

(C) MARKETING.

A CARRIER THAT MARKETS LONG-TERM CARE INSURANCE IN THE STATE SHALL:

(1) ESTABLISH MARKETING PROCEDURES TO ENSURE THAT ANY COMPARISON OF POLICIES BY AGENTS OF THE CARRIER WILL BE FAIR AND ACCURATE;

(2) ESTABLISH MARKETING PROCEDURES TO PREVENT THE SALE OR ISSUANCE OF EXCESSIVE INSURANCE;

(3) ESTABLISH PROCEDURES FOR VERIFYING COMPLIANCE WITH THIS SUBSECTION;

(4) PROVIDE, TO THE EXTENT POSSIBLE, INFORMATION ON ANY SENIOR CITIZEN COUNSELING PROGRAM;

(5) DISPLAY PROMINENTLY ON THE FIRST PAGE OF THE OUTLINE OF COVERAGE AND THE POLICY THE FOLLOWING:

"NOTICE TO BUYER: THIS POLICY MAY NOT COVER ALL THE COSTS ASSOCIATED WITH LONG-TERM CARE INCURRED BY THE BUYER DURING THE PERIOD OF COVERAGE. THE BUYER IS ADVISED TO REVIEW CAREFULLY ALL POLICY LIMITATIONS."; AND

(6) MAKE EVERY REASONABLE EFFORT TO IDENTIFY WHETHER A PROSPECTIVE APPLICANT:

(I) ALREADY HAS LONG-TERM CARE INSURANCE AND, IF SO, THE TYPES AND AMOUNTS OF THE LONG-TERM CARE INSURANCE;

(II) HAD LONG-TERM CARE INSURANCE IN FORCE DURING THE LAST 12 MONTHS;

(III) IS COVERED UNDER THE MEDICAL ASSISTANCE PROGRAM; OR

(IV) INTENDS TO REPLACE ANY EXISTING MEDICAL OR HEALTH INSURANCE COVERAGE WITH LONG-TERM CARE INSURANCE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 643(a), (b), and (c).

In the introductory language of subsection (c) of this section, the former reference to long-term care insurance "coverage" is deleted as surplusage.

In subsection (c)(6) of this section, the reference to a prospective applicant "for long-term care insurance" is deleted as included in the definition of the term "applicant".

Defined terms: "Applicant" § 18-101

"Carrier" § 18-101

"Certificate" § 18-101

"Commissioner" § 1-101