

CR 84-195

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10:45 am  
DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

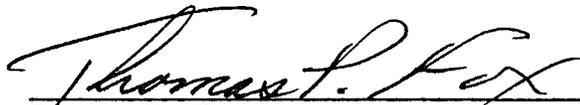
STATE OF WISCONSIN )  
OFFICE OF THE COMMISSIONER OF INSURANCE )

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Thomas P. Fox, Commissioner of Insurance and custodian of the official records of said office, do hereby certify that the annexed order amending a rule relating to standards for nursing home insurance was issued by this office on February 18, 1985.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have  
hereunto subscribed my name in the  
City of Madison, State of Wisconsin,  
this 18<sup>th</sup> day of February, 1985.



Thomas P. Fox  
Commissioner of Insurance

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Division of Standards  
Bureau

STATE OF WISCONSIN  
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DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

ORDER OF THE COMMISSIONER OF INSURANCE

AMENDING A RULE

To amend Ins 3.46 (1) and (3) (b) relating to standards for nursing home insurance.

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ANALYSIS BY THE COMMISSIONER OF INSURANCE

It is proposed that the reference to s. 632.78 (4), Stats., in s. Ins 3.46 (1) and (3) (b) be replaced by s. 632.895 (3), Stats., to accurately reflect the current renumbering of the statutory section which mandates the minimum coverage for skilled nursing care in every disability insurance policy. Due to renumbering of s. 632.78 (4), Stats., by Ch. 39, Laws of 1981, the statutory reference in Ins 3.46 (1) and (3) (b), relating to standards for nursing home insurance, is no longer current. This rule interprets ss. 631.20 (2) and 628.34 (11) and (12).

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Pursuant to the authority vested in the Commissioner of Insurance by s. 601.41 (3), Stats., the Commissioner hereby amends a rule interpreting ss. 631.20 (2) and 628.34 (11) and (12), Stats., as follows:

SECTION 1. Ins 3.46 (1), Wisconsin Administrative Code, is amended to read:

Ins 3.46 Standards for nursing home insurance. (1) Findings. Information on file in the office of the commissioner of insurance shows that significant misunderstanding exists with respect to nursing home insurance. In many cases, coverage under these policies is much less than the use of the label would warrant and includes few meaningful benefits beyond those already available to consumers as a result of s. ~~632.78-(4)~~ 632.895 (3), Stats., and Ins 3.39, and the commissioner of insurance finds that such policies are inequitable, misleading, deceptive, obscure, and encouraging of misrepresentation as considered by s. 631.20 (2), Stats. Some of the sales presentations used to sell nursing home insurance are misleading, confusing, and incomplete, and the commissioner of insurance finds that such presentations are misleading and deceptive, and restrain competition unreasonably under s. 628.34 (12), Stats., and their continued use would constitute an unfair trade practice under s. 628.34 (11), Stats.

SECTION 2. Ins 3.46 (3) (b), Wisconsin Administrative Code, is amended to read:

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Ins 3.46 (3) (b). This section shall not apply to a rider designed specifically to meet the requirement for coverage of skilled nursing care set forth in s. ~~632.78-(4)~~ 632.895 (3), Stats.

As provided in s. 227.026 (1) (intro.), Stats., this rule shall take effect on the first day of the month following its publication.

Dated at Madison, Wisconsin, this 18<sup>th</sup> day of February, 1985.



Thomas P. Fox  
Commissioner of Insurance

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02/18/85



The State of Wisconsin  
Office of the Commissioner of Insurance

Thomas P. Fox  
Commissioner  
(608) 266-3585

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DATE: February 18, 1985

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TO: Gary Poulson

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FROM: M. E. Van Cleave  
Assistant Deputy Commissioner of Insurance

A handwritten signature in dark ink, appearing to be "M. E. Van Cleave", written over the typed name.

SUBJECT: Administrative Rule Ins 3.46, Clearinghouse No. 84-195

Enclosed are two copies of an Order of the Commissioner of Insurance amending Ins 3.46 (1) and (3) (b), relating to nursing home insurance.

MEV:LH:fm  
Enclosure  
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