

**TITLE 50: INSURANCE**  
**PART 2012 TRADITIONAL LONG-TERM CARE INSURANCE**  
**CHAPTER I: DEPARTMENT OF INSURANCE**  
**SECTION 2012.70 MINIMUM STANDARDS FOR HOME HEALTH AND COMMUNITY CARE**  
**BENEFITS**

**Section 2012.70 Minimum Standards for Home Health and Community Care Benefits in Traditional Long-Term Care Insurance Policies**

- a) A traditional long-term care insurance policy or certificate may not, if it provides benefits for home health care services, limit or exclude benefits:
  - 1) By requiring that the insured/claimant would need skilled care in a skilled nursing facility if home health care services were not provided;
  - 2) By requiring that the insured/claimant first or simultaneously receive nursing and/or therapeutic services in a home or community setting before home health care services are covered;
  - 3) By limiting eligible services to services provided by registered nurses or licensed practical nurses;
  - 4) By requiring that a nurse or therapist provide services covered by the policy that can be provided by a home health aide, or other licensed or certified home care worker acting within the scope of his or her licensure or certification;
  - 5) By requiring that the insured/claimant have an acute condition before home health care services are covered;
  - 6) By excluding coverage for personal care services provided by a home health aide;
  - 7) By requiring that the provision of home health care services be at a level of certification or licensure greater than that required by the eligible service;
  - 8) By limiting benefits to services provided by Medicare-certified agencies or providers;
  - 9) By excluding coverage for adult day care services.
- b) A traditional long-term care insurance policy or certificate, if it provides for home health or community care services, shall provide total home health or community care coverage that is a dollar amount equivalent to at least one-half of one year's coverage available for nursing home benefits under the policy or certificate, at the time covered home health or community care services are being received. This requirement shall not apply to policies or certificates issued to residents of continuing care retirement communities.
- c) Home health care coverage may be applied to the nonhome health care benefits provided in the policy or certificate when determining maximum coverage under the terms of the policy or certificate.

(Source: Amended at 26 Ill. Reg. 8835, effective July 1, 2002)