Filing at a Glance

Company: New York Life Insurance & Annuity Corporation

Product Name: 2008 AP Advertising - Fact Sheet, etc.	SERFF Tr Num: NYPX-125554234	State: ArkansasLH
TOI: L09I Individual Life - Flexible Premium Adjustable Life	SERFF Status: Closed	State Tr Num: 38452
Sub-TOI: L09I.001 Single Life	Co Tr Num: 13775 (03/08), ET AL	State Status: Filed-Closed
Filing Type: Form	Co Status:	Reviewer(s): Linda Bird
	Author: SPI NYLProductCompliance	Disposition Date: 04/01/2008
	Date Submitted: 03/18/2008	Disposition Status: Filed
Implementation Date Requested:		Implementation Date:

State Filing Description:

General Information

Project Name: 2008 AP Advertising - Fact Sheet, etc.	Status of Filing in Domicile:
Project Number: 13775 (03/08), et al	Date Approved in Domicile:
Requested Filing Mode: Review & Approval	Domicile Status Comments:
Explanation for Combination/Other:	Market Type: Individual
Submission Type: New Submission	Group Market Size:
Overall Rate Impact:	Group Market Type:
Filing Status Changed: 04/01/2008	
State Status Changed: 04/01/2008	Deemer Date:
Corresponding Filing Tracking Number:	

Filing Description:

See Cover Letter.

Company and Contact

Filing Contact Information

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51 Madison Avenue	(212) 576-7389 [Phone]
New York, NY 10010	(212) 447-4141[FAX]

Filing Company Information

New York Life Insurance & Annuity Corporation	CoCode: 91596	State of Domicile: Delaware
51 Madison Avenue	Group Code: 826	Company Type: Life
Room 604		
New York, NY 10010	Group Name:	State ID Number:
(212) 576-4809 ext. [Phone]	FEIN Number: 13-3044743	

Filing Fees

Fee Required?	Yes
Fee Amount:	$50.00
Retaliatory?	No
Fee Explanation:	
Per Company:	No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
New York Life Insurance & Annuity Corporation	$50.00	03/18/2008	18753399

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Filed	Linda Bird	04/01/2008	04/01/2008

Disposition

Disposition Date: 04/01/2008
Implementation Date:
Status: Filed
Comment:

Rate data does NOT apply to filing.

Item Type	Item Name	Item Status	Public Access
Supporting Document	Application		No
Supporting Document	Health - Actuarial Justification		No
Supporting Document	Outline of Coverage		No
Supporting Document	Certification/Notice		No
Supporting Document	Cover Letter		Yes
Form	Fact Sheet		Yes
Form	Fact Sheet (with Variable Pages)		Yes
Form	Protect Your Financial Independence		Yes
Form	Protect Your Financial Independence (with Variable Pages)		Yes
Form	Building the Bridge that will Preserve Your Legacy Assets		Yes
Form	Building the Bridge that will Preserve Your Legacy Assets		Yes
Form	Building the Bridge That will Preserve your Legacy Assets		Yes
Form	Building the Bridge That will Preserve your Legacy Assets		Yes
Form	A Special Advisory Report		Yes
Form	A Special Advisory Report (with Variable Pages)		Yes

Form Schedule

Lead Form Number:

Review Status	Form Number	Form Type	Form Name	Action	Action Specific Data	Readability	Attachment
	13775 (0308)	Advertising	Fact Sheet	Initial		0	13775 (0308).PDF
	13775	Advertising	Fact Sheet (with Variable Pages)	Initial		0	13775 .PDF
	13797	Advertising	Protect Your Financial Independence	Initial		0	13797 .PDF
	13797	Advertising	Protect Your Financial Independence (with Variable Pages)	Initial		0	13797.PDF
	13798 (0308)	Advertising	Building the Bridge that will Preserve Your Legacy Assets	Initial		0	13798 (0308).PDF
	13798 (0908)	Advertising	Building the Bridge that will Preserve Your Legacy Assets	Initial		0	13798 (0908).PDF
	13798S (0308)	Advertising	Building the Bridge That will Preserve your Legacy Assets	Initial		0	13798S (0308).PDF
	13798S (0908)	Advertising	Building the Bridge That will Preserve your Legacy Assets	Initial		0	13798S (0908).PDF
	13929 (0707)	Advertising	A Special Advisory Report	Initial		0	13929 (0707).PDF
	13929 (0707)	Advertising	A Special Advisory Report (with Variable Pages)	Initial		0	13929 (0707).PDF

NYLIAC Asset Preserver®

The Company You Keep® Fact Sheet

NYLIAC Asset Preserver® has been specifically designed to meet the needs of today's consumers seeking to protect their assets from depletion due to the potentially overwhelming cost of long-term care. Asset Preserver is an innovative single premium universal life insurance policy with the option to access the death benefit on an income tax-free basis during the insured's lifetime to help cover the cost of long-term care. The death benefit remaining in the policy at the death of the insured is passed to beneficiaries as life insurance proceeds, generally free of income tax.

Issuing Company	New York Life Insurance and Annuity Corporation (a Delaware Corporation), a wholly owned subsidiary of New York Life Insurance Company
Product Type	Single premium universal life insurance with accelerated benefits for long-term care and terminal illness[1]
Issue Ages	40-85
Face Amount	Minimum of $24,000 at issue ($36,000 in Florida, $48,000 in Wisconsin)
Minimum Single Premium	$10,000 (or premium needed to purchase $24,000 face amount if greater)
Long-Term Care (LTC) Monthly Benefit Payment Options	LTC 24 | LTC 36+[2] | LTC 48+[2] The monthly benefit for long-term care is calculated by dividing the net death benefit (death benefit minus loans and loan interest) by the number designated in the LTC Benefit Payment Option selected when the policy is purchased.
Policy Features	**Acceleration of Benefits for Long-Term Care** Benefits will be paid under the Acceleration of Benefits for LTC provision when the insured is certified as chronically ill under the terms of the policy and after a 90-day waiting period.[3] Please see the policy for details on certification as "chronically ill" and a list of qualifying long-term care services.

[1] Not available in Massachusetts and Connecticut.
[2] Not available in Connecticut, New Jersey and Texas.
[3] Known as the elimination period in Maine.

Form # 13775(03/08) | Policy Form Series # 898-60 | In Idaho Policy Form # 898-60.48

Lifetime Money-Back Guarantee[4]

If you wish to surrender the policy, NYLIAC will return to you an amount equal to the greater of the total premium paid for the policy, or the cash surrender value. You will never get back less than the amount you paid into the policy.

Death Benefit

Death benefit proceeds, minus any loan amounts and long-term care (LTC) benefits paid, will be paid to the policy beneficiary(ies) upon the death of the insured, generally income tax-free.

Residual Death Benefit

The Residual Death Benefit is equal to 10% of the policy death benefit at the time of an LTC claim. At the death of the insured, the greater of the Residual Death Benefit or the remaining unaccelerated policy death benefit will be paid to the policy beneficiary. Some restrictions apply.

Family Care

When the caregiver is a spouse, other family member, or friend, the Family Care benefit will pay a monthly indemnity benefit equal to 1/60th of the LTC monthly benefit per day of care, for which no other benefits are payable, up to a maximum of $100 per day for a lifetime policy total of 365 days.[5]

Acceleration of Benefits for Terminal Illness[1]

100% of the policy death benefit, less a discount factor and processing fee, is payable to the policyowner upon a physician's certification that the insured has a terminal illness, as defined by the policy. No further benefits are payable once this option is elected.

Benefit Increase Provision

Each year, on the policy anniversary date, you have the option of paying the lump-sum premium necessary to increase your monthly LTC benefit by 5%. This option must be exercised within 30 days of the policy anniversary, or is forfeited for the life of the policy.

Available Riders

Extension of Benefits[2]

Pays additional benefits — for qualified LTC services only — after all death benefits (policy values) have been depleted due to LTC claims. Included at no additional cost on policies selecting either the LTC 36+ or LTC 48+ LTC Benefit Payment Options.

[4] Guarantee is available as long as no policy loans or partial cash surrenders have been made, and no LTC benefits have been paid. Cash surrender value is equal to the cash value minus any applicable surrender charge. In Maryland, this benefit is called the Conditional Money-Back Guarantee.

[5] In New Hampshire, the maximum daily Family Care benefit is $50 for a lifetime policy total of 730 days.

Spouse's Paid-up Insurance Purchase Option
Allows the insured's spouse, if a beneficiary, to use the policy proceeds to purchase a paid-up single premium whole life policy without evidence of insurability. (The single premium whole life policy does not accelerate benefits for LTC.)

