. The Partnership became operational in March 1993. The Partnership provides that NYS residents who purchase a qualified policy or certificate providing LTC insurance will become eligible for Medicaid assistance without spending down their assets once the benefits from the policy or certificate are exhausted. Income, however, would still be contributed toward the cost of care in accordance with regular NYS Medicaid rules.

Under the original Partnership, the Insurance Department promulgated Insurance Regulation 144 (11 NYCRR 39), which established minimum standards for a qualified policy or certificate under the program.

The minimum standards and benefit levels under the Partnership are more stringent than the minimum standards for non-Partnership policies, in order to protect the viability of the NYS Medicaid program which is legally bound to provide benefits on a special eligibility basis after the benefits of the qualified LTC policy or certificate are exhausted.

To be approved under the Partnership, LTC insurance policies must contain the following minimum benefits:

- A lifetime maximum.
 - i. Nursing home benefit of at least 1½ or 2 years providing at least \$304 per day for 2017, and increasing by at least 3.5% (with an insured option to choose 5%) compounded annually. Home care coverage must be provided in an amount that is 50% of the minimum required nursing home care benefit (\$152 per day in 2017) and is payable when services are provided in the insured's home, in a group setting such as an adult day care center, or where human assistance is needed to aid the insured in necessary travel, such as to a physician's office; or
 - ii. Either 2 or 4 years providing at least \$304 per day for 2017, and increasing by at least 3.5% (with an insured option to choose 5%) compounded annually. The home care daily benefit amount is the same as the nursing home benefit rather than 50% of the nursing home benefit as described in the first option above.

- Bed reservation benefits, respite care, hospice care, care management and alternate care. Waiting periods for the 1½ or 2 year plans cannot exceed 60 days, and waiting periods for the 2 or 4-year plans cannot exceed 100 days.

Total asset protection is available with Partnership policies providing 2 or 4 years of benefits. Upon exhaustion of the benefits in the 2 or 4-year total asset plan designs, the insured is able to apply for Medicaid and protect all of their assets. Dollar for dollar Partnership policies that provide 1½ or 2 years of nursing home benefits provide dollar for dollar asset protection which means that for every dollar of benefits covered under those policies, a dollar of assets will be protected. For all Partnership plan designs, income must be contributed toward the cost of LTC services in accordance with Medicaid rules.

The 1½, 2 and 4-year plans must all be written to qualify for favorable federal and NYS income tax treatment. The original 3-year plan may be written as qualifying for favorable federal and NYS income tax treatment, or it may be written as non-tax qualified (3 year plans issued before January 1, 1997 were issued before tax qualification standards existed, and thus they may be considered tax qualified if federal requirements are met).

As of the end of the reporting period, 84% of the total market for long term care insurance is comprised of non-Partnership policies and 16% is comprised of Partnership policies.

New York Public Employee and Retiree Long Term Care Insurance Plan (NYPERL)

In 1998, pursuant to Chapter 585 of the Laws of 1998 and to further encourage the purchase of LTC insurance, NYS enacted the New York Public Employee and Retiree Long Term Care Insurance Plan (NYPERL). The NYPERL offered two tax-qualified benefit designs: the Partnership option, which after the exhaustion of either a two or three-year nursing home benefit provides for coverage of LTC expenses under the State's Medicaid program; and a non-Partnership option, which provides benefits based upon a three-year or five-year benefit period that is selected by the insured at the time of application. The NYPERL is a group LTC insurance policy administered by the NYS Department of Civil Service with coverage provided by MedAmerica Insurance Company of New York.

Participation in the plan was at the option of the employee. All State employees and retirees who were eligible or became eligible for participation in the New York State Health Insurance Plan were also eligible to participate in the NYPERL. Local governments and other public and quasi-public employers were able to participate in the NYPERL if the employer was eligible for the State's health insurance program and the governing body elected to participate. Coverage remains in effect for employees who terminate employment while participating in the plan as long as they continue paying premiums. The full cost of the plan, including coverage of eligible family members, is paid by the employee or insured person and can be deducted from the employee's salary. Employees who terminate employment while participating in the plan will have the option to continue the coverage or convert it to an individual policy. As of December 31, 2016, the NYPERL had 4,531 enrollees, of which 3,268 selected the non-Partnership policy and 1,263 selected the Partnership policy.

As of the end of the reporting period, the NYPERL is not currently offering LTC coverage to new applicants as the existing insurer, MedAmerica Insurance Company of New York, elected not to renew its contract with NYS in 2016. A Request for Proposal released by the NYS

Department of Civil Service in 2016 failed to attract a new insurer to the NYPERL. Coverage remains in effect for existing insureds under the NYPERL.

Factors Contributing to or Impeding the Development of Long Term Care Plans

In order for DFS to better understand the factors affecting the development of the LTC insurance market, DFS distributed a questionnaire to several LTC insurers. The questionnaire asked general questions about LTC insurance and the LTC insurance market, and invited insurers to elaborate on their responses so DFS could gather more information about innovations that could rejuvenate the LTC insurance market. Insurers most often cited the following four factors affecting the development of and enrollment in LTC insurance coverage in NYS: (1) Consumer awareness, (2) Underwriting, (3) New products, and (4) High cost of LTC insurance coverage. These are described in more detail below. However, responses from insurers did not provide extensive information or ideas on innovations that could rejuvenate the market.

1) Consumer Awareness

LTC insurers continue to report consumers' lack of awareness of the need for LTC insurance and the misperception that medical insurance, Medicare and/or Medicaid will cover these services. One insurer stressed that there needs to be a regular program of consumer outreach, sponsored by NYS and/or the federal government, regarding the need to plan for LTC. Many individuals will voluntarily seek out information regarding LTC planning when there is an event within their own family but waiting for that moment to happen and hoping that the individual is still insurable or has the financial means to plan is not a reasonable way to create more awareness and demand for solutions. Another issue mentioned by insurers as affecting the successful marketing of LTC insurance is that LTC is a subject that makes many people uncomfortable. People often refuse to believe they will need LTC and therefore refuse to plan for future LTC expenses.

A great deal of information is available to consumers about LTC insurance plans if they seek it out. DFS's website offers information on LTC insurance and CCRCs. DFS also periodically updates the consumer guide entitled, "A Consumer's Guide to Long Term Care Insurance," which, among other things provides information on benefits and features available in the NYS market. The Partnership publishes the "New York State Partnership for Long Term Care Brochure" and a consumer brochure entitled "Medicaid Eligibility and the Treatment of Income and Assets under the New York State Partnership for Long Term Care." These publications are updated periodically and are available from the Partnership Office at the NYS Department of Health. The Brochure is also available on the NYS Department of Health website at: https://nyspltc.health.ny.gov/docs/final_brochure_2017.pdf.

Publications are also issued by entities other than state government that highlight the differences between Medicare, Medicaid and LTC insurance. A publication developed jointly by the National Association of Insurance Commissioners (NAIC) and the Centers for Medicare and Medicaid of the U.S. Department of Health and Human Services entitled, "Choosing a Medigap Policy: A Guide to Health Insurance for People with Medicare," contains information indicating that Medigap policies do not cover LTC. This guide is updated periodically and is available on the DFS website at: <http://www.dfs.ny.gov/consumer/caremain.htm>. The NAIC also has available "A Shopper's Guide to Long-Term Care Insurance," which provides guidance on LTC insurance, as well as worksheets to assist consumers in obtaining information about the availability and cost of LTC services. This guide is also updated periodically and is available on the DFS website at http://www.dfs.ny.gov/consumer/ltc/ltc_index.htm. In addition to efforts by

government agencies and the NAIC, it is also incumbent for insurers to be proactive. Insurers must engage consumers about the importance and need for LTC insurance.

As noted, both federal and NYS laws provide for favorable tax treatment for the purchase of qualified LTC insurance policies. Insurers have indicated that the NYS tax credit has a larger impact on promoting LTC insurance purchases than the more limited favorable federal tax deduction. Insurers also believe that publicity generated by the enactment of federal and state laws providing for favorable tax treatment for qualified LTC policies has helped focus the public's attention on LTC issues. Insurers in general feel that the favorable tax treatment sends a positive message to consumers. Additionally, numerous insurers reported that they would like to see the federal and NYS tax incentives increased. Many insurers believe that more robust tax incentive programs would lead to a greater number of individuals covered by LTC insurance policies.

For individuals, the federal deduction allows LTC insurance premiums to be deducted if the insured's medical expenses exceed 10% of their adjusted gross income. If an "above-the-line"³ deduction was allowed, it would provide an incentive for many more people to purchase LTC coverage. Insurers believe that pre-tax deductibility for LTC premiums and the inclusion of group LTC insurance in Cafeteria Plans (Section 125 of the Internal Revenue Code) would also have a major impact on encouraging sales of LTC insurance.

Most insurers also indicated to DFS that the NYS tax credit is an important incentive to the sale of LTC coverage. Some companies use the tax incentives in their marketing materials, with brochures highlighting the NYS tax credit and favorable federal tax treatment. Several insurers educate their agents about the NYS tax credit, who in turn provide the information to consumers during marketing or sale.

