

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4346/P1dn  
MES:rs&kmg:jf

January 28, 2002

Representative Pettis:

Please review this draft carefully to ensure that it meets your intent. The definition of "long-term care expenses" is based on the definition of "long-term care insurance" in s. 40.02 (40m) of the statutes, and the definition of "financial institution" is based on the definition in s. 69.30 (1) (b). Are these definitions OK?

Also, your instructions did not include any information as to how any oversight would be achieved. Who will determine whether a withdrawal is actually made for a "long-term care expense"? Is there a particular agency that you would like to promulgate rules to govern the use of these accounts? Because the accounts are created in s. 71.10 (10) of the statutes, perhaps the department of revenue (DOR) will promulgate rules to administer the program if DOR believes that rules are needed. Would this be consistent with your intent? You may wish to have DOR review this draft.

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