

“NOTICE TO BUYER: YOU MAY SURRENDER THE CONTRACT OR POLICY OF LONG-TERM CARE INSURANCE WITHOUT PENALTY OR OBLIGATION WITHIN 30 DAYS FROM THE DATE OF DELIVERY OF THE POLICY. IF YOU DECIDE TO SURRENDER THE CONTRACT OR POLICY, YOU MUST PROVIDE NOTICE OF THE SURRENDER ~~IN WRITING~~ TO THE INSURER. ANY ATTEMPT TO OBTAIN A WAIVER OF YOUR RIGHT TO SURRENDER IS UNLAWFUL. SURRENDER ENTITLES YOU TO A REFUND OF ALL MONEYS WITHIN 30 BUSINESS DAYS AFTER RECEIPT OF NOTICE OF SURRENDER.”

(b) A policy surrendered under this section is deemed void from its effective date.

(C) THIS SECTION SHALL NOT APPLY TO PLANS UNDER § 125 OF THE INTERNAL REVENUE SERVICE CODE.

646.1.

(A) ALL APPLICATIONS FOR LONG-TERM CARE INSURANCE EXCEPT THOSE THAT ARE GUARANTEED ISSUE SHALL CONTAIN CLEAR AND UNAMBIGUOUS QUESTIONS DESIGNED TO ASCERTAIN THE HEALTH CONDITION OF THE APPLICANT.

(B) (1) IF AN APPLICATION FOR LONG-TERM CARE INSURANCE CONTAINS A QUESTION THAT ASKS WHETHER THE APPLICANT HAS HAD MEDICATION PRESCRIBED BY A PHYSICIAN, THE APPLICATION SHALL ALSO CONTAIN A QUESTION ASKING THE APPLICANT TO LIST THE MEDICATION THAT HAS BEEN PRESCRIBED.

(2) IF THE MEDICATION LISTED UNDER THIS SUBSECTION WERE KNOWN BY THE INSURER, OR SHOULD HAVE BEEN KNOWN BY THE INSURER AT THE TIME OF APPLICATION, TO BE DIRECTLY RELATED TO A MEDICAL CONDITION FOR WHICH COVERAGE WOULD OTHERWISE BE DENIED, THEN THE LONG-TERM CARE POLICY OR CERTIFICATE MAY NOT BE RESCINDED FOR THAT CONDITION.

647.

(a) (1) An insurer shall provide an applicant for long-term care insurance with [an]:

(I) AN outline of coverage; AND

(II) A BUYER'S GUIDE.

(2) THE INSURER SHALL DELIVER THE OUTLINE AND GUIDE:

(I) IN THE CASE OF SOLICITATION BY THE INSURER OR THE AGENT OF THE INSURER, BEFORE THE PRESENTATION OF AN APPLICATION OR ENROLLMENT FORM; AND

(II) IN THE CASE OF DIRECT RESPONSE SOLICITATION, WITH THE APPLICATION OR ENROLLMENT FORM.

(b) The outline shall include:

(1) A description of the principal benefits and coverage provided in the policy or contract;