**20:06:21:78.  Long-term care partnership policies -- Filing requirements.** Schedule pages issued in compliance with § 20:06:21:77 are not required to be re-filed for approval. An informational filing notifying the division that the language specified in § 20:06:21:78 will be used meets the requirements of this section. The informational filing may be included with the insurer's certification of forms that meet partnership standards and are intended to be used for the issuance of partnership policies in this state.

 A partnership policy issued or issued for delivery in the State of South Dakota shall be accompanied by a Partnership Disclosure Notice, explaining the benefits associated with a partnership policy and indicating that at the time issued, the policy is a qualified state long-term care insurance partnership policy. If the company uses Appendix K, the company is not required to file it for approval by the division. If the company makes changes to the form, the company must file the form for approval by the director. The Partnership Disclosure Notice shall also include a statement indicating that by purchasing such partnership policy, the insured does not automatically qualify for Medicaid.

 Any policy submitted for approval as a partnership policy shall be accompanied by a Partnership Certification Form.

 Insurers requesting to make use of a previously approved policy form as a qualified state long-term care partnership policy shall submit to the director a Partnership Certification Form signed by an officer of the company. The Partnership Certification Form shall be accompanied by a copy of the policy or certificate form listed, the approval date, and a bookmark for each of the requirements listed in sections II and III of the form. A Partnership Certification Form shall be required for each policy form submitted for partnership qualification. Appendix L is a sample of a Partnership Certification Form that meets the requirements of this section.

 **Source:** 33 SDR 230, effective July 2, 2007.

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

 **Law Implemented:** SDCL 28-6-38, 58-17B-4.