



**2745.0040 LONG-TERM CARE INSURANCE**

550

**2745.0040 USE OF ASSESSMENTS.**

A long-term care insurance policy may use activities of daily living and cognitive impairment assessments as a basis for defining when a service, type of care, or procedure could not be omitted without adversely affecting the patient's illness or condition.

Determining impairment under the insurance contract shall not be more restrictive than requiring either a deficiency in three of the above activities of daily living or the presence of cognitive impairment. An insurer may, by contract, require less restrictive criteria than the above determining benefit eligibility.

The determination of physical or cognitive impairment shall be based on generally accepted tests that use objective measures and produce verifiable results such as, but not limited to, the most recently adopted Minnesota Department of Human Services Preadmission Screening Assessment Form.

**Statutory Authority:** *MS s 45.023; 62A.56*

**History:** *17 SR 482*

**2745.0050 ALTERNATIVE STANDARDS AND CERTIFICATION.**

If an insurer proposes standards other than those described in parts 2745.0020, 2745.0030, and 2745.0040, upon request the insurer shall provide to the department a detailed description of the proposed assessment methodology explaining how the assessment would reasonably be expected to produce reliable, valid, and clinically appropriate results. The insurer is responsible for demonstrating that the assessment is reliable, valid, and clinically appropriate and not less beneficial to the policyholder than the standards described in parts 2745.0020, 2745.0030, and 2745.0040. An officer of the insurance company shall provide a certification that, to the best of the officer's knowledge, the assessment methodology is reliable, valid, and clinically appropriate.

**Statutory Authority:** *MS s 45.023; 62A.56*

**History:** *17 SR 482*

**2745.0100** [Repealed, 10 SR 1265]

**2745.0200** [Repealed, 10 SR 1265]

**2745.0300** [Repealed, 10 SR 1265]

**2745.0400** [Repealed, 10 SR 1265]

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**2745.0600** [Repealed, 10 SR 1265]

**2745.0700** [Repealed, 10 SR 1265]

**2745.0800** [Repealed, 10 SR 1265]

**2745.0900** [Repealed, 10 SR 1265]

**2745.1000** [Repealed, 10 SR 1265]

**2745.1100** [Repealed, 10 SR 1265]

**2745.1200** [Repealed, 10 SR 1265]

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**2745.1600** [Repealed, 10 SR 1265]

**2745.1700** [Repealed, 10 SR 1265]

**2745.1800** [Repealed, 10 SR 1265]

**2745.1900** [Repealed, 10 SR 1265]