

SB 2172

Rep Kasper and Chair Warrey,

My apologies for sending more email as I am sure you get plenty of them. But I don't want this to hold up any of your committee work on this one if you work on it tomorrow. I may need to be in Senator Lee's committee for some things.

Rep Kasper suggested some verbiage via Jordan and Beth, and we are agreed with it as follows:

An insurer shall provide a copy of the long-term care insurance policy to the insured or the insured's representative within 30 days of request.

We prefer an insurer vs insurance company as that is the term used throughout our title. Also, in Kasper's suggestions there was some reference to applying a penalty, but we already have penalty authority in 26.1-45 as follows:

26.1-45-12. Penalties. In addition to any other penalties provided by the laws of this state, any insurer and any insurance producer found to have violated any requirement of this title relating to the regulation of long-term care insurance or the marketing of such insurance shall be subject to a fine of up to three times the amount of any commissions paid for each policy involved in the violation or up to ten thousand dollars, whichever is greater.

So we feel it would be duplicative, but agree with the 30 day timeframe.

If you have a set time for the committee work on this one and still want someone in the room I can send someone down or be there if I am not in Senate HS.

Thank you

CHRYSTAL BARTUSKA | Division Director, Life & Health/Medicare
North Dakota Insurance Department