SHORT-TERM CARE INSURANCE

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ISSUE

This report answers several questions about short-term care insurance in Connecticut. The specific questions and answers follow.

Does Connecticut Law Allow Short-Term Care Insurance?

Connecticut statutes do not explicitly recognize short-term care policies in either the health insurance definitions (CGS § 38a-469) or the long-term care insurance definitions (CGS §§ 38a-501 & 38a-528).

According to the Connecticut Insurance Department (CID), short-term care policies are prohibited under the long-term care policy statutes. CGS §§ 38a-501 & 38a-528 define long-term care insurance as insurance that provides necessary care or treatment of an injury, illness, or loss of functional capacity in a setting other than an acute care hospital, for at least a year after an elimination period (i.e., the length of time between the injury and when the insurer will pay benefits).

CID interprets these statutes as prohibiting policies, including short-term care policies, which provide the same type of coverage (e.g. help with activities of daily living) with benefit terms of less than a year. A CID official said short-term care policies would need to meet the minimum requirements of the long-term care provisions.
What is the Legislative History of Short-Term Care Insurance in Connecticut?

It appears the legislature did not contemplate short-term care policies when it enacted the long-term care statutes. Legislators did not discuss short-term care insurance when debating the long-term care legislation, which defined long-term care insurance as policies offering at least a year of benefits.

PA 86-49 created the long-term care definition and exempted such policies from the loss-ratios required for health insurance policies sold to Medicare-eligible individuals. Legislators expected the lower loss-ratio to allow insurers to profitably offer long-term care policies. (A "loss-ratio" is the amount of benefits paid as a percentage of the annual premium.)

Has Connecticut Ever Allowed Short-Term Care Insurance?

To the best of CID’s knowledge, short-term care insurance has not been allowed in Connecticut since the long-term care statutes were enacted.

Could the Connecticut Legislature Allow Short-Term Care Policies?

Yes. The legislature would need to amend the long-term care statutes to allow for policies with shorter benefit durations or create a parallel statute defining short-term care insurance policies and authorizing their issuance.

Do Other States Allow Short-Term Care Policies to Be Sold?

Several states appear to allow short-term care insurance policies to be sold, but we were unable to find a definitive list. According to news articles, such as this one from Forbes, short-term care insurance is a niche, but growing, market.

We contacted both the National Conference of State Legislatures and the National Association of Insurance Commissioners (NAIC), but neither was able to provide a list of states that specifically offer, regulate, or prohibit short-term care policies.

NAIC also defines long-term care insurance as providing coverage for at least a year, and considers policies with a shorter benefit duration as limited benefit health plans. However, limited benefit health plans include a wide variety of insurance, and not just short-term care coverage. NAIC has information on states that have adopted limited benefit health plan legislation, but it is not specific to short-term care policies.
According to a presentation by the Milliman company, some states regulate short-term care insurance as supplemental insurance and subject such policies to state-specific loss-ratio requirements. (Milliman is an actuarial and related services company.)

**RESOURCES**

The following resources are listed in the order in which they appear in the report.


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