

(ii) Provides 1 or more necessary or appropriate diagnostic, preventive, therapeutic, rehabilitative, maintenance, or personal care services provided in a setting other than an acute care unit of a hospital.

(2) "Long-term care insurance" includes any product that is advertised, marketed, or offered as long-term care insurance.

(3) "Long-term care insurance" does not include any insurance policy, CERTIFICATE, 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.

(5) "LONG-TERM CARE INSURANCE" DOES NOT INCLUDE ANY CERTIFICATE ISSUED UNDER AN OUT-OF-STATE EMPLOYER GROUP CONTRACT.

(I) "OUT-OF-STATE EMPLOYER GROUP CONTRACT" MEANS A GROUP CONTRACT WHICH:

(1) IS ENTERED INTO WITH AN EMPLOYER IN A STATE OTHER THAN MARYLAND; AND

(2) IS ISSUED DIRECTLY TO AN EMPLOYER UNDER THE LAWS OF THAT EMPLOYER'S STATE.