Insurers also indicated that Medicaid estate planning is an impediment to the development of LTC insurance in NYS. Generally, assets of a Medicaid applicant and his/her spouse (if married) are considered for Medicaid eligibility purposes. Medicaid estate planning involves the transferring or sheltering of those assets to access Medicaid for coverage of the consumer's LTC needs. This transferring or sheltering of a consumer's assets allows a consumer to meet the asset test for Medicaid eligibility and receive LTC services without having to "spend down" their assets prior to becoming Medicaid eligible. As of the end of the reporting period, the asset test for Medicaid eligibility included a five-year look-back period. Many consumers see the use of Medicaid estate planning as a viable alternative to purchasing LTC insurance for their LTC needs.

2) Underwriting

LTC insurance coverage relies heavily upon various actuarial assumptions, including lapse rate, morbidity (need for benefits), and mortality (lifespan). Many insurers overestimated lapse rates and underestimated morbidity and mortality when initially pricing LTC coverage in the 1980s. In addition, the cost of care has risen significantly. As a result, and in retrospect, most LTC coverage was underpriced when it was first sold. Today, LTC insurers can price LTC coverage more accurately because of the more credible data. Consequently, initial premium rates have increased substantially and priced many individuals out of the market.

³ An "above-the-line" deduction allows an individual to deduct certain expenses without itemizing. These deductions can be claimed whether an individual itemizes or takes the standard deduction.

3) New Products

Due to the numerous issues with traditional stand-alone LTC insurance, insurers and DFS have recognized the need for innovation. In 2005, the Insurance Department promulgated an amendment to Insurance Regulation 143 (11 NYCRR 41) that allows insurers to offer consumers the option of accelerating the death benefit under a life insurance policy when the insured is chronically ill and may need additional financial resources to assist with meeting LTC needs and expenses. Access to existing resources such as the death benefit of a life insurance policy and the ability for insurers to provide for alternate ways to meet consumer's increasing LTC needs have become more necessary. The standards set forth by the regulation provide proper disclosure to consumers and ensure the favorable federal tax treatment for payment of the benefits. A few insurers have also explored whether to add a LTC rider to pay additional LTC benefits after the accelerated death benefit rider has been exhausted. These combination products provide more LTC benefits after the death benefit of the life insurance policy is exhausted. As of the end of the reporting period, three insurers offered a joint life insurance policy with an accelerated death benefit rider and additional LTC insurance rider.

Additionally, under the federal Pension Protection Act of 2006, the same favorable federal tax treatment granted to stand-alone LTC insurance was extended to combination annuity and LTC insurance products. DFS has received a few inquiries from insurers expressing interest in offering a combination annuity/LTC insurance product. As of the end of the reporting period, one insurer offered a combination annuity/LTC insurance product.

4) High Cost of LTC Coverage

In recent years, many insurers have raised premium rates on LTC policies. Premium rate increases have been implemented nationally and in NYS. While DFS understands consumers' frustration and the financial difficulties caused by recent LTC premium rate increases, certain rate increases were necessary and actuarially justified. At the time that sales of LTC insurance began, it was a new insurance product for which there was no claims experience to draw from in establishing premium rates. Unfortunately, many of the initial assumptions that were used by insurers later proved to be incorrect. The lack of credible experience and flawed assumptions, coupled with rising healthcare costs and increased life expectancy, led to insufficient premiums. As a result, insurers have demonstrated the actuarial need for premium rate increases.

DFS seeks to minimize the impact of LTC premium rate increases on consumers through the use of "landing spots." Landing spots are a mechanism in which an insurer offers its insureds the ability to offset a significant LTC premium rate increase, either fully or partially, by lowering their LTC inflation protection benefit (e.g. 5% to 4%) and/or shortening their LTC benefit duration (e.g. 5 years to 3 years.)

In addition, DFS reminds insurers that they should be providing insureds the ability to change certain benefits, such as lowering their daily benefit amount, increasing their elimination period, or reducing their lifetime benefit maximum at any time. All these options give insureds the ability to mitigate LTC premium rate increases and have a LTC policy that meets their needs.

General Recommendations

LTC insurance is an alternative to Medicaid for consumers seeking to finance LTC services. To further encourage the development and purchase of such policies, DFS makes the following recommendations:

- The LTC insurance industry should be encouraged to take the following action:
 - Emphasize the marketing and sale of basic LTC type coverage to a younger demographic that would also be affordable for more middle-class New Yorkers; and
 - Offer innovative LTC products, such as combination life insurance/LTC riders, designed to keep premiums affordable while still providing meaningful LTC benefits for New Yorkers.
- DFS, the NYS Department of Health, and the NYS Office for the Aging should continue efforts to encourage the purchase of LTC policies, including those qualifying under the Partnership.
- NYS should increase its efforts to educate the public about the benefits of LTC insurance, including the existence of NYS's tax credit for LTC premiums provides a substantial tax benefit. Essentially, NYS will support and encourage its taxpayers to plan for future LTC expenses by paying 20% of the bill for LTC insurance premiums. This credit is available to any NYS taxpayer paying LTC insurance premiums, including adult children who pay for coverage on behalf of their parents.
- The federal government should be encouraged to take the following action:
 - Allow an above-the-line deduction or tax credit for LTC insurance premiums;
 - Permit 401(k) or Individual Retirement Account holders to take a distribution from their retirement account to fund the purchase of LTC without an early withdrawal penalty;
 - Allow LTC Savings Accounts similar to Health Savings Accounts;
 - Provide funding for a federal education campaign around retirement security/planning for LTC needs;
 - Allow LTC insurance to qualify as part of a Cafeteria Plan under Section 125 of the Internal Revenue Code to allow a before-tax deduction for insurance premiums; and
 - Extend the Medicaid five-year look-back period (e.g. to ten years).

Further, DFS will take the following action:

- Continue to review the minimum standards for the form, content and sale of LTC insurance and amend the standards as necessary to incentivize the sale of meaningful LTC insurance to as many New Yorkers as possible;
- Continue to encourage insurers' development of innovative LTC products designed to keep premiums affordable while still providing meaningful LTC benefits for New Yorkers;

- Continue to periodically update DFS's "A Consumer Guide to Long Term Care Insurance in New York";
- Continue to work with the NYS Department of Health and the NYS Office for the Aging in publicizing and answering questions from the public on the Partnership;
- Continue to provide information and assistance to senior citizens concerning LTC insurance and other coverage available, such as Medicare supplement insurance;
- Continue to encourage insurers' development of combination products which combine life insurance or annuities with a rider that provides LTC type services; and
- Continue to require that insurers provide their insureds the ability to offset significant LTC premium rate increases using "landing spots" and other mitigating options.

APPENDIX 1

Total In-Force Long Term Care Policies with Market Share as of December 31, 2016

Insurer	Non-Partnership	Partnership	Total Insureds	% of Market
Aetna Life Insurance Company	3,954	0	3,954	0.9139%
Allianz Life Insurance Company of New York	1,021	0	1,021	0.2360%
American Family Life Assurance of New York	164	2	166	0.0384%
American Independent Network Insurance Company of New York	1,116	0	1,116	0.2579%
American Progressive Life and Health Insurance Company of New York	1,167	70	1,237	0.2859%
Athene Insurance Company of New York (including Aviva Life & Annuity Company of New York)	117	295	412	0.0952%
Bankers Consec Life Insurance Company (previously Consec)	3,211	872	4,083	0.9437%
Berkshire Life Insurance Company of America	3,026	0	3,026	0.6994%
Combined Life Ins. Co of NY	87	0	87	0.0201%
Continental Casualty Company (CNA)	18,235	5,272	23,507	5.4332%
Excellus Health Plan, Inc.	1	0	1	0.0002%
First Unum Life Insurance Company	40,093	0	40,093	9.2667%
Genworth Life Insurance Company of New York (previously GE Capital Life Assurance Co. of NY)	58,194	26,157	84,351	19.4960%
Globe Life Insurance Company of New York (previously First United American Life Insurance Company)	32	0	32	0.0074%
Hartford Life Insurance Company	6	0	6	0.0014%
Insurance Company of North America	98	0	98	0.0227%
John Hancock Life and Health Insurance Company	36,113	16,751	52,864	12.2185%
John Hancock Life Insurance Company (USA)	12,582	94	12,676	2.9298%
Knights of Columbus	1,251	0	1,251	0.2891%
Massachusetts Mutual Life Insurance Company	6,058	318	6,376	1.4737%
MedAmerica Insurance Company of New York	15,271	7,985	23,256	5.3752%
MetLife Insurance Company USA (previously Travelers)	15,931	4,845	20,776	4.8020%
Metropolitan Life Insurance Company	72,601	5,849	78,450	18.1321%
Mutual of Omaha	6,422	76	6,498	1.5019%
New York Life Insurance Company	10,701	189	10,890	2.5170%
Northwestern Long Term Care Insurance Company	11,991	0	11,991	2.7715%
Principal Life Insurance Company	48	0	48	0.0111%

Insurer	Non-Partnership	Partnership	Total Insureds	% of Market
Provident Life and Casualty Insurance Company	130	0	130	0.0300%
Prudential Insurance Company of America	27,683	111	27,794	6.4240%
River Source Life Insurance Co. of NY	5,784	0	5,784	1.3369%
State Farm Mutual Automobile Insurance Company	1,671	0	1,671	0.3862%
Teachers Insurance and Annuity Association of America	965	42	1,007	0.2327%
Thrivent Financial for Lutherans (previously Aid Association for Lutherans)	263	0	263	0.0608%
TIAA-Cref Life Insurance Company	481	0	481	0.1112%
Transamerica Financial Life Insurance Company (including AUSA)	2,563	20	2,583	0.5970%
Union Security Life Insurance Company (previously First Fortis)	2,679	1,570	4,249	0.9821%
The United States Life Insurance Company In The City Of New York (including American International Life Assurance Company of New York)	356	0	356	0.0823%
Unum Life Insurance Company	2	0	2	0.0005%
VOYA Retirement Insurance and Annuity Company	71	0	71	0.0164%
GRAND TOTALS	362,139	70,518	432,657	100.00%

All data provided has been self-reported by the insurers and has not been verified by DFS.