Charges

Premium Charges

Initial Premium	3%	
Subsequent (Optional) Premiums	Current: 3%	Maximum: 6%
Monthly Administrative Fee	Current: $5	Maximum: $9

Surrender Charges
Surrender charges for Asset Preserver are calculated as a percentage of the cash value surrendered. The percentage varies by policy year and is highest in year one, reaching zero in year 8.

Policy Year	0–1	1–2	2–3	3–4	4–5	5–6	6–7	7–8+
Percentage Applied	7%	6%	5%	4%	3%	2%	1%	0%

The surrender charge will reduce the cash value which has accumulated over time from the initial premium and from the premium for each underwritten increase separately.

Interest Rates

Guaranteed Minimum: 4%
Current: NYLIAC declares the rate periodically

Partial Cash Surrenders

Minimum: $500
The cash value of the policy will be reduced by the amount of the partial cash surrender and the face amount will be reduced proportionally. The face amount cannot be reduced to less than $10,000.

Loans[6]

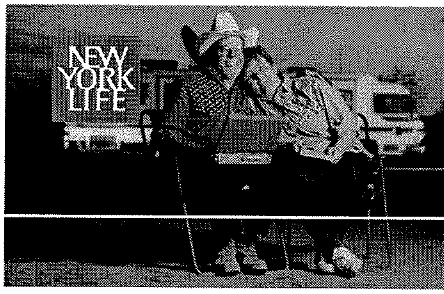
Amount: Any amount may be borrowed, up to the loan value of the policy
Loan Interest Rate: Annual rate of 8% payable in arrears
Interest Credited on Borrowed Cash Value: Guaranteed not to be less than 2% below effective annual loan interest rate

[6] Loans accrue interest and void policy guarantees. Taking a policy loan that you do not repay may cause your policy to lapse while you still need the valuable coverage.

Please see the product brochure, "Protect Your Financial Independence," and policy for more details regarding the features of NYLIAC Asset Preserver®. New York Life Insurance and Annuity Corporation is not connected to the Federal Government or Medicare. The NYLIAC Asset Preserver® benefits are described in the policy form. This policy has limitations and exclusions, and terms under which the policy may be continued in force or discontinued. For complete details of the coverage, call your New York Life agent.

New York Life Insurance and Annuity Corporation (a Delaware Corporation)
51 Madison Avenue, New York, NY 10010
www.newyorklife.com

SMRU 00352781CV(10/07)



NYLIAC Asset Preserver®

The Company You Keep®

Fact Sheet

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2

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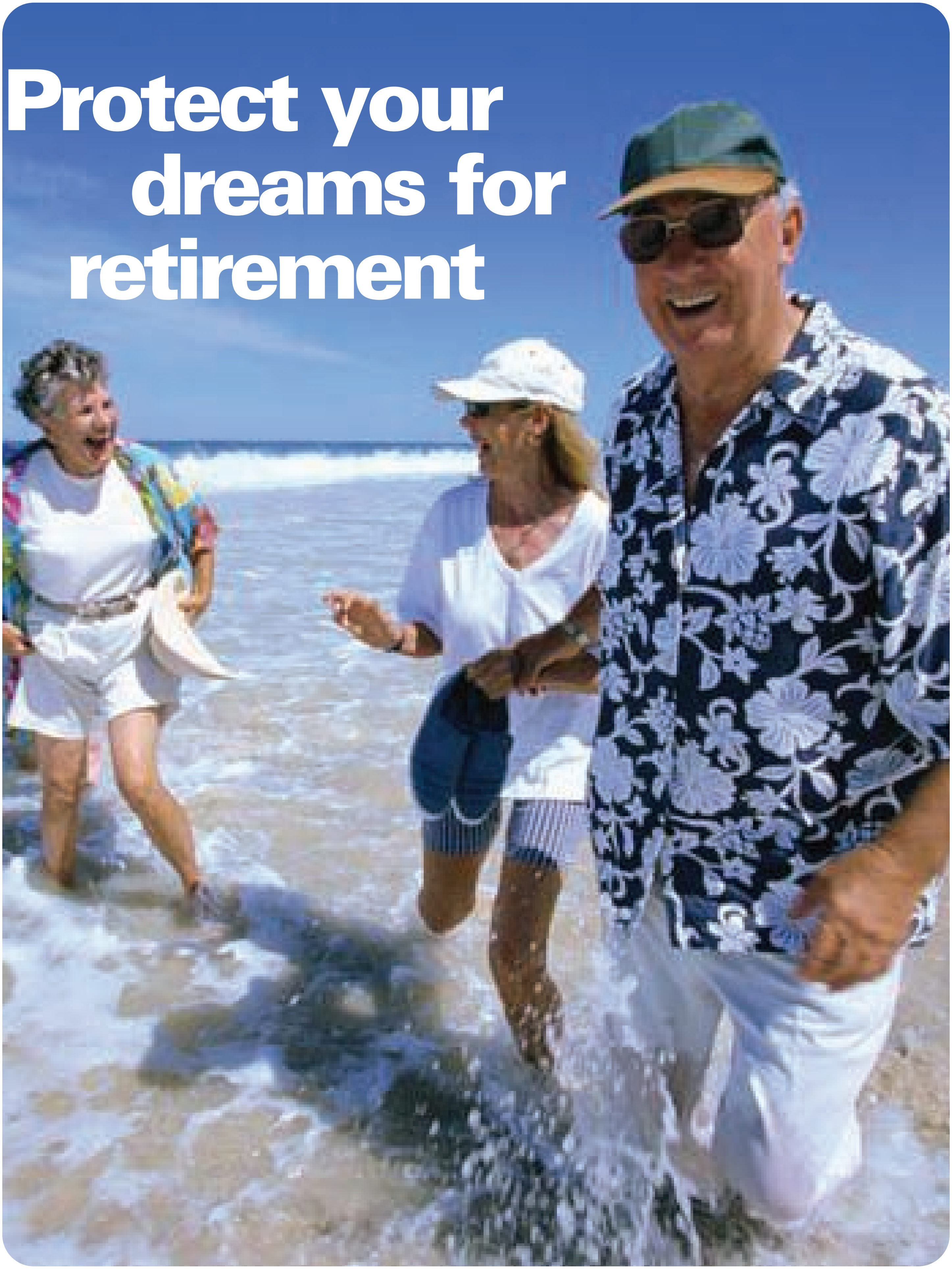
Protect Your Financial Independence

NYLIAC Asset Preserver®

Form # 13797(03/08) Policy Form Series # 898-60

The Company You Keep®


Protect your dreams for retirement

What would you like to do in retirement?

Most of us look forward to the freedom to do what we want to do and having more free time and opportunities to enjoy the world around us. It can be one of the most exciting and personally rewarding phases of life.

But what would happen if you got sick and needed long-term care? Traditional options many have relied on to cover long-term care expenses in the past may no longer be enough. The expenses could eat through your retirement nest egg very quickly, posing a real threat to your financial security in retirement. How would that affect your ability to live the retirement you want, the way you want?

NYLIAC Asset Preserver® helps you stay independent longer

New York Life Insurance and Annuity Corporation (NYLIAC)[1] offers Asset Preserver®, an innovative single premium life insurance policy with an option to access the death benefit to help cover the costs of long-term care. This one policy can help ensure you are protected in a variety of situations. In doing so, it can help protect the assets you've worked so hard to accumulate during your working years, so you can stay financially independent longer.

[1] New York Life Insurance and Annuity Corporation (NYLIAC) is a wholly owned subsidiary of New York Life Insurance Company, 51 Madison Avenue, New York NY 10010.

