

INTERSTATE INSURANCE PRODUCT REGULATION COMMISSION

NOTICE OF PROPOSED RULE

Date Issued: June 4, 2026

Proposed Uniform Standard: Amendment to the Rate Filing Standards for Individual Long-Term Care Insurance (IIPRC-LTC-I-3-RATEI, IIPRC-LTC-I-3-RATEM)

- Purpose of Proposed New Rules:** The purpose of this amendment is to revise the two *Rate Filing Standards for Individual Long-Term Care Insurance (for Issue Age Rate Schedules and Modified Rate Schedules)* to add a statement to Section 1, Criteria for Review for All Rate Filings, addressing the use of the insured's gender as a rating characteristic. The implementation timeline for the amendment is included in this Notice. See the Transmittal Memo for a more detailed description of the proposed amendment.
- Legal Authority:** The Commission is authorized to create uniform standards by Article IV, Section 2 of the Interstate Insurance Product Regulation Compact, as enacted into law by each compacting state.
- Text of Proposed New Rules:** The proposed amendment and implementation timeline are available on the Commission's web site (www.insurancecompact.org) and included with this notice as a separate document.
- Where, When, and How Persons May Present Their Views:** The Management Committee for the Commission will accept written comment on the proposed amendment and its implementation until **August 3, 2026**. Written comments may be delivered via electronic mail to comments@insurancecompact.org, or via mail to the Management Committee c/o Karen Schutter, 1101 K Street, NW, Suite 650, Washington DC 20001.
- Where, When, and How Persons May Request a Public Hearing:** Written requests for a public hearing on the proposed amendment and its implementation must be received no later than **June 24, 2026**. Persons who may request a public hearing are Commission members, the Management Committee, the Legislative Committee, the Consumer Advisory Committee, the Industry Advisory Committee, or a person or organization representing at least 25 persons affected by the proposed amendment and its implementation. Written requests may be delivered via electronic mail to comments@insurancecompact.org, or via mail to the Management Committee c/o Karen Schutter, Executive Director, 1101 K Street, NW, Suite 650, Washington DC 20001.

A. Implementation of the Proposed Amendment

The proposed amendment is proposed to apply prospectively only, meaning it will apply to new business issued in Compacting States upon the effective date. As the proposed amendment makes a substantive change to the determination of compliance, new business includes new issues of previously approved Compact products. In other words, insurers may need to update previously approved Compact products for compliance with the proposed amendment for products issued after the effective date of the proposed amendment.

Article VII, Section 3 of the Compact Statute and Section 117 of the Product Filing Rule¹ establish a minimum of 100 days following Commission adoption (10 days from adoption to publish the amended Uniform Standards plus 90 days from publication to take effect) for adoption of new or amended Uniform Standards to be effective for insurer filing purposes. The proposed amendment will thus apply to new rate filing submissions no less than 100 days following Commission adoption.

In recognition of the complexity involved in updating previously approved products to demonstrate compliance with the proposed amendment for new issues, it is proposed to set an effective date for new issues of previously approved Compact rate schedules to be effective six months after the effective date for new rate filing submissions. For instance, if the effective date for new rate filing submissions is December 1, 2026, the effective date for new issues of previously approved Compact products is June 1, 2027.

B. Text of the Proposed Amendment

§ 1. CRITERIA FOR REVIEW FOR ALL RATE FILINGS

A. GENERAL

The Interstate Insurance Product Regulation Commission will review rate filings for individual long-term care insurance policies and may disapprove any rate filing for one or more of the following reasons:

- (1) The premiums charged are unreasonable in relation to the benefits provided, excessive, inadequate, or unfairly discriminatory;

¹ The [Rule for Adoption, Amendment and Repeal of Rules of the Interstate Commerce Product Regulation Commission](#) at Section 117 provides, “A Uniform Standard shall become effective 90 days after being published following its adoption by the Commission or such later date as the Commission may determine. A Uniform Standard shall be published no earlier than ten (10) business days following its adoption by the Commission.”

- (2) The provisions permit the company to vary premiums for insureds, and the variances are not based upon sound underwriting and sound actuarial principles reasonably related to actual or reasonably anticipated loss experience or expenses;
- (3) The premiums unfairly discriminate between individuals of the same actuarial risk class, or between risks of essentially the same degree of hazard;
- (4) The premiums discriminate on the basis of race, color, creed, national origin, or sexual orientation;
- (5) The premiums unfairly discriminate on the basis of marital status or civil union status in states where civil union relationships are recognized; however, this does not prohibit actuarially justified spousal, couple, partner, or civil union discounts; or
- (6) The rate filing fails to comply with the standards.
- (7) The use of gender as a rating characteristic for premium schedules is permitted unless prohibited by applicable statute and is supported by a binding court ruling or opinion in the state where the policy is delivered or issued for delivery.