APPENDIX 2

Number of Non-Partnership LTC Policies In-Force in New York as of December 31, 2016

Insurer	NAIC#	Policy		Type of Coverage (Individual or Group)		Number of Existing Policies	Number of Insured Persons Issued Coverage (by Age Group at Time of Purchase)					Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Total Number of Insured Persons
		Form Number	Date of NYS DFS Approval	I	G		Under 45	45-54	55-64	65-74	75 and Over			
Aetna Life Insurance Company	06054	GR-700	12/14/1994		X	55	1575	1244	933	196	6	0	0	3954
		TOTALS		0	1	55	1,575	1,244	933	196	6	0	0	3,954
Allianz Life Insurance Company of New York	64190	10-P-Q-NY	10/3/2005	X		1021	16	133	546	267	59	0	0	1,021
		TOTALS		1	0	1,021	16	133	546	267	59	0	0	1,021
American Family Life Assurance of New York	60526	NY-20000	3/15/1991	X		2	0	0	1	1	0	0	0	2
		NY-21000	1/21/1992	X		21	0	3	9	9	0	0	0	21
		NY-22000	1/21/1992	X		11	0	0	1	9	1	0	0	11
		NY-27000	9/16/2002	X		103	28	62	39	1	0	0	0	130
		TOTALS		4	0	137	28	65	50	20	1	0	0	164
American Independent Network Insurance Company of New York	60243	PF2600(NY)	10/28/1998	X		360	3	55	154	138	10	0	0	360
		LTCTP-6500(NY)-AI	10/4/2000	X		103	0	14	41	47	1	0	0	103
		ALP1(NY)	10/12/1999	X		25	0	1	8	12	4	0	0	25
		ALP2(NY)	10/12/1999	X		6	0	2	2	2	0	0	0	6
		ALP1(NY)-TQ	10/21/1999	X		25	0	3	11	10	1	0	0	25
		ALP2(NY)-TQ	10/21/1999	X		14	0	3	6	4	1	0	0	14
		IL4-1(NY)	2/15/2000	X		362	2	21	90	184	65	0	0	362
		IL4-2(NY)	2/15/2000	X		17	1	3	3	8	2	0	0	17
		IL4-1-TQ(NY)	2/25/2000	X		116	0	4	31	53	28	0	0	116
		IL4-2-TQ(NY)	2/25/2000	X		15	0	3	2	6	4	0	0	15
		PF3(NY)	7/19/2005	X		2	0	0	2	0	0	0	0	2
		PF3-TQ(NY)	7/19/2005	X		65	1	8	36	18	2	0	0	65
		SR2-1-AI(NY)	6/12/2008	X		2	0	1	0	1	0	0	0	2
		SR2-2-AI(NY)	6/12/2008	X		4	0	1	2	1	0	0	0	4
		TOTALS		14	0	1,116	7	119	388	484	118	0	0	1,116
American Progressive Life and Health Insurance Company of New York	80624	APRLTNQ (3/99) NY	6/30/1999	X		38	4	4	17	11	2	0	0	38
		APRLTCQ (3/99) NY	6/30/1999	X		79	9	18	20	31	1	0	0	79
		ANH-86	1/1/1986	X		6	0	1	2	3	0	0	0	6
		CERT-HHC	7/1/1997	X		15	0	0	1	11	3	0	0	15
		CERT-NHHH	7/1/1997	X		3	0	1	2	0	0	0	0	3
		CERT-NHO	7/1/1997	X		3	0	0	2	0	1	0	0	3
		HHC 1/98	1/1/1998	X		543	1	16	93	327	106	0	0	543
		HHC-800	3/1/1995	X		165	0	3	46	99	17	0	0	165
		NHHH-700	7/1/1996	X		42	0	6	22	13	1	0	0	42
		NHO-700	7/1/1996	X		22	0	0	7	12	3	0	0	22
PR-NHO	10/1/2000	X		27	0	1	13	12	1	0	0	27		

Insurer	NAIC#	Policy		Type of Coverage (Individual or Group)		Number of Existing Policies	Number of Insured Persons Issued Coverage (by Age Group at Time of Purchase)					Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Total Number of Insured Persons
		Form Number	Date of NYS DFS Approval	I	G		Under 45	45-54	55-64	65-74	75 and Over			
		PR-NHOQ	10/1/2000	X		62	0	12	30	17	3	0	0	62
		QC-HHC	7/1/1997	X		10	0	2	0	8	0	0	0	10
		QI-HHC	7/1/1997	X		108	0	3	28	62	15	0	0	108
		QI-NHHH	7/1/1997	X		23	0	3	7	12	1	0	0	23
		QI-NHO	7/1/1997	X		21	0	0	5	15	1	0	0	21
		TOTALS		16	0	1,167	14	70	295	633	155	0	0	1,167
Athene Insurance Company of New York (including Aviva Life & Annuity Company of New York)	63932	NY- 5762-P	2/17/1995	X		97	5	27	46	18	1	0	0	97
		NY- 5762-P (Q)	2/27/1995	X		20	1	9	7	3	0	0	0	20
		TOTALS		2	0	117	6	36	53	21	1	0	0	117
Bankers Consec Life Insurance Company (previously Consec)	68560	ATIC-FQ-LTC-NY	3/4/1998	X		878	8	190	472	406	47	0	0	1,123
		ATIC-LTC-6-NY	1/13/1997	X		239	3	20	134	121	8	0	0	286
		ATIC-LTC-6B-NY	5/31/1997	X		71	0	6	35	38	0	0	0	79
		ATIC-LTC-10-NY	10/8/1996	X		12	0	1	4	6	2	0	0	13
		BLNY - GR-N500	9/12/2007	X		842	1	27	273	548	119	78	81	968
		BLNY - GR-N520	4/28/2006	X		20	0	1	10	14	2	0	0	27
		BLNY - GR-N540	4/28/2006	X		1	0	0	1	0	0	0	0	1
		BLNY - GR-N550	4/28/2006	X		153	6	24	74	81	6	0	0	191
		BLNY - GR-N620	5/18/2011	X		31	2	1	16	12	0	12	0	31
		BLNY - GR-N640	5/18/2011	X		15	0	0	1	13	1	3	6	15
		BLNY - GR-N650	5/18/2011	X		174	19	35	62	55	3	36	37	174
		BLNY - GR-N660	11/12/2015	X		19	0	0	2	13	4	0	19	19
		BLNY - GR-N665	11/12/2015	X		284	0	0	89	174	21	0	288	284
		TOTALS		13	0	2,739	39	305	1,173	1,481	213	129	431	3,211
Berkshire Life Insurance Company of America	71714	BG01P(06/04)-NY	3/30/2004	X		1106	174	718	739	122	5	0	0	1,758
		BG02P(06/04)-NY	3/30/2004	X		5	0	1	5	0	0	0	0	6
		BG03P(06/04)-NY	3/30/2004	X		344	135	191	219	24	1	0	0	570
		BG05P(06/04)-NY	3/30/2004	X		42	41	21	14	2	0	0	0	78
		BG06P(06/04)-NY	3/30/2004	X		1	1	0	0	0	0	0	0	1
		BG01P(01/09)-NY	4/15/2004	X		337	50	162	264	34	4	0	0	514
		BG03P(01/09)-NY	4/15/2004	X		60	27	31	28	3	0	0	0	89
		BG04P(01/09)-NY	4/15/2004	X		2	2	0	0	0	0	0	0	2
		BG05P(01/09)-NY	4/15/2004	X		5	1	4	3	0	0	0	0	8
		TOTALS		9	0	1,902	431	1,128	1,272	185	10	0	0	3,026
Combined Life Ins Co of NY	78697	D44533 et al	9/8/1998	X		87	5	16	41	20	5	0	0	87
		TOTALS		1	0	87	5	16	41	20	5	0	0	87
Continental Casualty Company (CNA)	20443	P1-15203-A31	12/13/1991	X		674	7	169	310	185	3	0	0	674
		P1-16356-A31	12/13/1991	X		34	0	14	20	0	0	0	0	34
		P1-18876-A31	5/4/1995	X		138	3	25	54	54	2	0	0	138
		P1-18878-A31	5/4/1995	X		4	0	1	0	3	0	0	0	4
		P1-21295-A31	5/19/1995	X		296	6	36	154	93	7	0	0	296