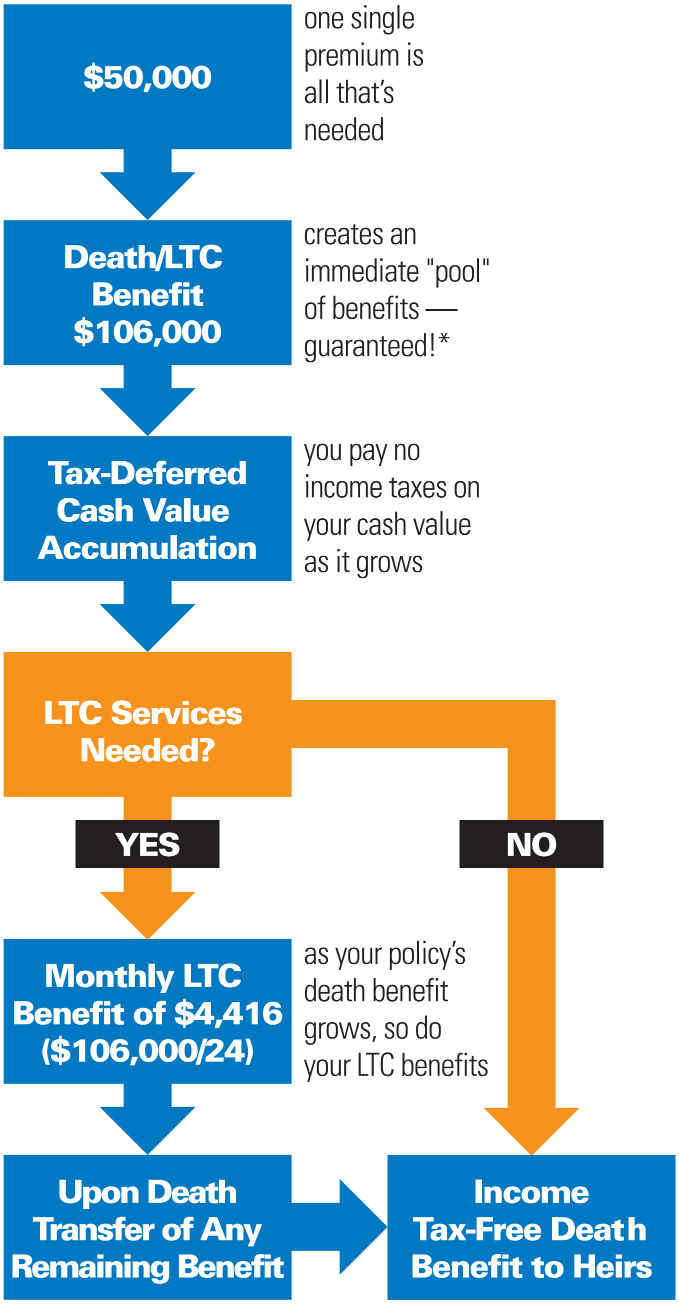
[2] Guarantee is available as long as policy loans or partial cash withdrawals have not been made and no long-term care benefits have been paid. In Maryland, this benefit is called the Conditional Money-Back Guarantee.

[3] Partial cash surrenders and loans may affect the policy benefits and values. Surrender charges may apply if a withdrawal or surrender is made during the surrender charge period. Loans accrue interest. Partial surrenders and loans may be taxable. Withdrawals taken prior to age 59½ may be subject to an additional 10% IRS penalty. If a life insurance policy is classified as a modified endowment contract (MEC), there may be adverse tax consequences. Please consult your tax advisor for more information.

Features and Benefits of NYLIAC Asset Preserver®:

- Tax-deferred cash value accumulation
- Generally income tax-free death benefit
- Generally income tax-free acceleration of the death benefit to pay for long-term care, if needed
- Lifetime Money-Back Guarantee[2]
- Access to your cash value[3], if needed

NYLIAC Asset Preserver®: How it works for you



Example based on a 60-year-old female, non-smoker rate class**

* Guarantee available as long as no policy loans or partial withdrawals have been made. The total "pool of money" available for paying the death benefit and long-term care benefit depends on the initial premium, age, gender (except in Montana), risk classification and state of health, and any policy loans or partial cash surrenders made from cash value.

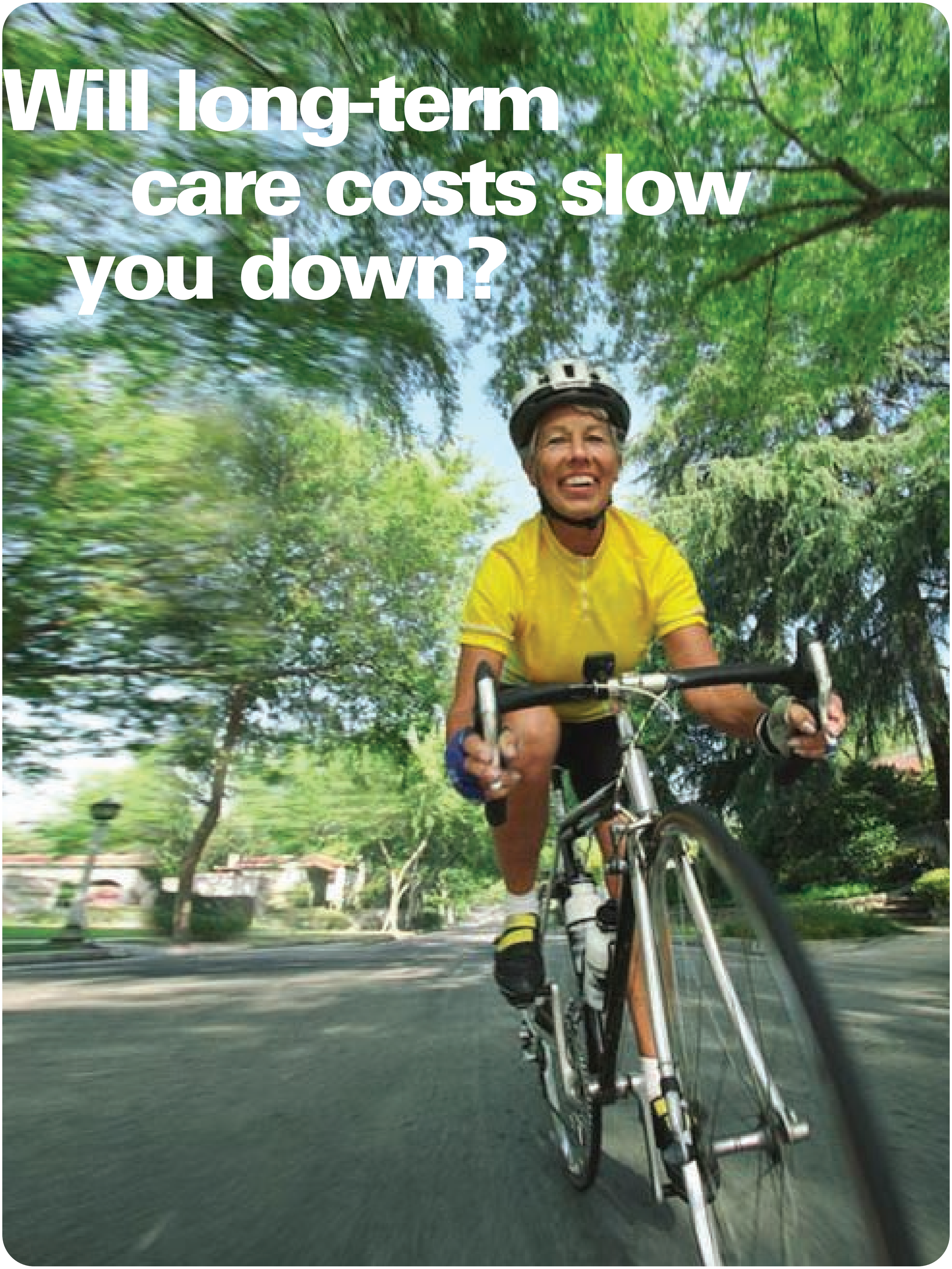
** Based on our most common rate class. Other rate classes are available. Applications for life insurance are subject to underwriting approval. No insurance coverage exists unless a policy is issued.

