

~~(H)~~ ANY ~~OTHER~~ PRODUCT THAT IS ADVERTISED, MARKETED, OR OFFERED AS LONG-TERM CARE INSURANCE.

[(2)](3) "Long-term care insurance" does not include any insurance policy, contract, or rider which is offered primarily to provide:

- (i) Basic medicare supplement coverage;
- (ii) Hospital confinement indemnity coverage;
- (iii) Basic hospital expense or medical surgical expense coverage;
- (iv) Disability income protection coverage;
- (v) Accident coverage only;
- (vi) Specified disease or specified accident coverage; or
- (vii) Skilled nursing care.

(4) "LONG-TERM CARE INSURANCE" DOES NOT INCLUDE A LIFE INSURANCE POLICY:

- (I) THAT ACCELERATES THE DEATH BENEFIT SPECIFICALLY FOR:
  - 1. ONE OR MORE OF THE QUALIFYING EVENTS OF TERMINAL ILLNESS;
  - 2. A MEDICAL CONDITION REQUIRING EXTRAORDINARY MEDICAL INTERVENTION; OR
  - 3. PERMANENT INSTITUTIONAL CONFINEMENT;
- (II) THAT PROVIDES THE OPTION OF A LUMP-SUM PAYMENT FOR THOSE BENEFITS; OR
- (III) IN WHICH NEITHER BENEFITS NOR ELIGIBILITY FOR BENEFITS IS CONDITIONED ON RECEIPT OF LONG-TERM CARE.

(H) "LOSS RATIO" MEANS THE RATIO OF LOSSES INCURRED TO PREMIUMS EARNED ON POLICIES ISSUED, DELIVERED, OR RENEWED IN THE STATE.

[(f)](I) "Preexisting condition" means a condition for which medical advice or treatment was recommended by, or received from, a provider of health care services within [9] 6 months prior to the effective date of coverage of the insured or certificate holder.

(J) "SERVICE BENEFIT POLICY" MEANS A LONG-TERM CARE INSURANCE POLICY THAT PROVIDES FOR BENEFITS BASED ON THE AMOUNT OF EXPENSES INCURRED, RATHER THAN ON AN INDEMNITY BASIS.