

1 A JOINT RESOLUTION directing the Department of Insurance to create a task
2 force to explore the feasibility of implementing a statewide insurance program for long-
3 term care services and supports.

4 WHEREAS, the 2020 report of the Federal Interagency Task Force on Long-Term
5 Care Insurance found that approximately half of Americans who were turning age 65
6 today will need some type of long-term care; and

7 WHEREAS, financing long-term care is a concern for many citizens of the
8 Commonwealth; and

9 WHEREAS, it is the intent of the General Assembly that a task force be created to
10 explore the feasibility of developing and implementing a statewide insurance program for
11 long-term care services and supports;

12 NOW, THEREFORE,

13 ***Be it resolved by the General Assembly of the Commonwealth of Kentucky:***

14 ➔Section 1. (1) The Department of Insurance is directed to create the Long-
15 term Care Insurance Task Force, which shall be administratively attached to the
16 department and composed of the following members:

17 (a) The commissioner of the Department of Insurance or designee, who shall
18 serve as chair;

19 (b) The commissioner of the Department for Medicaid Services or designee;

20 (c) The commissioner of the Department for Aging and Independent Living or
21 designee;

22 (d) A certified actuary with expertise in long-term care insurance;

23 (e) A nongovernmental health policy expert;

24 (f) A representative of a long-term care provider association;

25 (g) A representative of a senior or consumer organization;

26 (h) A representative of an employee representative organization that represents
27 long-term care provider employees;

- 1 (i) A representative of the long-term care insurance industry;
- 2 (j) A representative of residential care facilities for the elderly;
- 3 (k) A representative of adult day services providers;
- 4 (l) A representative of hospice and palliative care providers;
- 5 (m) A representative of long-term care health professionals;
- 6 (n) A representative of independent providers of in-home personal care services;

7 and

- 8 (o) A representative of family caregivers.
- 9 (2) The members referenced in subsection (1)(d) to (o) of this section shall:
- 10 (a) Be appointed by the Governor; and
- 11 (b) Not receive compensation for service on the task force.

12 ➔Section 2. For purposes of completing the reports required under Section 3 of
13 this Joint Resolution, the Long-term Care Insurance Task Force shall:

14 (1) Explore how a statewide long-term care insurance program could be designed
15 and implemented to expand options for people who are interested in insuring themselves
16 against the risk of costs associated with functional or cognitive disability that require
17 long-term care services and supports;

18 (2) Explore options for the design of the program, including eligibility,
19 enrollment, benefits, financing, administration, and interaction with Medicaid, Medicare,
20 and other publicly funded resources. In exploring options under this subsection, the task
21 force shall consider:

22 (a) Allowing for enrollment of working adults who would make voluntary
23 premium contributions either directly or by payroll deductions through their employer;

24 (b) Requiring mandatory enrollment with an opt-out option;

25 (c) Giving working adults the opportunity to plan for future long-term care needs
26 by providing a basic insurance benefit to those who:

27 1. Meet work requirements; and

- 1 2. Have developed functional or equivalent cognitive limitations;
- 2 (d) Helping individuals with functional or cognitive limitations remain in their
- 3 communities by purchasing nonmedical services and supports, including home health
- 4 care and adult daycare; and
- 5 (e) Helping offset the costs incurred by adults with chronic and disabling
- 6 conditions;
- 7 (3) Evaluate how benefits under the program would be coordinated with existing
- 8 private health insurance coverage;
- 9 (4) Evaluate the demands on the long-term care workforce as the need for long-
- 10 term care in the state grows and how the long-term care workforce can be prepared to
- 11 meet those demands;
- 12 (5) Consider the establishment of a joint public and private system to make long-
- 13 term care accessible to as many individuals within the state as possible; and
- 14 (6) Make recommendations related to key regulatory provisions necessary for the
- 15 public to access existing long-term care insurance programs and participate in future
- 16 long-term care insurance programs, whether those programs are recommended by the
- 17 task force or otherwise.

18 ➔Section 3. (1) On or before September 1, 2026, the Long-term Care

19 Insurance Task Force shall submit a report to the Governor and the Legislative Research

20 Commission, for referral to the Interim Joint Committees on Banking and Insurance and

21 Health Services, that:

- 22 (a) Recommends options for establishing a statewide long-term care insurance
- 23 program; and
- 24 (b) Comments on the feasibility of the options referenced in paragraph (a) of this
- 25 subsection.
- 26 (2) On or before September 1, 2027, the Long-term care Insurance Task Force
- 27 shall submit an actuarial report on the recommendations made by the task force under

- 1 subsection (1) of this section to ensure an adequate benefit within a solvent program.