The reality of living longer in today's world

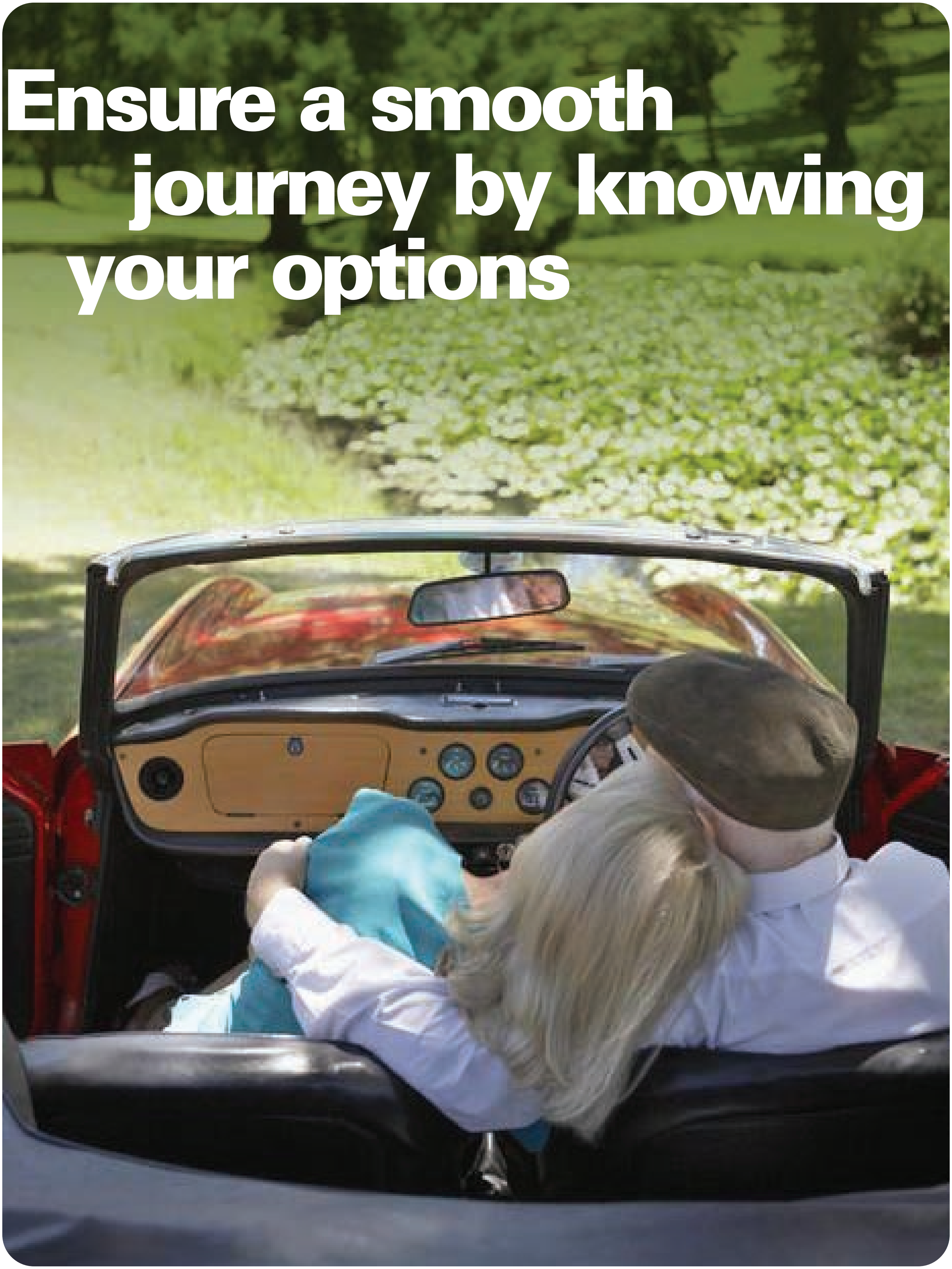
These days, it's not uncommon for people to live active lives more than 20 years into retirement. In addition, today's economic and social realities often mean that adult children may feel squeezed between raising children and needing to look after older parents. The possibility of needing long-term care — home care, assisted living, or skilled nursing care — can be very real.

By 2020, 12 million older Americans will need long-term care.[4]

[4] The U.S. Department of Health and Human Services, http://www.medicare.gov/LongTermCare/Static/Home.asp, May, 2007.


Will long-term
care costs slow
you down?

Ensure a smooth journey by knowing your options



The government won't help as much as before

With the passage of the Health Insurance Portability and Accountability Act of 1996, the government encouraged individuals to assume more responsibility for paying for care services they may receive in an assisted living facility[5], at home or in a nursing home. This is true even if they have Medicare or a Medicare Supplement policy.

What about Medicaid? Medicaid should be considered the provider of last resort for long-term care. In order to qualify, you must meet strict asset and income eligibility requirements. And many nursing homes limit the number of Medicaid patients they accept, limiting your choices.

Medicaid should be considered the provider of last resort for long-term care.

Traditional options for funding long-term care on your own

Long-term Care Insurance: Some consider this an attractive option. You pay monthly or annual premiums and get the benefits described in the policy, if you need care. Premiums usually continue as long as a policy remains in force. However, there is always the possibility you may never need long-term care, so you will have paid a lot of money for no reason.

Self-funding: If you are someone who plans well, you probably have put away funds in a safe place, like a bank CD, to pay for long-term care services, if needed; make your later retirement years more comfortable; and leave the remaining portion to your children or heirs.

The question is, is it enough?

The cost of care services for assisted living facilities[5], home health care, and nursing home care can be quite high. In fact, the average annual nursing home cost for a private room in 2006 was more than $74,000.[6] Even if you've managed to put away money, would you have enough to cover those kinds of costs for long-term care?

[5] In California, such facilities are licensed as residential care facilities.
[6] New York Life Long-Term Care Insurance Study, 2006

Preserve your financial independence with NYLIAC Asset Preserver®

If you plan to self-fund the costs of long-term care, there may be a better solution: NYLIAC Asset Preserver®, a single premium universal life insurance policy that allows you to access the death benefit for chronic or terminal illness. The life insurance policy provides financial protection and a legacy to your heirs if you don't need long-term care. But, if you do need long-term care, you can access the death benefit, so you don't need to use the money you've set aside to live in retirement.

An example of how NYLIAC Asset Preserver® can work for you:

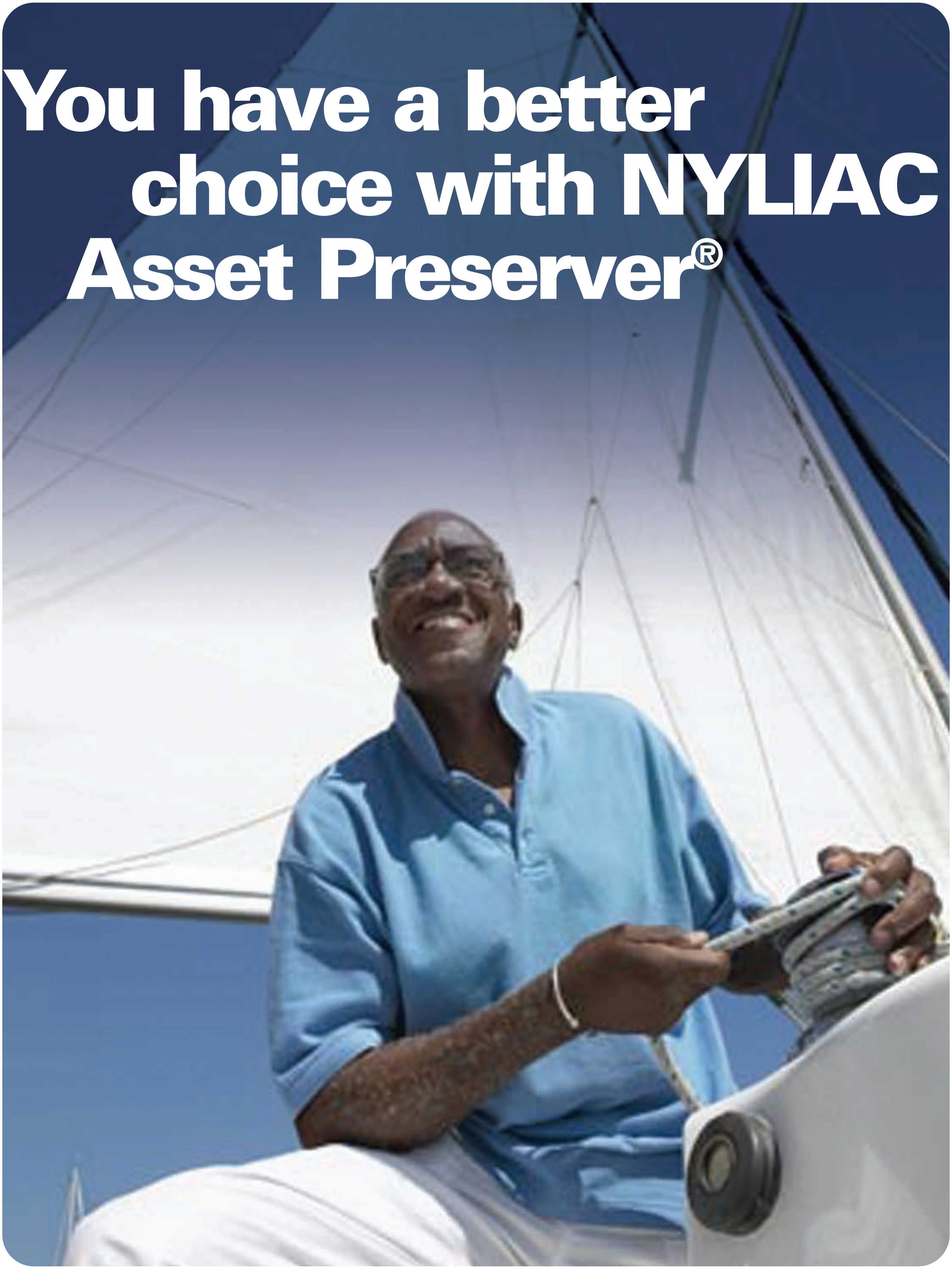
Mrs. Smith owns several bank CDs.[7] Some are used to provide income, but one in particular, worth a total of $50,000, is set aside for emergencies, like long-term care. Mrs. Smith estimates that this amount could pay for about one year of long-term care services. If she never needs long-term care, she plans on leaving this money to her heirs. By using this money to purchase an Asset Preserver® policy, Mrs. Smith:

