
RESIDENT STATES FOR LONG TERM CARE INSURANCE

Resident State rules are different for the Interstate Compact (IC) states. Please note the following rules regarding resident states.

Please be aware that while the below explains situations where an agent may solicit insurance on an applicant outside that applicant's state of residence, these are intended to be viewed as EXCEPTIONS AND NOT THE RULE. This information is not being given for the purposes of attempted evasion of applicable licensing, solicitation or delivery requirements. Most states' Long Term Care regulations require that policies issued to residents comply with the regulations of the state in which the resident lives. All agents are strongly encouraged to write business on an applicant in the applicant's state of residence and deliver the contract in that state, pursuant to a license (resident or nonresident) for sales in that state. Aside from meeting the law, this procedure also enables us to be sure that the applicant is aware of the policy he/she is applying for and what state governs its provisions.

Special delivery receipt - Where a contract is sold other than the one for the state of residence of the applicant, the applicant will need to sign a delivery receipt stating where the contract was issued, the app taken and where the delivery occurred and acknowledging that the policy is governed by the laws of that state.

State of residence means that the applicant's principal place of residence is in that state and it is the state that shows on the application.

APPLICANT SITUATIONS:

- (1) If the two states in question, the state of residence of the applicant and the state where the application is being taken, are both states covered by the IC, the rules in the chart below no longer apply for that applicant. An IC policy can be issued for that person and *no special delivery receipt is required*.
- (2) If the applicant is a resident of an IC state, but the application is being taken in a nonIC state, the rules in the chart below continue to apply and if a policy can be issued outside the resident state (see the chart for specific states), *a special delivery receipt will be required*.
- (3) If the applicant is a resident of a nonIC state, then there are three states an agent should be aware of: CT, NJ and NY. CT does not allow anything other than a CT policy to be issued to their residents. The chart below outlines the requirements for an agent in order to write an out of state policy on a NJ or NY resident. *The special delivery receipt requirements will also apply*.

State of Residence	Can a resident of this state purchase a policy not approved in his/her resident state?	Interstate Compact State?	Explanation/Restrictions
AL	No	Yes	<p>All persons who (by mail or in person) quote, solicit, deliver policies, collect premiums or receive commissions (directly or indirectly) from the sale of insurance must be licensed as either resident or nonresident agents in AL.</p> <p>An AL policy must always be issued for an AL resident, but can be sold by a nonresident agent outside the state of AL. An AL application must always be used. Contract delivery can occur outside AL.</p>
AK	No	Yes	<p>All persons who (by mail or in person) quote, solicit, deliver policies, collect premiums or receive commissions from the sale of insurance must be licensed as either resident or nonresident agents in AK.</p> <p>An AK policy must always be issued for an AK resident, but can be sold by a nonresident agent outside the state of AK. An AK application must always be used. Contract delivery can occur outside AK.</p>
CT	No	No	<p>Anyone who (by mail or in person) writes, solicits or aids in solicitation, accepts premium, delivers a contract in the state of CT or to a resident of CT (wherever delivered) must be licensed in CT as a CT resident or nonresident agent.</p> <p>CT law requires that all CT residents be issued a policy meeting CT laws and regulations. A CT application must always be used. Delivery may take place outside of CT. No policy other than a CT policy may be issued.</p>
ID	No	Yes	<p>All persons who (by mail or in person) quote, solicit, deliver policies, collect premiums or receive commissions (directly or indirectly) from the sale of insurance must be licensed as either resident or nonresident agents in ID.</p> <p>An ID policy must always be issued for an ID resident, but can be sold by a nonresident agent outside the state of ID. An ID application must always be used. Contract delivery can occur outside ID.</p>
KS	No	Yes	<p>Anyone who (by mail or in person) writes, solicits or aids in solicitation, accepts premium, delivers a contract in the state of KS or to a resident of KS (wherever delivered) must be licensed in KS as a KS resident or nonresident agent. A KS policy must always be issued for a KS resident, but can be sold by a nonresident agent outside the state of KS.</p> <p>KS law requires that all KS residents be issued a policy meeting KS laws and regulations. A KS application must always be used. Delivery may take place outside of KS. No policy other than a KS policy may be issued.</p>