Insurer	NAIC#	Policy		Type of Coverage (Individual or Group)		Number of Existing Policies	Number of Insured Persons Issued Coverage (by Age Group at Time of Purchase)					Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Total Number of Insured Persons		
		Form Number	Date of NYS DFS Approval	I	G		Under 45	45-54	55-64	65-74	75 and Over					
		P1-21300-A31	5/19/1995	X		614	18	116	317	161	2	0	0	614		
		P1-21305-A31	5/19/1995	X		9	1	0	5	3	0	0	0	9		
		P1-59806-A31	11/23/1988	X		181	0	33	99	49	0	0	0	181		
		P1-N0022-A31	2/28/1997	X		776	8	85	366	295	22	0	0	776		
		P1-N0023-A31	2/28/1997	X		1	0	0	0	1	0	0	0	1		
		P1-N0026-A31	2/28/1997	X		1809	36	281	935	535	22	0	0	1809		
		P1-N0027-A31	2/28/1997	X		10	1	5	3	1	0	0	0	10		
		P1-N0030-A31	2/28/1997	X		21	0	4	7	9	1	0	0	21		
		P1-N0034-A31	2/11/1997	X		57	1	4	23	26	3	0	0	57		
		P1-N0075-A31	5/27/1999	X		2	0	0	0	2	0	0	0	2		
		P1-N0080-A31	5/27/1999	X		9	2	0	5	2	0	0	0	9		
		P1-N0081-A31	5/27/1999	X		1	0	0	1	0	0	0	0	1		
		P1-N0085-A31	5/27/1999	X		86	1	10	41	31	3	0	0	86		
		P1-N0086-A31	5/27/1999	X		1	0	0	0	1	0	0	0	1		
		P1-N0090-A31	5/27/1999	X		27	0	2	11	14	0	0	0	27		
		P1-N0091-A31	5/27/1999	X		1	0	0	1	0	0	0	0	1		
		P1-N0095-A31	5/27/1999	X		410	2	50	228	115	15	0	0	410		
		P1-N0100-A31	5/27/1999	X		3591	105	768	1965	722	31	0	0	3591		
		P1-N0101-A31	5/27/1999	X		5	0	1	4	0	0	0	0	5		
		SR-LTCP-31	9/16/1992		X	54	2363	2844	1725	288	18	108	87	7238		
		GLTC-3-P-NY-01	3/5/2003		X	7	468	824	816	127	5	64	35	2240		
		TOTALS				24	2	8,818	3,022	5,272	7,090	2,717	134	172	122	18,235
Excellus Health Plan, Inc.	55107	LTC-CD10-NY	4/15/1997	X		1	0	0	1	0	0	0	0	1		
		TOTALS				1	0	1	0	1	0	0	0	1		
First Unum Life Insurance Company	64297	B.LTC	8/2/1990		X	11333	6289	3169	1670	195	10	464	515	11,333		
		GLTC04	2/28/2005		X	8903	4144	2786	1663	286	24	430	561	8,903		
		LTC5092	1/29/1993	X		1	0	0	1	0	0	0	0	1		
		LTC5292	1/29/1993	X		4	2	2	0	0	0	0	0	4		
		LTC5492	1/29/1993	X		2	0	2	0	0	0	0	0	2		
		LTC5592	1/29/1993	X		12	5	0	4	3	0	0	0	12		
		LTC94FQ	10/23/1997	X		2	0	0	2	0	0	0	0	2		
		LTC94Q	10/23/1997	X		3	1	1	1	0	0	0	0	3		
		LTCPO3	10/21/2003	X		526	29	136	275	79	7	4	7	526		
		LTCP03F	10/21/2003	X		282	100	101	69	12	0	0	0	282		
		LTCT03	10/22/2003	X		93	16	31	27	16	3	1	2	93		
		LTCT03F	10/23/2003	X		99	31	32	28	8	0	1	0	99		
		NH94	12/30/1994	X		851	42	213	398	186	12	0	0	851		
		NH94FQ	10/23/1997	X		2816	530	1030	980	246	30	0	0	2,816		
		NH94Q	10/23/1997	X		14534	753	4161	7142	2272	206	0	0	14,534		
		RLTCP03	10/21/2003	X		499	11	153	277	52	6	0	0	499		
		RLTCP03F	10/21/2003	X		133	18	61	45	8	1	0	0	133		
		TOTALS				15	2	40,093	11,971	11,878	12,582	3,363	299	900	1,085	40,093

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		Form Number	Date of NYS DFS Approval	I	G		Under 45	45-54	55-64	65-74	75 and Over			
Genworth Life Insurance Company of New York (previously GE Capital Life Assurance Co. of NY)	72990	50000	1/1/1996	X		39	0	2	26	11	0	0	0	39
		50100	1/1/1996	X		472	0	44	281	145	2	0	0	472
		50107	1/1/1996	X		1,100	12	140	527	404	17	0	0	1,100
		50110	1/1/1996	X		414	2	43	181	175	13	0	0	414
		51000	1/1/1996	X		106	2	3	45	47	9	0	0	106
		51002	1/1/1996	X		3,108	17	246	1312	1386	147	0	0	3,108
		51005	11/25/1998	X		8,671	97	1233	4437	2590	314	0	0	8,671
		51006	12/15/1998	X		288	0	17	101	129	41	0	0	288
		51007	9/28/1998	X		91	0	10	41	29	11	0	0	91
		51010	2/12/2001	X		17,019	448	4516	8707	2932	416	0	0	17,019
		51012	9/9/2004	X		2,829	59	580	1483	635	72	0	0	2,829
		51012REV	9/21/2007	X		2,002	40	313	1106	504	39	0	0	2,002
		51014	9/9/2004	X		5,006	171	1366	2817	623	29	0	0	5,006
		51014REV	9/21/2007	X		3,356	80	906	1893	464	13	0	0	3,356
		7048NY	5/25/2007	X		16	0	0	12	4	0	0	0	16
		7052NY	10/6/2011	X		4,397	158	1105	2346	760	28	0	0	4,397
		8000NY	10/3/2013	X		2,733	69	629	1539	489	7	1,216	483	2,733
		7050POL-NY	5/21/2009		X	34	82	100	120	23	3	12	10	328
		51009	7/12/1999		X	1	1780	950	771	664	100	0	0	4,265
		7046POL-NY	12/6/2008		X	7	275	286	238	57	1	56	62	857
7053POL NY	3/13/2012		X	10	154	352	375	59	1	95	55	941		
8000R1NY	11/3/2015	X		156	8	35	89	24	0	0	156	156		
		TOTALS		18	4	51,855	3,454	12,876	28,447	12,154	1,263	1,379	766	58,194
Globe Life Insurance Company of New York (previously First United American Life Insurance Company)	74101	NYNH2	1/31/1989	X		4	0	1	2	1	0	0	4	
		NYNH3	1/31/1989	X		28	0	2	14	11	1	0	28	
		TOTALS		2	0	32	0	3	16	12	1	0	0	32
Hartford Life Insurance Company	88072	SRP1353	1/28/1999		X	6	0	0	5	1	0	0	6	
		TOTALS		0	1	6	0	0	5	1	0	0	6	
Insurance Company of North America	22713	TL-001445	4/20/1990		X	1	0	16	46	35	1	0	98	
		TOTALS		0	1	1	0	16	46	35	1	0	0	98
John Hancock Life and Health Insurance Company	93610	BSC-02 NY	4/19/2002	X		361	4	48	193	97	19	0	361	
		BSC-03 NY	11/14/2003	X		314	5	48	173	75	13	0	314	
		LTC-02 NY	4/19/2002	X		6378	186	1529	3367	1182	114	0	0	6378
		LTC-03 NY	11/14/2003	X		8429	102	1851	4517	1785	174	0	0	8429
		LTC-06 NY	7/10/2006	X		438	24	133	218	58	5	0	0	438
		LTC-11 NY	7/15/2011	X		1614	85	392	787	331	19	337	182	1614
		LTC-87A	7/30/1987	X		27	5	4	13	5	0	0	0	27
		LTC-88A NY	4/15/1988	X		9	0	0	5	4	0	0	0	9
LTC-88B NY	4/15/1988	X		545	33	154	295	63	0	0	0	545		

