


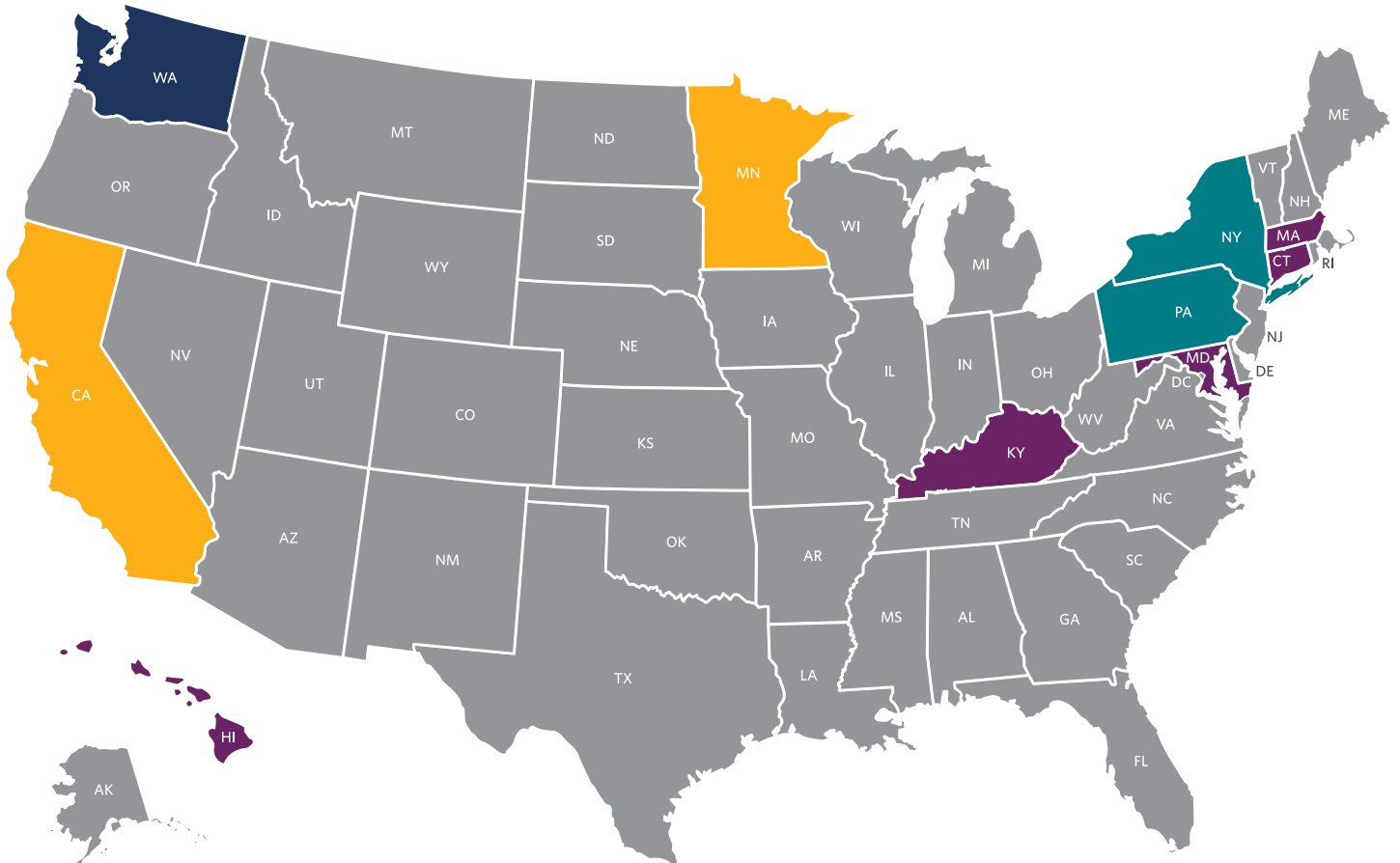
# LONG-TERM CARE STATE LEGISLATION

**UPDATED OCTOBER 2024**

With an ongoing long-term care crisis and national interest in the challenges of financing long-term care, employers are monitoring the potential impact of state legislation. To help educate employers on legislative movement and employee benefit options to meet the growing needs of their employees, Transamerica monitors state legislative activity and provides updates on significant action.

