



TO: Interested Parties

FROM: Product Standards Committee

DATE: May 12, 2026

SUBJECT: Draft amendment to the Rate Filing Standards for Individual Long-Term Care Insurance (IIPRC-LTC-I-3-RATEI, IIPRC-LTC-I-3-RATEM)

At the request of the Management Committee, the Product Standards Committee provides proposed language to amend the two *Rate Filing Standards for Individual Long-Term Care Insurance (for Issue Age Rate Schedules and Modified Rate Schedules)* in response to the Colorado Division of Insurance’s request to address the Colorado state statute that prohibits gender as a rating characteristic for individual long-term care insurance rate schedules.

Please note that the Product Standards Committee recommendation is limited in scope to how to amend the relevant standards in order to accomplish Colorado’s request. The Management Committee and Commission will separately discuss and determine whether to put an amendment in place.

On December 2, 2025, the Colorado Division of Insurance asked the Commission to address a statutory conflict that exists with the Uniform Standards with respect to the use of gender as a rating characteristic given its unique situation with a binding Supreme Court opinion from 2020. The relevant Uniform Standards currently allow gender as a rating characteristic for individual long-term care insurance products and rate schedules. The Compact has approved both gender-neutral and gender-distinct rate schedules for companies with individual long-term care insurance products.

The suite of individual long-term care insurance Uniform Standards already includes provisions that are required to follow state law or recognize a state exception, such as definitions for levels of care, daily minimum benefit, minimum benefit period, and maximum elimination period.

To address this request, the PSC recommends adding a new provision to the end of § 1. Criteria For Review For All Rate Filings stating, “The use of gender as a rating characteristic for premium schedules is permitted unless prohibited by applicable statute in the state where the policy is delivered or issued for delivery.”

The PSC also recommends including a drafting note after this section as follows:

Drafting Note: The Interstate Insurance Product Regulation Commission will maintain a comprehensive listing of state statutes that prohibit use of gender as a rating characteristic for premium schedules, based on information reported by Member States.

Today, the Compact Office maintains a list of state statutory requirements for areas in the Uniform Standards that reference state law. See [Member State LTC Information Chart](#). The proposed drafting note would add an additional tracked item to the existing list.

The PSC recommendation does not weigh in on whether to make this amendment but rather presents the recommended language as the Management Committee and Commission consider whether to address Colorado's request.