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		Form Number	Date of NYS DFS Approval	I	G		Under 45	45-54	55-64	65-74	75 and Over				
		LTC-90-NY	9/7/1990	X		120	16	33	56	15	0	0	0	120	
		LTC-94 NY	2/24/1994	X		1931	37	398	921	551	24	0	0	1931	
		LTC-96 NY 5/01	7/5/2001	X		689	19	91	329	224	26	0	0	689	
		LTC-96 NY 9/96	1/16/1997	X		9173	125	1238	4431	3117	262	0	0	9173	
		LTC-96CL NY 9/96	1/16/1997	X		8	0	0	5	3	0	0	0	8	
		LTC-NY-91	12/31/1991	X		857	24	176	431	220	6	0	0	857	
		NH-94 NY	2/24/1994	X		19	1	3	9	5	1	0	0	19	
		NH-NY-91	12/31/1991	X		7	0	0	4	3	0	0	0	7	
		SG-02 NY	4/19/2002	X		2352	86	522	1275	431	38	0	0	2352	
		SG-03 NY	11/14/2003	X		1942	88	454	992	376	32	0	0	1942	
		SG-06 NY	7/10/2006	X		265	22	69	137	35	2	0	0	265	
		SGB-02 NY	4/19/2002	X		86	3	7	54	17	5	0	0	86	
		SGB-03 NY	11/14/2003	X		156	1	29	76	39	11	0	0	156	
		P-FACE(2009)	10/21/2008		X	8	103	142	131	17	0	0	0	8	
		TOTALS		22	1	35,728	969	7,321	18,419	8,653	751	337	182	36,113	
John Hancock Life Insurance Company (USA)	65838	BSC-03 NY	11/14/2003	X		3	1	0	2	0	0	0	0	3	
		LTC-02 NY	4/19/2002	X		59	4	11	27	14	3	0	0	59	
		LTC-03 NY	11/14/2003	X		62	3	15	28	16	0	0	0	62	
		LTC-06 NY	7/10/2006	X		2	0	1	1	0	0	0	0	2	
		LTC-88A NY	4/15/1988	X		1	0	0	1	0	0	0	0	0	1
		LTC-88B NY	4/15/1988	X		6	0	0	4	2	0	0	0	0	6
		LTC-90-NY	9/7/1990	X		1	1	0	0	0	0	0	0	0	1
		LTC-94 NY	2/24/1994	X		7	0	1	3	2	1	0	0	0	7
		LTC-96 NY 5/01	7/5/2001	X		8	1	0	4	2	1	0	0	0	8
		LTC-96 NY 9/96	1/16/1997	X		61	1	9	33	17	1	0	0	0	61
		LTC-NY-91	12/31/1991	X		5	0	1	3	1	0	0	0	0	5
		SG-02 NY	4/19/2002	X		16	1	6	9	0	0	0	0	0	16
		SG-03 NY	11/14/2003	X		14	0	4	4	4	2	0	0	0	14
		SG-06 NY	7/10/2006	X		5	1	0	2	2	0	0	0	0	5
		SGB-02 NY	4/19/2002	X		1	0	0	0	1	0	0	0	0	1
		SGB-03 NY	11/14/2003	X		1	0	0	0	0	1	0	0	0	1
		GCB-COV-0001	10/19/1989		X	1	135	230	245	93	1	0	0	0	704
		GDB-CRT-0001.16	12/24/1996		X	1	52	32	11	1	0	0	0	0	96
		GPB-COV-0002	7/30/1990		X	1	1146	1306	784	74	1	0	0	0	3311
		GPB-COV-0002.01	6/28/1996		X	28	1290	1380	869	174	5	0	0	0	3718
P-FACE(2002-2)	10/17/2002		X	48	963	1336	1222	226	4	0	0	0	3751		
P-FACE(2004)	2/15/2006		X	18	275	262	200	13	0	0	0	0	750		
		TOTALS		16	6	349	3,874	4,594	3,452	642	20	0	0	12,582	
Knights of Columbus	58033	LTC01-NY 6-99	10/18/2000	X		1,015	71	285	494	160	5	59	78	1,015	
		NHC01-NY 6-99	10/18/2000	X		211	11	57	106	36	1	15	22	211	
		LTC2 NY 7-14	1/6/2016	X		19	3	3	7	6	0	0	19	19	
		NHC2 NY 7-14	1/6/2016	X		6	0	1	4	1	0	0	16	6	

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		Form Number	Date of NYS DFS Approval	I	G		Under 45	45-54	55-64	65-74	75 and Over			
Massachusetts Mutual Life Insurance Company	65935	MM-200-P-NY	7/28/2002	X		356	9	140	288	78	4	0	0	519
		MM-201-P-NY	7/28/2002	X		3	0	2	2	0	0	0	0	4
		MM-203-P-NY	7/28/2002	X		117	22	74	80	15	0	0	0	191
		MM-204-P-NY	7/28/2002	X		1	0	0	1	0	0	0	0	1
		MM-300-P-NY	3/13/2003	X		600	65	319	442	67	4	0	0	897
		MM-301-P-NY	3/13/2003	X		6	0	1	3	1	1	0	0	6
		MM-303-P-NY	3/13/2003	X		308	86	213	173	22	3	0	0	497
		MM-304-P-NY	3/13/2003	X		1	1	0	0	0	0	0	0	1
		MM-400-P-NY	4/8/2005	X		380	24	185	310	49	3	0	0	571
		MM-401-P-NY	4/8/2005	X		2	1	1	2	0	0	0	0	4
		MM-402-P-NY	4/8/2005	X		209	43	139	157	14	0	0	0	353
		MM-403-P-NY	4/8/2005	X		1	0	0	1	0	0	0	0	1
		MM-500-P-NY	3/19/2008	X		1241	63	332	668	166	12	0	0	1241
		MM-501-P-NY	3/19/2008	X		12	1	2	8	1	0	0	0	12
		MM-502-P-NY	3/19/2008	X		374	57	135	154	27	1	0	0	374
		MM-503-P-NY	3/19/2008	X		4	3	0	1	0	0	0	0	4
		MM-504-P-NY	3/19/2008	X		12	4	4	4	0	0	0	0	12
		MM-500-P-1-NY	1/30/2012	X		276	11	84	139	41	1	0	0	276
		MM-501-P-1-NY	1/30/2012	X		4	0	0	3	1	0	0	0	4
		MM-502-P-1-NY	1/30/2012	X		68	10	24	33	1	0	0	0	68
		MM-503-P-1-NY	1/30/2012	X		1	0	0	1	0	0	0	0	1
		MM-504-P-1-NY	1/30/2012	X		2	1	1	0	0	0	0	0	2
		MM-500-P-2-NY	10/22/2012	X		857	42	242	450	120	3	232	302	857
MM-501-P-2-NY	10/22/2012	X		8	0	1	6	1	0	2	4	8		
MM-502-P-2-NY	10/22/2012	X		140	13	41	68	17	1	29	42	140		
MM-503-P-2-NY	10/22/2012	X		1	0	0	1	0	0	0	0	1		
MM-504-P-2-NY	10/22/2012	X		12	1	9	2	0	0	5	4	12		
MM-505-P-2-NY	10/22/2012	X		1	0	1	0	0	0	0	0	1		
TOTALS				28	0	4,997	457	1,950	2,997	621	33	268	352	6,058
MedAmerica Insurance Company of New York	83437	FC-336-NY-et al	5/1/2012	X		624	72	175	285	82	10	311	13	624
		HTQ11-338-NY-998	3/23/2000	X		415	1	24	149	188	53	0	0	415
		LT-1-3	10/1/1987	X		2	0	0	1	1	0	0	0	2
		LTC89-CD1	4/18/1987	X		21	0	1	20	0	0	0	0	21
		LTC89-CD2	1/1/1989	X		64	13	14	26	11	0	0	0	64
		LTC89-CD3	4/18/1989	X		5	0	0	4	1	0	0	0	5
		LTC91-CD4-NY (10/91)	7/1/1991	X		955	14	88	529	317	7	0	0	955
		LTC-CD10-NY	4/15/1997	X		936	34	149	414	308	31	0	0	936
		LTC-CD6-NY	3/30/1993	X		18	0	2	9	7	0	0	0	18
		LTC-CD6TQ-NY	6/24/1997	X		46	0	2	20	22	2	0	0	46
		LTC-CD8-NY	7/31/1995	X		155	2	14	77	56	6	0	0	155
LTC-CD8TQ-NY	1/29/1997	X		84	3	7	53	19	2	0	0	84		