## SUMMARY OF SELECT STATE-RUN PROGRAM ACTIVITY:

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|  <b>Passed:</b><br>Washington   |  <b>Proposed Legislation (State Program):</b><br>New York, Pennsylvania                            |
|  <b>Legislation May Be Introduced in 2025:</b><br>California, Minnesota |  <b>Proposed Legislation (Study):</b><br>Connecticut, Hawaii, Kentucky,<br>Maryland, Massachusetts |



# RECENT STATE-RUN PROGRAM ACTIVITY WITH NOTABLE DEVELOPMENTS IN LONG-TERM CARE INSURANCE LEGISLATION

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## CALIFORNIA

California established a Long-Term Care Insurance Task Force to examine the creation of a statewide long-term care insurance program. The Task Force is tasked with recommending program options in a report submitted to the commissioner, governor, and the legislature. Oliver Wyman facilitated Task Force discussions and authored a Feasibility Report (12/14/2022) based on Task Force recommendations and an Actuarial Report (12/15/2023) assessing the costs and viability of each recommended program design.



See the Oliver Wyman Feasibility and Actuarial Reports and information regarding the Long-Term Care Insurance Task Force ([insurance.ca.gov/0500-about-us/03-appointments/lcctf.cfm](https://insurance.ca.gov/0500-about-us/03-appointments/lcctf.cfm))

The California Department of Insurance (CA DOI) has reiterated that the state legislature may or may not choose to proceed with legislation to establish a public long-term care (LTC) program and stated that the state legislature has not made any decisions about a public LTC program. The CA DOI also issued an alert regarding false and misleading long-term care insurance marketing tactics in August 2023.



See the CA DOI alert: False and Misleading Long-Term Care Insurance Marketing Tactics ([insurance.ca.gov/0200-industry/0110-whats-new/upload/False\\_Misleading\\_LTC\\_Marketing\\_Tactics.pdf](https://insurance.ca.gov/0200-industry/0110-whats-new/upload/False_Misleading_LTC_Marketing_Tactics.pdf))

## MASSACHUSETTS

In 2023, Massachusetts filed legislation that would establish a special commission to study (over a period of two years) and make recommendations regarding the establishment of a statewide long-term care insurance program. The commission would be required to make recommendations on the design, implementation, and funding of a statewide long-term care insurance program and the viability of a joint public and private system. This bill did not proceed past introduction and committee assignment.

## MINNESOTA

The Aging and Disability Services Administration of the Minnesota Department of Human Services investigated options for Long-Term Services and Supports (LTSS) reform to improve the services available to older adults in Minnesota. The state led a stakeholder engagement process to examine long-term care funding options and provide a policy structure. The result of this process was the publication of a report in October 2023. The recommendations in the report provide a framework for further examination by the state. Additional analysis is required as recommendations are further developed and formulated.



See the report: The Own Your Future LTSS Funding and Services Initiative – Options to Increase Access to Long-Term Care Financing, Services, and Supports in Minnesota ([mn.gov/dhs/assets/OYF-LTSS-funding-services-initiative\\_tcm1053-600470.pdf](https://mn.gov/dhs/assets/OYF-LTSS-funding-services-initiative_tcm1053-600470.pdf))

## NEW YORK

A bill was introduced in 2024 that would establish a New York long-term care trust program. (Similar legislation was introduced in 2022.) This legislation would create a benefit available to New York workers for long-term care services and support, financed by an employee payroll withholding tax. This bill did not proceed past introduction and committee assignment.

## **PENNSYLVANIA**

Pennsylvania reintroduced legislation in 2023 that would enact the Long-Term Care Trust Act. This legislation would establish a fund to eligible beneficiaries for long-term care services. The program would be funded by a monthly payroll premium. This bill did not proceed past introduction and committee assignment.

## **WASHINGTON**

A ballot initiative that would make the WA Cares Fund state-run long-term care insurance program voluntary was delivered to the Washington Secretary of State to appear on the 2024 ballot in November. Initiative 2124 would allow Washington residents to opt-out of the WA Cares benefit and payroll tax created by the 2019 WA Cares legislation. If approved by voters, WA Cares would become an opt-in program rather than a mandatory program and may result in decreased funding for the program.

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