MD	Yes, subject to restrictions	Yes	<p>Anyone who (by mail or in person) writes, solicits or aids in solicitation, accepts premium, or delivers a contract in the state of MD must be licensed in MD as a MD agent. Nonresident agents may solicit in the state of MD.</p> <p>Business can be written on MD residents outside the state of MD only if: (1) the <u>initial</u> premium is paid outside MD; and (2) the application is taken outside MD; and (3) the policy is delivered outside MD; and (4) the agent is licensed in the state in which the above 3 steps are taken. If they cannot meet all 4 of these conditions (for example, if the contract would have to be delivered in MD), then a MD license is required for that agent. Please note that none of these things can be done <u>by mail</u> into MD without a MD license as well.</p> <p>If these conditions are met, the contract issued will not be a MD contract (it will be the contract of the state that approved the policy form and in which the solicitation and delivery took place).</p>
MA	Yes, subject to restrictions	Yes	<p>Anyone who writes, solicits or aids in solicitation, accepts premium, or delivers a contract in the state of MA must be licensed in MA.</p> <p>Business can be written on MA residents outside the state of MA only if: (1) the <u>initial</u> premium is paid outside MA; and (2) the application is taken outside MA; and (3) the policy is delivered outside MA; and (4) the agent is licensed in the state in which the above 3 steps are taken. If they cannot meet all 4 of these conditions (for example, if the contract would have to be delivered in MA), then a MA license is required for that agent. Please note that none of these things can be done <u>by mail</u> into MA without a MA license as well.</p> <p>If these conditions are met, the contract issued will not be a MA contract (it will be the contract of the state that approved the policy form and in which the solicitation and delivery took place).</p>
MN	No	Yes	<p>Anyone who (by mail or in person) writes, solicits or aids in solicitation, accepts premium, delivers a contract in the state of MN or to a resident of MN (wherever delivered) must be licensed in MN as a MN resident or nonresident agent.</p> <p>MN law requires that all MN residents be issued a policy meeting MN laws and regulations. A MN application must always be used. Delivery may take place outside of MN. No policy other than a MN policy may be issued.</p>
NJ	Yes, subject to restriction	No	<p>Anyone who (by mail or in person) writes, solicits or aids in solicitation, accepts premium, delivers a contract or provides insurance opinion or advice in the state of NJ must be licensed in NJ. A nonresident agent may solicit in the state of NJ.</p> <p>Business can be written on NJ residents outside the state of NJ only if: (1) the <u>initial</u> premium is paid outside NJ; and (2) the application is taken outside NJ; and (3) the policy is</p>

			<p>delivered outside NJ; and (4) the agent is licensed in the state in which the above 3 steps are taken. If they cannot meet all 4 of these conditions (for example, if the contract would have to be delivered in NJ), then a NJ license is required for that agent. Please note that none of these things can be done <u>by mail</u> into NJ without a NJ license as well.</p> <p>If these conditions are met, the contract issued will not be a NJ contract (it will be the contract of the state that approved the policy form and in which the solicitation and delivery took place).</p>
NY	Yes, subject to restrictions	No	<p>Anyone who (by mail or in person) writes, solicits or aids in solicitation, accepts premium, or delivers a contract in the state of NY must be licensed in NY as a NY resident or nonresident agent.</p> <p>Business can be written on NY residents outside the state of NY only if: (1) the <u>initial</u> premium is paid outside NY; and (2) the application is taken outside NY; and (3) the policy is delivered outside NY; and (4) the agent is licensed in the state in which the above 3 steps are taken. If they cannot meet all 4 of these conditions (for example, if the contract would have to be delivered in NY), then a NY license is required for that agent. Please note that none of these things can be done <u>by mail</u> into NY without a NY license as well.</p> <p>If these conditions are met, the contract issued will not be a NY contract (it will be the contract of the state that approved the policy form and in which the solicitation and delivery took place).</p>
SC	No	Yes	<p>Anyone who (by mail or in person) writes, solicits or aids in solicitation, accepts premium, delivers a contract in the state of SC or to a resident of SC (wherever delivered) must be licensed in SC as a SC resident or nonresident agent.</p> <p>SC law requires that all SC residents be issued a policy meeting SC laws and regulations. A SC application must always be used. Delivery may take place outside of SC. No policy other than a SC policy may be issued.</p>
WI	No	Yes	<p>Anyone who (by mail or in person) writes, solicits or aids in solicitation, accepts premium, delivers a contract in the state of WI or to a resident of WI (wherever delivered) must be licensed in WI as a WI resident or nonresident agent.</p> <p>WI law requires that all WI residents be issued a policy meeting WI laws and regulations. A WI application must always be used. Delivery may take place outside of WI. No policy other than a WI policy may be issued.</p>

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