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		Form Number	Date of NYS DFS Approval	I	G		Under 45	45-54	55-64	65-74	75 and Over			
		LTC-LBP10-NY	4/15/1997	X		92	1	1	17	59	14	0	0	92
		LTC-LBP8-NY	7/31/1995	X		108	0	4	43	55	6	0	0	108
		LTC-LBP8TQ-NY	1/29/1997	X		30	0	2	12	16	0	0	0	30
		LTC-LBP-NY	9/23/1994	X		314	4	37	137	132	4	0	0	
		LTQ11-336-NY-998	3/22/2000	X		993	82	233	446	198	34	0	0	993
		NTQ11-337-NY-998	3/23/2000	X		41	0	1	9	20	11	0	0	41
		PRT11-336-NY-998	2/20/2001	X		122	7	14	47	46	8	0	0	122
		SPL2-336-NY-et al	3/14/2007	X		2697	358	904	1104	306	25	0	0	2,697
		SPL-336-NY-et al	2/24/2002	X		2777	400	933	1138	290	16	0	0	2,777
		TRL-336-NY	11/2/2012	X		19	0	1	8	8	2	6	0	19
		CG-336-NY-et al	7/9/2015	X		10	1	8	1	0	0	6	4	10
		LTC89-CD1	4/18/1987		X	19	0	1	17	1	0	0	0	19
		LTC89-CD2	1/1/1989		X	324	96	111	96	20	1	0	0	324
		LTC89-CD3	4/18/1989		X	2	0	0	2	0	0	0	0	2
		GRP11342NY999	3/24/2000		X	873	311	341	197	23	1	0	0	873
		GRPSPL-342-NY	6/23/2005		X	216	91	78	43	4	0	2	0	216
		NYG11-342-NY-0612	11/28/2012		X	161	32	54	60	15	0	49	52	161
		NYG11-342-NY-200	6/1/2001		X	3107	544	1257	1103	192	11	0	0	3,107
		NYP11-342-NY-200	6/1/2001		X	41	7	15	13	5	1	0	0	41
		TOTALS		23	8	15,271	2,073	4,471	6,080	2,402	245	374	69	15,271
MetLife Insurance Company USA (previously Travelers)	87726	LTC1	5/6/1989	X		7	0	2	3	2	0	0	0	7
		LTC2	3/18/1991	X		10,715	169	1625	5018	3721	182	0	0	10,715
		LTC4	12/30/1997	X		5,209	95	951	2686	1379	98	0	0	5,209
		TOTALS		3	0	15,931	264	2,578	7,707	5,102	280	0	0	15,931
Metropolitan Life Insurance Company	65978	G.24113	6/27/1991		X	1	23	13	1	0	0	0	0	37
		G.24194	4/18/1995		X	1	12	9	1	0	0	0	0	22
		GLTC1597	7/10/1997		X	2	5	1	2	0	0	0	0	8
		GLTC1697	5/29/1998		X	6	8	1270	3771	2160	163	0	0	7372
		GLTC197	11/8/2002		X	9	8289	7490	7223	2046	127	0	0	25175
		GLTC2095	6/28/1996		X	1	282	365	236	134	4	0	0	1021
		GPNP99-LTC	1/1/2001		X	23	5539	7524	6367	1919	430	0	0	21779
		LTC.2500	1/1/1996		X	1	283	462	342	73	4	0	0	1164
		1LTC-97-NY (00)	5/25/1999	X		1941	95	608	861	339	38	0	0	1941
		2LTC-97-NY (00)	5/25/1999	X		40	1	5	13	21	0	0	0	40
		LTC.02	12/23/1991	X		562	14	57	240	222	29	0	0	562
		LTC.03(NY)	3/31/1999	X		1109	7	99	538	420	45	0	0	1109
		LTC2007-NY	3/3/2009	X		542	50	171	243	73	5	0	0	542
		LTC2-FAC-NY	8/9/2002	X		23	2	6	4	10	1	0	0	23
		LTC2-IDEAL-NY	11/25/2002	X		1985	128	527	1034	263	33	6	2	1985
		LTC2-PREM-NY	8/28/2002	X		372	37	136	167	30	2	0	0	372
		LTC2-VAL-NY	8/9/2002	X		2750	217	727	1343	411	52	0	0	2750
		LTC-FAC-NY	7/20/2005	X		45	4	9	27	2	3	0	0	45

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		Form Number	Date of NYS DFS Approval	I	G		Under 45	45-54	55-64	65-74	75 and Over			
		LTC-IDEAL-NY	7/20/2005	X		3105	199	1042	1557	292	15	0	0	3105
		LTC-PREM-NY	7/20/2005	X		275	49	106	102	17	1	0	0	275
		LTC-VAL-NY	7/20/2005	X		2068	124	602	1011	299	32	0	0	2068
		TCL-LTC.04 (NY)	3/21/2000	X		1206	25	183	630	335	33	0	0	1206
		TOTAL		14	8	16,067	15,393	21,412	25,713	9,066	1,017	6	2	72,601
Mutual of Omaha	71412	LTC04	1/27/2005	X		473	9	99	264	93	8	0	0	473
		HCA	6/22/2000	X		22	1	4	6	9	2	0	0	22
		HCAQ	6/22/2000	X		61	2	9	22	24	4	0	0	61
		LT50	5/12/1998	X		200	11	42	83	59	5	0	0	200
		LTA	6/22/2000	X		20	1	4	10	5	0	0	0	20
		LTAQ	6/22/2000	X		163	8	53	84	17	1	0	0	163
		LTC12	4/28/1993	X		77	1	8	45	23	0	0	0	77
		LTC17	4/28/1993	X		39	5	10	18	6	0	0	0	39
		LTM12	4/28/1993	X		5	1	1	2	1	0	0	0	5
		NH11	1/28/1988	X		8	0	2	6	0	0	0	0	8
		NH27	2/3/1989	X		24	6	6	7	5	0	0	0	24
		NH28	2/3/1989	X		11	1	2	5	3	0	0	0	11
		NH3	12/10/1984	X		1	0	0	0	1	0	0	0	1
		NH50	4/17/1998	X		10	0	1	6	3	0	0	0	10
		NHA	6/22/2000	X		52	2	11	24	14	1	0	0	52
		NHAQ	6/22/2000	X		279	9	80	143	41	6	0	0	279
		LTC09	2/1/2010	X		4236	111	735	2469	863	58	869	3	4236
		LTC13	7/8/2015	X		741	15	102	369	246	9	36	717	741
		TOTALS		18	0	6,422	183	1,169	3,563	1,413	94	905	720	6,422
New York Life Insurance Company	66915	21084(NY)	5/15/1995	X		5	0	0	3	2	0	0	0	5
		21073(NY)	5/15/1995	X		46	0	2	32	12	0	0	0	46
		G-6601	6/14/1996		X	1	2	0	0	1	0	0	0	3
		G-9065	12/16/1998		X	1	4	13	16	9	0	0	0	42
		ILTC-4300(NY) (0197)	2/11/1998	X		3022	452	1113	1007	417	33	0	0	3022
		INH-4300(NY) (0197)	2/11/1998	X		20	1	3	8	5	3	0	0	20
		INH-5000(NY) (1001)	12/20/2002	X		62	7	22	25	7	1	3	10	62
		ILTC-5000(NY) (1001)	12/20/2002	X		6059	942	2061	2328	679	49	448	446	6059
		FNH-5000(NY) (0503)	5/18/2004	X		7	1	1	2	2	1	3	0	7
		FLTC-5000(NY) (0503)	5/18/2004	X		1291	355	427	417	83	9	97	149	1291
LTC6 (NY)	1/7/2016	X		144	14	46	57	26	1	0	144	144		
		TOTALS		9	2	10,658	1,778	3,688	3,895	1,243	97	551	749	10,701
Northwestern Long Term Care Insurance Company	69000	RS.LTC. (0708)	6/16/2008	X		4053	415	1405	1677	418	31	0	0	3,946
		RS.LTC.ML. (0708)	6/16/2008	X		628	158	162	208	50	3	0	0	581
		TT.LTC. (1010)	6/16/2010	X		5734	917	2004	2161	480	25	1316	1	5,587
		TT.LTC.ML. (1010)	6/16/2010	X		841	325	252	184	35	0	124	0	796
		UU.LTC. (1014)	7/8/2015	X		1031	154	307	412	122	5	231	817	1,000
		UU.LTC.ML. (1014)	7/8/2015	X		87	35	14	27	4	0	13	77	80