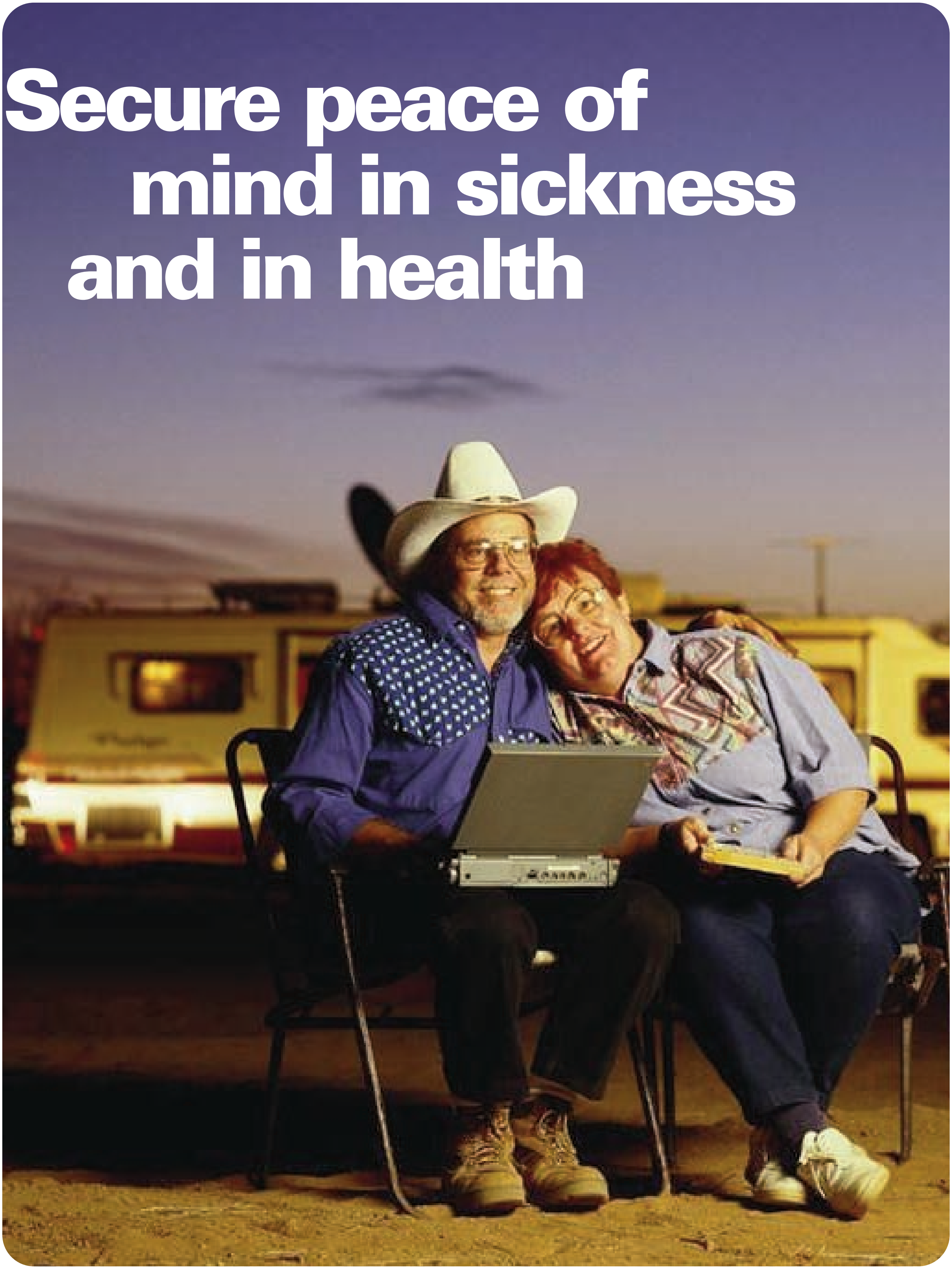
- Increases the pool of money available to pay for long-term care expenses.
- Has flexible coverage for a variety of long-term care services.
- Has access to her money in times of emergency.
- Can get her $50,000 back under the Lifetime Money-Back Guarantee.[2]
- Enjoys tax-deferred accumulation of cash value.
- Can leave a death benefit that is generally income tax-free to her beneficiaries and heirs, minus any loan amounts or long-term care benefits.
- Can take advantage of tax and estate planning possibilities that her heirs will appreciate.

Benefit	NYLIAC Asset Preserver®	Mrs Smith's CD
Safety[7]	**Yes**	Yes
Accessibility[8]	**Yes**	Yes
Immediate Leveraging of Funds for Long-Term Care Services	**Yes**	No
Tax Deferral	**Yes**	No
Tax-Free Long-Term Care Benefits	**Yes**	No
Generally Income Tax-Free Death Benefit	**Yes**	No

[7] CDs are FDIC-insured up to $100,000, while insurance policies are guaranteed by the claims-paying ability of the issuing company.

[8] Partial cash surrenders and loans may affect the policy benefits and values. Surrender charges may apply if a withdrawal or surrender is made during the surrender charge period. Loans accrue interest. Partial surrenders and loans may be taxable. Withdrawals taken prior to age 59½ may be subject to an additional 10% IRS penalty. If a life insurance policy is classified as a modified endowment contract (MEC), there may be adverse tax consequences. Please consult your tax advisor for more information.


You have a better choice with NYLIAC Asset Preserver®


Secure peace of
mind in sickness
and in health

New York Life is in the "peace of mind" business

At New York Life and New York Life Insurance and Annuity Corporation (NYLIAC), we take your peace of mind seriously. Our highly skilled agents offer personalized and responsive service and work diligently to help you secure peace of mind when it comes to your financial future. We are *The Company You Keep®* for good reason.

Give us a call today

NYLIAC Asset Preserver® can help protect your hard-earned assets from the potentially devastating costs of long-term care, and provide a cash legacy to your beneficiaries. Let us help you protect the retirement you've worked so hard to achieve, and stay financially independent longer.

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New York Life Insurance Company

New York Life Insurance and Annuity
Corporation (A Delaware Corporation)

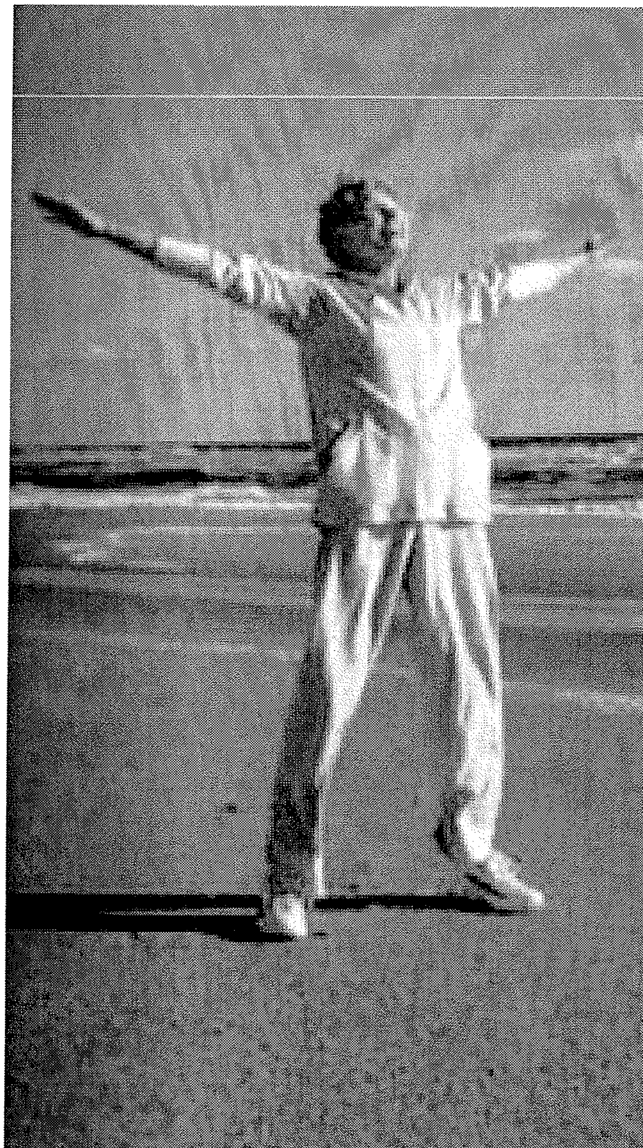
51 Madison Avenue
New York, NY 10010

www.newyorklife.com

The Company You Keep®

SMRU 00311405CV(07/07)

