

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*

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