Insurer	NAIC#	Policy		Type of Coverage (Individual or Group)		Number of Existing Policies	Number of Insured Persons Issued Coverage (by Age Group at Time of Purchase)					Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Total Number of Insured Persons
		Form Number	Date of NYS DFS Approval	I	G		Under 45	45-54	55-64	65-74	75 and Over			
		UU.LTC.ML.SN. (1014)	7/8/2015	X		1	1	0	0	0	0	1	1	1
		TOTALS		7	0	12,375	2,005	4,144	4,669	1,109	64	1,685	896	11,991
Principal Life Insurance Company	61271	FR 601	1/1/1992		X	48	18	17	12	1	0	0	0	48
		TOTALS		0	1	48	18	17	12	1	0	0	0	48
Provident Life and Casualty Insurance Company	68209	2600	NA		x	1	18	45	45	22	0	0	0	130
		TOTALS		0	1	1	18	45	45	22	0	0	0	130
Prudential Insurance Company of America	68241	83500 LTCR 8002, et al (AICPA GLTC-1)	6/30/1993		X	1	1344	426	147	22	2	0	0	1,941
		83500 GR1045 et al (GLTC-2)	6/30/1998		X	18	467	494	255	27	2	0	0	1,245
		83500 BFW 5005, et al (GLTC-3/3.5)	5/29/2002		X	48	3451	4587	3720	645	32	6	0	12,435
		83500 COV 5022, et al (GLTC-4)	10/28/2008		X	18	966	1648	1381	201	6	0	0	4,202
		GRP 99210 (ILTC-1 SIMPLE)	6/10/1999	X		563	32	122	264	140	5	0	0	563
		GRP 99211 (ILTC-1 COMPOUND)	6/10/1999	X		1204	166	488	467	83	0	0	0	1,204
		GRP 99212 (ILTC-1 PERIODIC)	6/10/1999	X		472	20	86	202	141	23	0	0	472
		GRP 112552 (ILTC-2)	9/3/2003	X		1437	88	444	638	243	24	0	0	1,437
		GRP 112622 (ILTC-2 Franchise)	9/3/2003	X		316	25	73	159	58	1	0	0	316
		GRP 113141 (ILTC-3)	10/18/2006	X		2283	136	639	1070	405	33	0	0	2,283
		GRP 113772 (ILTC-3 Franchise)	8/16/2007	X		1507	158	354	756	220	19	0	0	1,507
		GRP 114201 (Evolution)	10/2/2009	X		53	7	19	23	4	0	0	0	53
GRP 114202 (EvolutionFranchise)	10/27/2009	X		25	6	4	9	6	0	0	0	25		
		TOTALS		9	4	7,945	6,866	9,384	9,091	2,195	147	6	0	27,683
River Source Life Insurance Co. of NY	80594	38240	10/20/1989	X		308	0	33	208	65	2	0	0	308
		38240C	12/31/1991	X		366	0	34	241	90	1	0	0	366
		38225	8/31/1994	X		2917	66	842	1529	459	21	0	0	2917
		38260A	11/10/1999	X		2193	56	688	1049	371	29	0	0	2193
		TOTALS		4	0	5,784	122	1,597	3,027	985	53	0	0	5,784
State Farm Mutual Automobile Insurance Company	25178	97045NY.1	1/1/1998	X		572	107	165	219	75	6	0	0	572
		97045NY.2	5/8/2001	X		88	17	27	34	10	0	0	0	88
		97058NY	12/31/2001	X		465	119	117	181	44	4	0	0	465
		97059NY	9/21/2005	X		546	93	164	228	58	3	0	0	546
		TOTALS		4	0	1,671	336	473	662	187	13	0	0	1,671
Teachers Insurance and Annuity Association of America	69345	LTC.2500	1/1/1996		X	1	41	84	95	15	1	0	0	236
		LTC.02	12/23/1991	X		238	3	21	108	94	12	0	0	238
		LTC.03(NY)	3/31/1999	X		491	7	51	208	215	10	0	0	491
		TOTALS		2	1	730	51	156	411	324	23	0	0	965
Thrivent Financial for Lutherans (previously Aid Association for	56014	12105 NY	12/28/1998	X		230	5	69	100	55	1	0	0	230
		12106 NY	12/28/1998	X		33	1	2	20	10	0	0	0	33
		TOTALS		2	0	263	6	71	120	65	1	0	0	263

Insurer	NAIC#	Policy		Type of Coverage (Individual or Group)		Number of Existing Policies	Number of Insured Persons Issued Coverage (by Age Group at Time of Purchase)					Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Total Number of Insured Persons
		Form Number	Date of NYS DFS Approval	I	G		Under 45	45-54	55-64	65-74	75 and Over			
<i>Lutherans)</i>														
TIAA-Cref Life Insurance Company	60142	TCL-LTC.04 (NY)	3/21/2000	X		481	13	63	253	145	7	0	0	481
		TOTALS		1	0	481	13	63	253	145	7	0	0	481
Transamerica Financial Life Insurance Company (including AUSA)	70688	GCPLUS 2 1290 (NY)	6/28/1996	X		2	0	1	1	0	0			2
		LTC 304-198-NY	3/30/2001	X		52	2	11	30	8	1			52
		NLTCP TQ LTC FR (NY) 297	7/27/2000	X		23	0	6	13	4	0			23
		P-0001 (NY) 4/98	3/30/2001	X		40	0	7	27	4	2			40
		TFL 1-FP (NY) 402	5/20/2004	X		240	19	57	119	43	2			240
		TFL 2-P NY 0410	11/7/2011	X		1163	94	278	616	166	9	125	187	1163
		TFL 2-P NYF 0410	11/7/2011	X		1043	174	289	440	137	3	222	197	1043
		TOTALS		7	0	2,563	289	649	1,246	362	17	347	384	2,563
Union Security Life Insurance Company (previously First Fortis)	81477	4062 - NY	10/8/1998	X		144	1	21	63	46	13	0	0	144
		4063 - NY	10/8/1998	X		2535	20	436	1455	589	35	0	0	2535
		TOTALS		2	0	2,679	21	457	1,518	635	48	0	0	2,679
The United States Life Insurance Company in The City Of New York (including American International Life Assurance Company of New York)	70106	64391-NY	12/17/1997	X		150	5	30	92	48	10	0	0	185
		64391-NYTQ	12/17/1997	X		138	1	16	108	39	7	0	0	171
		TOTALS		2	0	288	6	46	200	87	17	0	0	356
Unum Life Insurance Company	62235	NRCT Rev. 01/01	2/1/1997		X	2	0	1	0	1	0	0	0	2
		TOTALS		0	1	2	0	1	0	1	0	0	0	2
VOYA Retirement Insurance and Annuity Company	86509	24420 (NCF)	10/19/1987	X		57	0	10	42	5	0	0	0	57
		24236 (NHP)	5/2/1986	X		14	0	0	9	4	1	0	0	14
		TOTALS		2	0	71	0	10	51	9	1	0	0	71
NON-PARTNERSHIP TOTALS				299	44	250,722	55,395	97,803	146,680	57,061	5,200	7,133	5,893	362,139

All data provided has been self-reported by the insurers and has not been verified by DFS.

APPENDIX 3

Number of Partnership LTC Policies In-Force in New York as of December 31, 2016

Insurer	NAIC #	Policy		Type of Coverage (Individual or Group)		Number of Existing Policies	Number of Insured Persons Issued Coverage (by Age Group at Time of Purchase)					Number of Insured Persons Issued Coverage from 1/1/15 through 12/31/15	Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Total Number of Insured Persons
		Form Number	Date of NYS DFS Approval	I	G		Under 45	45-54	55-64	65-74	Over 75			
American Family Life Assurance of New York	60526	NY-23000	12/2/1994	X		2	1	1	0	0	0	0	0	2
		TOTALS		1	0	2	1	1	0	0	0	0	0	2
American Progressive Life and Health Insurance Company of NY	80624	APRLTCP (11/99) NY	11/1/1999	X		70		8	22	35	5	0	0	70
		TOTALS		1	0	70	0	8	22	35	5	0	0	70
Athene Insurance Company of New York (including Aviva Life & Annuity Company of New York)	63932	N-2500-P	2/18/1994	X		235	8	56	118	51	2	0	0	235
		N-2500-P(Q)	2/18/1994	X		60	4	17	28	10	1	0	0	60
		TOTALS		2	0	295	12	73	146	61	3	0	0	295
Bankers Consec Life Insurance Company (previously Consec)	68560	ATIC-RWJ-NY	10/7/1996	X		664	4	68	514	269	17	0	0	872
		TOTALS		1	0	664	4	68	514	269	17	0	0	872
Continental Casualty Company (CNA)*	20443	P1-18584-A31	3/23/1993	X		1274	14	122	533	586	19	0	0	1,274
		P1-18585-A31	3/23/1993	X		54	0	6	29	19	0	0	0	54
		P1-N0041-A31	7/29/1997	X		3442	59	390	1703	1204	86	0	0	3,442
		P1-N0042-A31	7/29/1997	X		24	0	0	0	14	10	0	0	24
		SR-LTCP-31	1/1/1994		X	4	84	217	139	36	2	0	0	478
TOTALS		4	1	4,798	157	735	2,404	1,859	117	0	0	5,272		
Genworth Life Insurance Company of New York (previously GE Capital Life Assurance Co. of NY)	72990	50109	1/1/1996	X		395	1	27	183	177	7	0	0	395
		51001	1/30/1996	X		1,083	1	88	512	437	45	0	0	1,083
		51011	8/31/2001	X		6,200	142	1638	3561	808	51	0	0	6,200
		51013	9/9/2004	X		3,808	89	1006	2282	415	16	0	0	3,808
		51015	12/15/2005	X		1,232	22	231	783	190	6	0	0	1,232
		51015REV	9/26/2007	X		7,666	104	1307	4776	1443	36	0	0	7,666
		7052NYP	10/5/2011	X		2,898	61	615	1764	448	10	0	0	2,898
		8000NYP	10/3/2013	X		2,827	47	452	1613	702	13	1,175	614	2,827
8000R1NYP	11/3/2015	X		48	0	5	34	9	0	0	48	48		
TOTALS		9	0	26,157	467	5,369	15,508	4,629	184	1,175	662	26,157		
John Hancock Life & Health Insurance Company	93610	LTC-11 NYP	8/18/2011	X		69	2	13	30	23	1	22	0	69
		LTC-96RWJ2 NY 4/99	7/5/2001	X		560	3	63	312	166	16	0	0	560
		LTC-96RWJ2 NY 9/97	3/20/1998	X		8503	54	1073	4730	2391	255	0	0	8,503
		LTC-NY-91-RWJ & 3/95	3/25/1993	X		1019	8	83	483	433	12	0	0	1,019
		NYP-05	2/9/2006	X		6600	102	1219	4163	1066	50	0	0	6,600
TOTALS		5	0	16,751	169	2,451	9,718	4,079	334	22	0	16,751		