NEW YORK LIFE



Protect Your Financial Independence

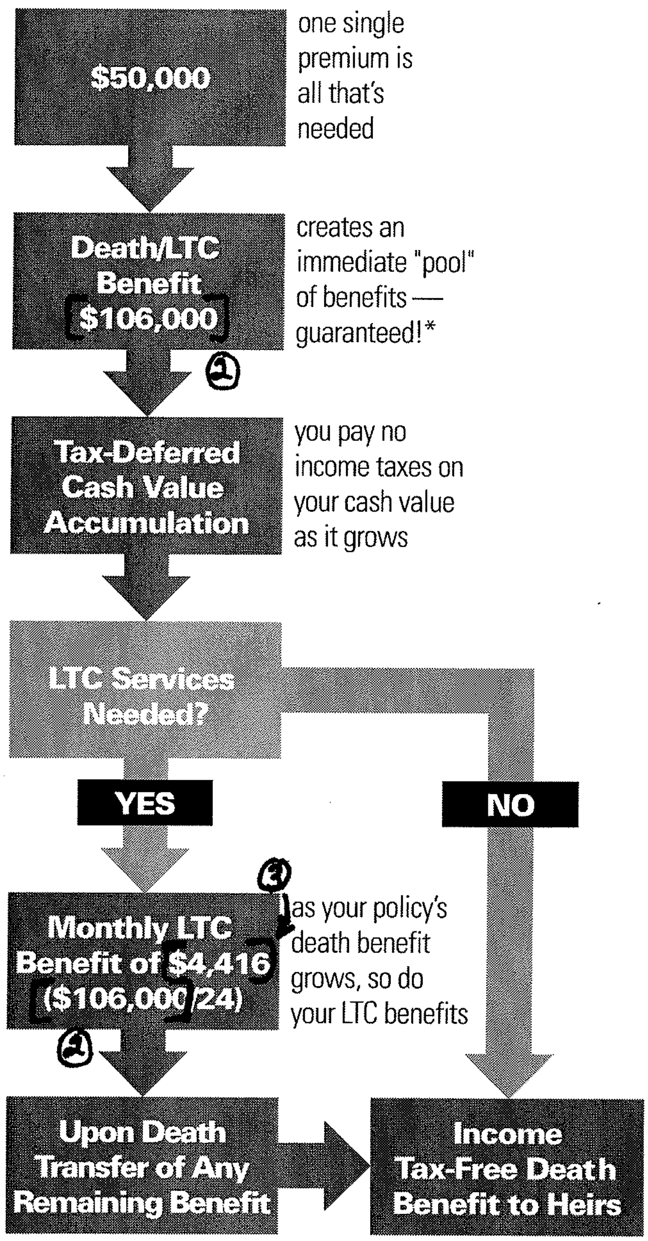
NYLIAC Asset Preserver®

Form # 1379 [03/08] Policy Form Series # 898-60

1

The Company You Keep®

NYLIAC Asset Preserver®: How it works for you



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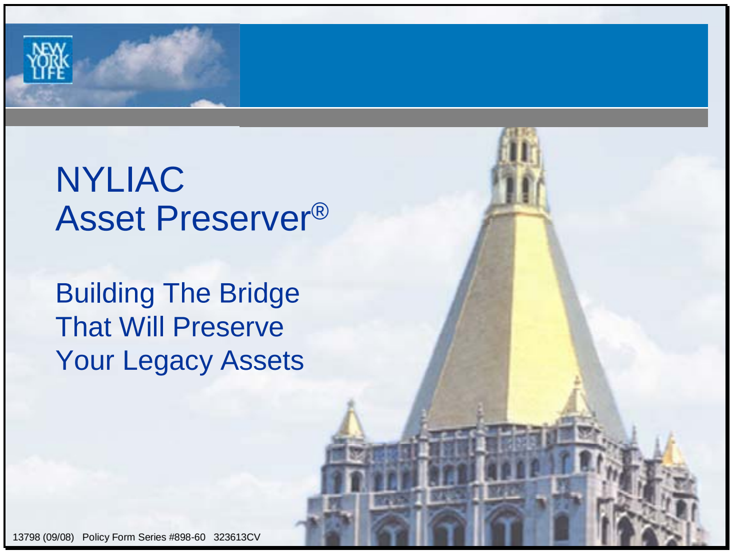
[4] The U.S. Department of Health and Human Services, http://www.medicare.gov/LongTermCare/Static/Home.asp, May, 2007.

Slide 1



Slide 1:

There is an old and wise adage that tells us “it is easier to make money, than it is to keep it, and pass it on to the next generation.” All of you here today have been, and continue to be, successful. Whether you are retired, or in pre-retirement planning, or never intend to retire, I think you will agree with me that the adage is true.

We have gathered to discuss the broad subject of asset preservation because there are some new and very smart ways of protecting and controlling assets that are currently available.

Our intent is to BUILD THE BRIDGE that will help guarantee the preservation of your legacy assets. I believe we will accomplish that today. And the bridge we build will stand in the future.

Slide 2

Introduction of Presenter with Brief Bio

- Ice Breaker -

Slide 3

To put it in perspective, we first need to understand the components, or "pillars" upon which successful aging is built. For the sake of our discussion, I have chosen the following objectives as being key:

- Maintaining our independence – *none of us wants to become dependent on our family, our children or our friends.*
- Keeping control of our assets, our choices, and our ability to make decisions – *and if we are losing control because of circumstances such as illness, it is helpful if we have planned in advance.*
- Maintaining good health – *and dealing with the possibility and consequences of failing health.*
- Maintaining positive social relationships – *with both family and peer group friendships. Sociologists refer to this as vertical relationships (the family because of generational age differences) and horizontal relationships (friends our own age)*
- Financial Security
- Peace of Mind – *or what I call "sleeping well at night."*

Slide 4

Financial Security - *I want to focus our attention on a particular aspect of “financial security” because it is perhaps the key issue.*

Longevity - *To put that issue in perspective, we must recognize the reality of increased longevity. Life expectancy at the beginning of the 20th century (1900) was into the forties. By the end of the century, it appears to be into the eighties. Without question, doubling life expectancy has been a great achievement. However, it changes everything with regard to our successful aging planning. Demographically, age 85 and over is the fastest growing age group in America. Being 65 and contemplating “making it” to ninety or a hundred presents new financial challenges.*

Money – *And when it comes to money and income, keeping it becomes as important, or even more important than accumulating it.*

To sum it up… we need to pay more attention to <u>preserving our legacy assets,</u> and that is what we will do in our discussion.

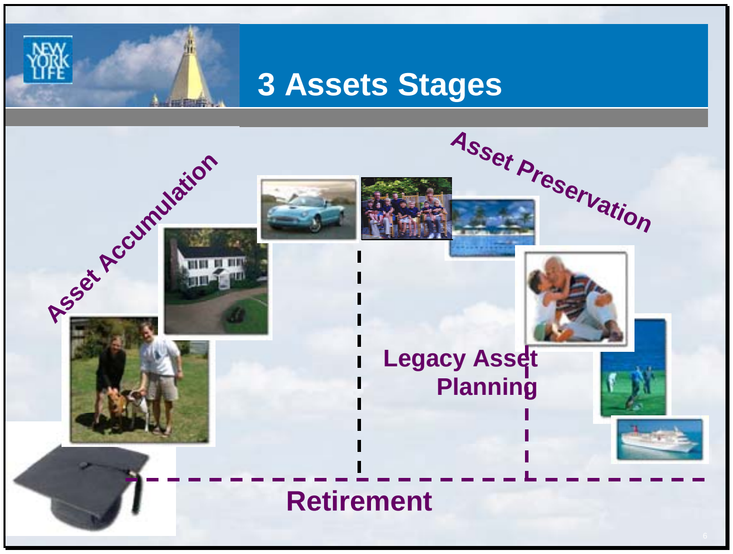
Slide 5

Our primary financial objective when we were younger was the accumulation of assets. The desire to accumulate never goes away, but as we reach our fifties, sixties, and seventies, there begins a shift in the pendulum to asset preservation. We want to protect and preserve what we have worked so hard to earn.

Any state of the art retirement portfolio needs a strategy to efficiently and effectively, help you preserve your legacy assets. We are going to introduce one to you today. It is called NYLIAC Asset Preserver and it is from New York Life Insurance and Annuity Corporation, a wholly owned subsidiary of New York Life Insurance Company.

Let me begin by first differentiating between Investment and Savings dollars.

Slide 6



In general -
Asset Accumulation stage: Building and saving assets for a secure retirement

Approaching retirement: The need to accumulate assets changes to preserving assets. Making them last through out retirement.

Legacy Asset Planning: to help asset transfer from one generation to another in the most efficient way possible.

Accumulate – Preserve - Transfer

Slide 7

(Continued from previous screen)

If you are like most people, you are concerned about having adequate “savings” dollars to survive emergencies such as becoming ill for an extended period of time and having to pay for it with YOUR MONEY

(Continue with next screen)

Slide 8

Let me ask you a question: "Do you want to live to Age 100?" When asked why not, the overwhelming majority said that by the time they got to be that old, they were afraid they would have run out of money and income.

