

**Vermont Department of Banking, Insurance, Securities  
and Health Care Administration**

**Bulletin HCA 130  
January 4, 2010**

**Clarification of Effective Dates of Long Term Care  
Regulation H-2009-01**

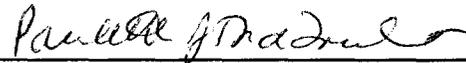
The purpose of this Bulletin is to clarify the Department's position on the effective dates for specific sections of long-term care regulation H 2009-01. The Commissioner is authorized to issue this Bulletin pursuant to 8 V.S.A. § 15.

The Department's final proposed draft of Regulation H 2009-01, Sections 1 through 34 and 36 through 37 had an effective date of January 1, 2010. Section 35 (Long-Term Partnership policies) of the regulation was not included. During the last stage of rulemaking process, agreement was reached to change the effective date of H 2009-01 to April 1, 2010 (see Section 38 of H 2009-01). Section 35 of the regulation was not impacted by the agreement to change the effective date of Regulation H 2009-01.

It has been brought to the Department's attention that certain sections of H 2009-01 were not revised to reflect the new effective date of the regulation. The Department provides the following clarifications for Regulation H 2009-01:

1. The effective date of Section 9(A), Section 10(A), Section 27(G) and Section 31(F) is April 1, 2010.
2. The effective date of Section 20(A)(1) is October 1, 2010 (six months after the overall effective date of the regulation); and the effective date of Section 20(A)(2) is April 1, 2011 (twelve months after the overall effective date of the regulation).
3. The dates set forth in Section 34(B)(1)(a) and Section 34(B)(1)(b) of H 2009-01 have not been revised. Therefore:
  - a. Insurance agents or producers who are first licensed to sell long-term care insurance policies after March 31, 2010, must complete the onetime eight hour training before the agent or producer may sell, solicit or negotiate the sale of any long-term care insurance policy.
  - b. Insurance agents or producers who are currently licensed to sell long-term care insurance policies must complete the onetime eight-hour training on or before March 31, 2011.
4. The timeframe set forth in Section 34(B)(2) has not been revised. Therefore, an agent or producer selling, soliciting or negotiating the sale of any long-term care insurance policy must also complete no less than four (4) hours of ongoing training every 24 months ending March 31<sup>st</sup> of odd-numbered calendar years.

5. All references to June 30<sup>th</sup>, in Regulation H 2009-01, are revised to September 30<sup>th</sup>.



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Paulette J. Thabault  
Commissioner