Insurer	NAIC #	Policy		Type of Coverage (Individual or Group)		Number of Existing Policies	Number of Insured Persons Issued Coverage (by Age Group at Time of Purchase)					Number of Insured Persons Issued Coverage from 1/1/15 through 12/31/15	Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Total Number of Insured Persons
		Form Number	Date of NYS DFS Approval	I	G		Under 45	45-54	55-64	65-74	Over 75			
John Hancock Life Insurance Company (U.S.A.)	65838	LTC-96RWJ2 NY 4/99	7/5/2001	X		5	0	0	2	2	1	0	0	5
		LTC-96RWJ2 NY 9/97	3/20/1998	X		55	1	7	33	10	4	0	0	55
		LTC-NY-91-RWJ, LTC-NY-91-RWJ 3/95	3/25/1993	X		8	0	1	4	3	0	0	0	8
		NYP-05	2/9/2006	X		26	0	6	16	4	0	0	0	26
		TOTALS		4	0	94	1	14	55	19	5	0	0	94
Massachusetts Mutual Life Insurance Company	65935	MM-202-P-NYP	7/28/2002	X		37	1	16	26	10	1	0	0	54
		MM-205-P-NYP	7/28/2002	X		4	0	2	3	2	0	0	0	7
		MM-302-P-NYP	3/13/2003	X		5	0	1	6	0	0	0	0	7
		MM-305-P-NYP	3/13/2003	X		0	0	0	0	0	0	0	0	0
		MM-506-P-NYP	1/21/2009	X		126	3	25	79	18	1	0	0	126
		MM-507-P-NYP	1/21/2009	X		4	0	0	2	2	0	0	0	4
		MM-508-P-NYP	1/21/2009	X		36	1	8	26	0	1	0	0	36
		MM-510-P-NYP	1/21/2009	X		3	0	3	0	0	0	0	0	3
		MM-506-P-1-NYP	2/3/2012	X		4	0	2	2	0	0	0	0	4
		MM-507-P-1-NYP	2/3/2012	X		0	0	0	0	0	0	0	0	0
		MM-508-P-1-NYP	2/3/2012	X		5	0	2	3	0	0	0	0	5
		MM-510-P-1-NYP	2/3/2012	X		0	0	0	0	0	0	0	0	0
		MM-506-P-2-NYP	11/30/2012	X		61	1	22	29	9	0	15	30	61
		MM-507-P-2-NYP	11/30/2012	X		3	0	0	2	1	0	1	1	3
MM-508-P-2-NYP	11/30/2012	X		6	0	0	4	2	0	1	3	6		
MM-510-P-2-NYP	11/30/2012	X		2	0	2	0	0	0	0	0	2		
		TOTALS		16	0	296	6	83	182	44	3	17	34	318
MedAmerica Insurance Company of New York	83437	LTC-CD6-NY	3/30/1993	X		553	10	40	286	212	5	0	0	553
		LTC-CD6TQ-NY	6/24/1997	X		1045	6	108	540	378	13	0	0	1,045
		PRT11-336-NY-0612	2/6/2013	X		1169	52	226	660	218	13	321	148	1,169
		PRT11-336-NY-305	9/1/2006	X		1615	67	419	768	329	32	0	0	1,615
		PRT11-336-NY-998	2/20/2001	X		2369	82	445	1179	585	78	0	0	2,369
		NYP11-342-NY-0612	11/28/2012		X	77	11	24	33	9	0	31	23	77
		NYP11-342-NY-200	6/1/2001		X	1145	133	430	453	120	9	0	0	1,145
PGR11-342-NY-900	3/13/2001		X	12	1	4	7	0	0	0	0	12		
		TOTALS		5	3	7,985	362	1,696	3,926	1,851	150	352	171	7,985
MetLife Insurance Company USA (previously Travelers)	87726	LC3	3/1/1997	X		3,142	14	278	1580	1219	51	0	0	3,142
		LC4	3/9/1997	X		1,703	15	243	969	459	17	0	0	1,703
		TOTALS		2	0	4,845	29	521	2,549	1,678	68	0	0	4,845
Metropolitan Life Insurance Company	65978	G.LTC197-NYP	11/8/2002		X	1	28	111	300	96	5	0	0	540
		1LTC-97 NYP	8/31/2001	X		119	4	22	65	22	6	0	0	119
		LTC2-DD100-NYP	10/31/2005	X		34	0	1	25	7	1	0	0	34
		LTC2-DD50-NYP	10/31/2005	X		52	3	8	22	19	0	0	0	52
		LTC2-TD100-NYP	10/31/2005	X		1125	56	316	637	111	5	0	0	1,125
		LTC2-TD50-NYP	10/31/2005	X		1774	43	372	1076	254	29	0	0	1,774
		LTC-VAL-NYP	12/16/2002	X		2093	72	539	1188	281	13	0	0	2,093
RWJ.01	2/25/1994	X		112	1	4	50	50	7	0	0	112		

Insurer	NAIC #	Policy		Type of Coverage (Individual or Group)		Number of Existing Policies	Number of Insured Persons Issued Coverage (by Age Group at Time of Purchase)					Number of Insured Persons Issued Coverage from 1/1/15 through 12/31/15	Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Total Number of Insured Persons
		Form Number	Date of NYS DFS Approval	I	G		Under 45	45-54	55-64	65-74	Over 75			
		TOTALS		7	1	5,310	207	1,373	3,363	840	66	0	0	5,849
Mutual of Omaha Insurance Company	71412	LTC20	10/26/1993	X		69	3	12	31	23	0	0	0	69
		LTC23	10/26/1993	X		2	0	0	1	1	0	0	0	2
		LTM20	10/26/1993	X		5	0	2	2	1	0	0	0	5
		TOTALS		3	0	76	3	14	34	25	0	0	0	76
New York Life Insurance Company	66915	21050RWJ	5/15/1995	X		36	1	9	21	5	0	0	0	36
		21050 50TAP (0105)	3/20/2006	X		92	4	27	36	23	2	5	1	92
		21050 100TAP (0105)	3/20/2006	X		55	12	24	16	3	0	0	0	55
		21050 50DDAP (0105)	3/20/2006	X		5	0	0	2	2	1	0	1	5
		21050 100DDAP (0105)	3/20/2006	X		1	0	1	0	0	0	0	0	1
		TOTALS		5	0	189	17	61	75	33	3	5	2	189
Prudential Insurance Company of America	68241	83500 PLTC 9001	11/14/1995		X	1	1	0	2	1	0	0	0	4
		GRP 99865	11/27/2001	X		107	1	21	62	20	3	0	0	107
		TOTALS		1	1	108	2	21	64	21	3	0	0	111
Teachers Insurance Annuity Association of America	69345	RWJ.01	2/25/1994	X		42	0	3	13	26	0	0	0	42
		TOTALS		1	0	42	0	3	13	26	0	0	0	42
Transamerica Financial Life Insurance Company	70688	LTC 304-198-NYP	3/11/2002	X		20	0	7	8	4	1	0	0	20
		TOTALS		1	0	20	0	7	8	4	1	0	0	20
Union Security Life Insurance Company (previously First Fortis)	81477	4051 - NY	9/24/1998	X		1570	14	175	886	459	36	0	0	1,570
		TOTALS		1	0	1,570	14	175	886	459	36	0	0	1,570
PARTNERSHIP TOTALS				69	6	69,272	1,451	12,673	39,467	15,932	995	1,571	869	70,518

All data provided has been self-reported by the insurers and has not been verified by DFS.

APPENDIX 4

Number of Partnership AND Non-Partnership LTC Policies In-Force in New York as of December 31, 2016

	Type of Coverage (Check One)		Number of Existing Policies	Number of Insured Persons Issued Coverage (by Age Group at Time of Purchase)					Number of Insured Persons Issued Coverage from 1/1/15 through 12/31/15	Number of Insured Persons Issued Coverage from 1/1/16 through 12/31/16	Total Number of Insured Persons
	Individual	Group		Under 45	45-54	55-64	65-74	75 and Over			
NON-PARTNERSHIP TOTALS	299	44	250,722	55,395	97,803	146,680	57,061	5,200	7,133	5,893	362,139
PARTNERSHIP TOTALS	69	6	69,272	1,451	12,673	39,467	15,932	995	1,571	869	70,518
PARTNERSHIP AND NON-PARTNERSHIP TOTALS	368	50	319,994	56,846	110,476	186,147	72,993	6,195	8,704	6,762	432,657

All data provided has been self-reported by the insurers and has not been verified by DFS.