What do you think would cause you to "run out of money before you ran out of life?" "What might cause that to happen?" *Note: The answer you are looking for is something to do with getting sick/ill by the time you have reached that age. It is the audience's connection to the long-term care issue and the relationship between the extended need for long-term care causing the "running out of money" fear.*

Slide 9

"The potential need for long-term care is the looming iceberg at the heart of ALL aging issues."

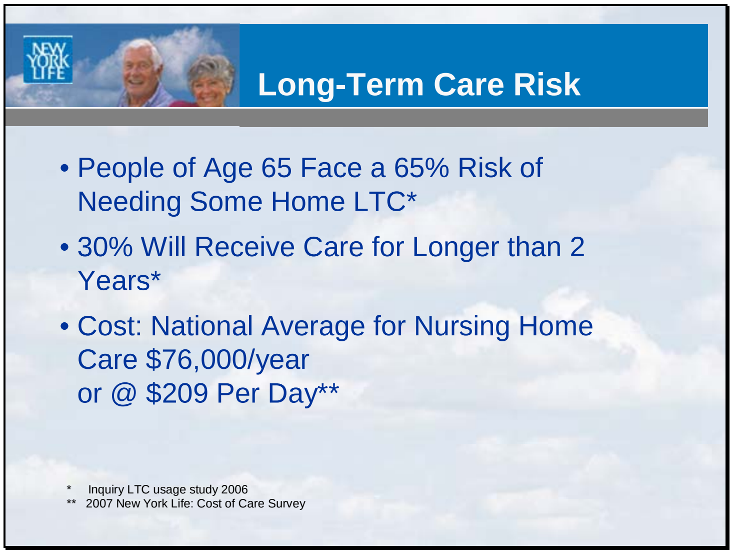
Note: Read this sentence with them. You must bring "passion" to this slide. Paint the "word picture" as best you can.

Slide 10

Take them back to the six “components” of successful aging that you introduced in slide #2. *(Repeat them)*

Now tie the premise together: The possible need for extended long-term care impacts ALL of these components. *If you need LTC, you may have a problem maintaining independence, keeping control, maintaining financial security, keeping active social relationships, and retaining peace of mind…* ***unless you have set aside, or created, adequate funds to address the issue.***

Slide 11



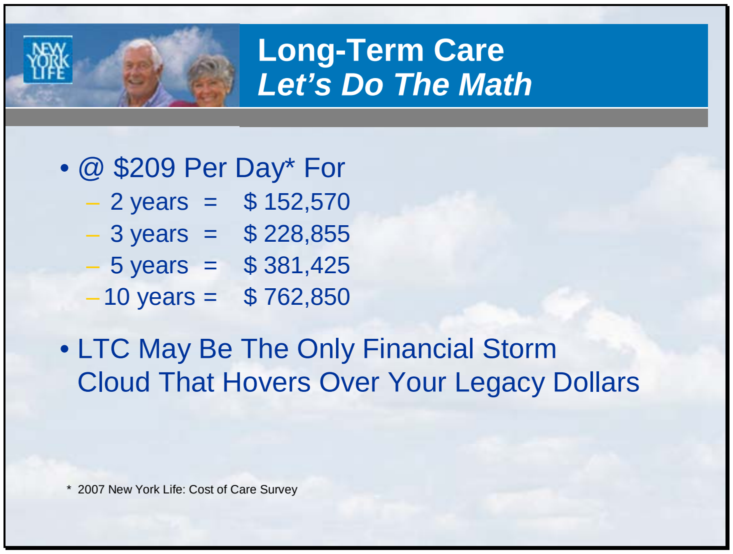
The purpose of these figures is not to frighten you. It is merely about awareness. Could this happen to me, or my spouse IS a reasonable question?*

A 2006 Inquiry LTC usage study indicates that people of age 65 face at least a 65% lifetime risk of needing some Home LTC. About 30% will require care for longer than 2 years.

Because women generally outlive men by several years, they face a 50% greater likelihood than men of entering a nursing home.

The average cost of care nationwide is $209 per day… and rising.

Slide 12



A Risk Manager would look at the exposure to determine if it was a real and serious concern:
If the average cost is $209 per day nationwide, let's look at the potential cost:

for 2 years	$152,570
for 3 years	$228,855
for 5 years	$381,425
for 10 years	$762,850

And this does not take into account that the costs are rising <u>and</u> the length of time care is needed is increasing due to a longer life span.
Yes. I think it's fair to say that LTC may be a storm cloud that hovers over your legacy dollars and your life event planning.
Now, we have established that LTC is a problem...
Our purpose here is have the audience really focus on the dollar exposure. We don't want to scare them. It is a simple reality. Let them look at the figures with you and ingest them. Make them aware that these figures don't come close to relating to future costs (10 or 20 years from now) because we have not taken the increasing cost of health care and inflation into account.

Slide 13

Now we come to a crucial point in our discussion.
In this section we will find out who pays what for long-term care between health insurance, Medicare and Medicaid.

Having reviewed the emotional and financial risk & exposure, it’s important to know that there are generally **3 ways to pay for LTC if it is needed.**

Government programs such as Medicare and Medicaid

Insurance – Health Insurance and Traditional LTC Insurance

YOUR MONEY.

Let’s look at each one more closely

Slide 14

Moving on to Medicare….Medicare will pay for some long-term care but coverage is limited.
An important point to note is that MEDICARE PAYS FOR SKILLED CARE ONLY.
Medicare will pay 100% of the Medicare-approved amount for the first 20 days of care. After 20 days, Medicare will pay everything above the daily deductible which for [2008 is $135.00] per day. This deductible goes up each year. Beyond 100 days, Medicare pays nothing. You are responsible for all costs.
Medicare pays for skilled care in your home but only under certain conditions. As you can see, Medicare does not cover the costs for long-term care over extended periods of time, nor does it pay for intermediate care.

Intermediate care is: Medically necessary care that is provided on an intermittent basis. It is similar to skilled care although the level of care is not performed daily.

Does Medicare cover custodial care, which is the type of care most chronically ill people require?

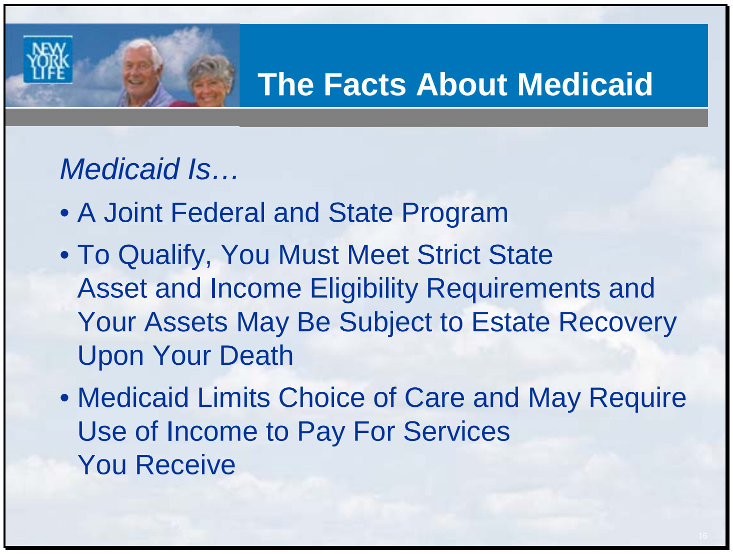
Answer: (NO)…….. GO to Next Slide

Slide 15

NOT COVERED BY MEDICARE

As you have seen, the only nursing home/facility coverage Medicare provides for is Skilled or Acute Care, or for care that is designed to make you well, for example, Rehabilitative Care.
Not covered by Medicare is Intermediate Care, which is similar to Skilled Care but on a less than daily basis, and Custodial Care.
Custodial Care is assistance with the activities of daily living, which is what characterizes long-term care, and it clearly is not covered by Medicare. The fact is, Medicare does not extensively cover long-term care.

Slide 16



THE FACTS ABOUT MEDICAID

Now let's look at another choice for paying for long-term care - Medicaid. Medicaid will pay for long-term care; however, in order for Medicaid to cover long-term care you must meet strict state asset and income eligibility requirements. You may be required to pay some of the cost of your care from your income. Also, Medicaid can recover the cost of your care from the assets you intended to leave to your heirs. They do this through estate recovery after your death to pay for the costs of your care.
The question we all must ask ourselves is ***"Am I Willing to Do That?"***

Am I potentially willing to let the Government place me in a facility of <u>their</u> choice?

Slide 17

You may have a comprehensive Health Plan already in place. But if you think it pays for long-term care, you may want to read over your policy.
Health insurance policies do not pay for ongoing long-term care services. They are designed to cover acute care. These policies cover immediate care where full recovery is expected. They will pay for preventative medicine and limited rehabilitative care.

