

(A) WHEN THE BENEFITS PAYABLE UNDER THE LONG-TERM CARE POLICY APPROVED UNDER § 15-404 OF THIS SUBTITLE ARE EXHAUSTED, DETERMINATION OF ELIGIBILITY FOR MEDICAL ASSISTANCE SHALL BE MADE IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION.

(B) IN DETERMINING ELIGIBILITY FOR MEDICAL ASSISTANCE, AN AMOUNT OF RESOURCES EQUAL TO THE AMOUNT OF BENEFITS PAID UNDER THE LONG-TERM CARE POLICY SHALL BE EXCLUDED FROM THE DEPARTMENT'S CALCULATION OF THE INDIVIDUAL'S RESOURCES, TO THE EXTENT THE PAYMENTS:

(1) ARE FOR SERVICES THAT MEDICAL ASSISTANCE APPROVES OR COVERS FOR RECIPIENTS;

(2) ARE FOR THE LOWER OF THE ACTUAL CHARGE AND THE AMOUNT PAID BY THE INSURANCE COMPANY; AND

(3) ARE FOR NURSING HOME CARE OR APPROVED HOME CARE AND COMMUNITY-BASED SERVICES.

~~15-506.~~ 15-406.

THE COMMISSIONER, THROUGH THE CONSUMER EDUCATION AND ADVOCACY PROGRAM, SHALL UNDERTAKE MEASURES TO EDUCATE THE PUBLIC AS TO:

- (1) THE NEED FOR LONG-TERM CARE;
- (2) MECHANISMS FOR FINANCING LONG-TERM CARE;
- (3) THE AVAILABILITY OF LONG-TERM CARE INSURANCE; AND
- (4) THE ASSET PROTECTION PROVIDED UNDER THIS SUBTITLE.

~~15-507.~~ 15-407.

THE DEPARTMENT AND THE COMMISSIONER SHALL JOINTLY:

(1) ADOPT REGULATIONS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE; AND

(2) ON OR BEFORE OCTOBER 1 OF EACH YEAR, REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1312 OF THE STATE GOVERNMENT ARTICLE ON:

- (I) THE EFFECTIVENESS OF THE PROGRAM;
- (II) THE IMPACT OF THE PROGRAM ON STATE EXPENDITURES FOR MEDICAL ASSISTANCE;
- (III) THE NUMBER OF ENROLLEES IN THE PROGRAM; AND
- (IV) THE NUMBER OF LONG-TERM CARE POLICIES OFFERED IN THE STATE.

Article — Tax — General