**20:06:21:53.02.  Suitability - Long-term care insurance personal worksheet.** The issuer, and when an agent is involved, the agent, shall make reasonable efforts to obtain the information set out in § 20:06:21:53.01. The efforts must include presentation to the applicant, at or prior to application, the "Long-Term Care Insurance Personal Worksheet." The personal worksheet used by the issuer must contain, at a minimum, the information in the format contained in Appendix E, in not less than 12 point type. The issuer may request the applicant to provide additional information to comply with its suitability standards. A copy of the issuer's personal worksheet shall be filed with the director.

A completed personal worksheet shall be returned to the issuer prior to the issuer's consideration of the applicant for coverage, except the personal worksheet need not be returned for sales of employer group long-term care insurance to employees and their spouses. The sale or dissemination outside the company or agency by the issuer or agent of information obtained through the personal worksheet in Appendix E is prohibited.

The issuer shall use the suitability standards it has developed pursuant to § 20:06:21:53.01 in determining whether issuing long-term care insurance coverage to an applicant is appropriate. Agents shall use the suitability standards developed by the issuer in marketing long-term care insurance. At the same time as the personal worksheet is provided to the applicant, the disclosure form entitled "Things You Should Know Before You Buy Long-Term Care Insurance" shall be provided. The form must be in the format contained in Appendix F in not less than 12 point type.

**Source:** 28 SDR 157, effective May 19, 2002.

**General Authority:** SDCL 58-17B-4.

**Law Implemented:** SDCL 58-17B-4.