They do not pay for sub-acute, custodial, chronic or on-going care, all of which fall under the long-term care family of services.

Slide 18

Long-term care insurance is the traditional way for most people to cover the risk of needing care services due to chronic illness. The premium is small in relation to the amount of LTC benefits available. You pay a monthly or annual premium for a defined amount of LTC benefits. New York Life has an excellent traditional LTC insurance product line.

But many more are SELF INSURING. So why are over 90% of Americans *doing nothing? Doing nothing is the polite substitute for “self-insuring.*

Like you, they are successful and bright. There must be a reason.
WHY? (Pause for general discussion with the group.)

Slide 19

So why are over 90% of "late adulthood" Americans *doing nothing? Doing nothing is the polite substitute for "self-insuring. I believe there are three basic reasons starting with:*

Denial – *We just don't think it is going to happen to us.*

Some still believe that the government (Medicare) pays for it.

Most would rather not pay ongoing premiums, every year, for something that they hope, and pray, and don't think will happen to them.

Slide 20

If the overwhelming majority of us is going to "self-insure," we need to find a better and more efficient way of building an emergency fund that will maximize the amount of money on hand to pay for LTC, even assuming it may not be needed.
<u>Doesn't that just make sense?</u>

How do we do that? It is by leveraging our legacy assets in a low-risk environment.

Slide 21

I have usually heard people refer to their savings dollars as either:

Rainy day money

or

Emergency funds

I would like to introduce a third descriptive phrase because it offers us a broader description of the type of money we are going to be discussing today…

Legacy Assets

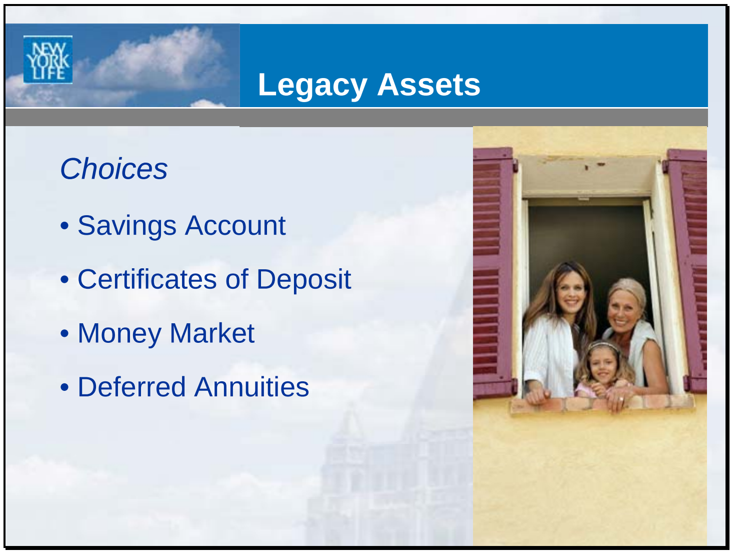
*Typically it's "safe" money such as savings accounts, bank certificates of deposit, or money market accounts. It's what we often refer to as our "emergency" funds. If we never have the emergency, it will likely pass to our family and children. Hence the phrase "legacy asset." A**sk them where they keep their emergency funds? Or phrased differently, "if you needed $50,000 to pay for the first year of care, where would you get it from?" "How about the next $50,000, and the next, and the next…?"** Note: That is what the Asset Preserver sale is all about!*

Slide 22

The attributes of these savings dollars are very clearly defined:
They are stored in a vehicle that provides safety and low risk. (Safety)
You can get to the money quickly (liquidity).
You know what to expect in the way of yield. It is going to be conservative and consistent.
And you have no “plans” to spend it. Ideally, you’d like to leave these assets as a legacy for a loved one. This is a key point and I would value your agreement. Everyone in the room has done, and hopefully, will continue to do relatively well in the accumulating phase. And, it is those investments (Pension Plans, 401K’s, IRA’s etc.) that have fueled your retirement lifestyle by providing the required income.
The interest yield from the money you have set aside for emergencies is typically not needed to support that lifestyle. If you want to buy a boat, or take a month trip to Hawaii, you are not likely to break into the bank CD for that expenditure. In other words, there is no planned intention to spend it. The money is awaiting the possibility of an emergency.
Sources of these funds could be: **(GO TO NEXT SLIDE)**
Savings Accounts
CDs
Money Markets
Annuities
Conservative Mutual Funds
I am not counting the mattress, trunk, or safety deposit box as a choice.

We are going to focus purely on those savings dollars today, not your investments. So let’s briefly analyze the choices.

Slide 23



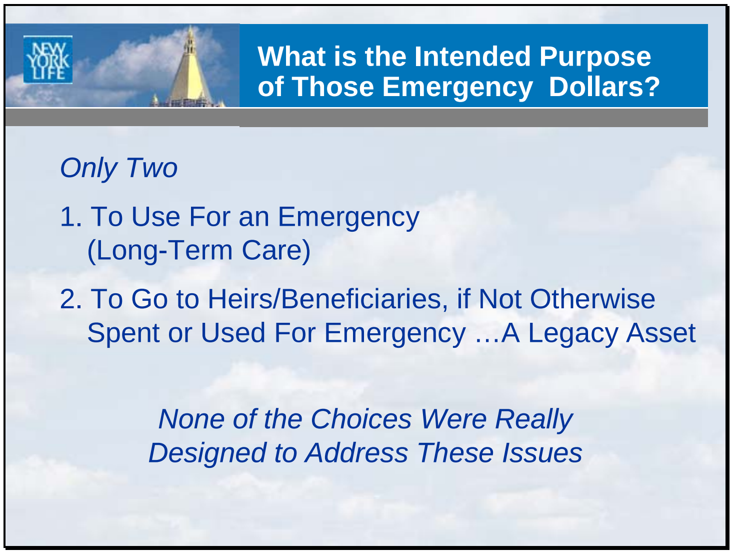
Savings Account, CDs, Money Markets: Most people use banks for financial vehicles such as Savings Accounts, CDs, and Money Markets. Funds are generally safe because they are FDIC insured up to $100k per depositor. Access to funds is available for all three options. Generally these options earn some rate or return or "interest", and that interest is taxable each year.

Deferred Annuity: What exactly is a deferred annuity, and when would it be an appropriate purchase? A deferred annuity contract is purchased from an insurance company. Most often, it is used as a vehicle for saving for retirement or to guarantee an income for life. A deferred annuity is often used for special savings plans that are provided by some employers, such as:

Tax Sheltered Annuities (TSAs), (salary reduction plans for employees of public schools and non-profit organizations),

Simplified Employee Pensions (SEPs).

Slide 24



At the heart of our entire discussion of a new and smart way to build that bridge to protect legacy assets is the answer to the following question:

What is the intended purpose of those savings dollars you may have set aside?

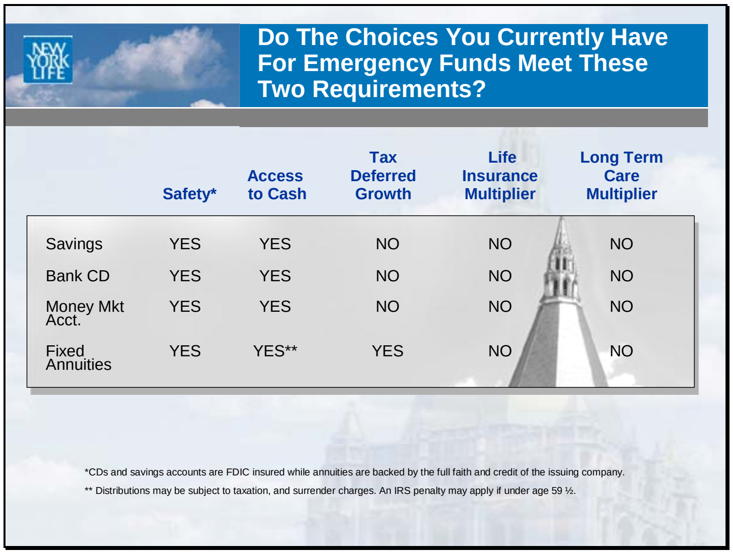
I believe there are ONLY TWO.

You want them to be there for an emergency, and
If they do not have to be spent or used for an emergency, you want them to go to your heirs - the children and grandchildren. In other words, the emergency rainy day monies you may have set aside are in fact legacy dollars that you hope to never have to spend.

NONE OF THE CHOICES YOU HAVE HAD FOR THE STORAGE OF EMERGENCY MONEY WERE EVER DESIGNED TO ADDRESS THESE ISSUES.
…until today.

Let’s now turn to the “emergency” that causes our concerns.

Slide 25



Let's closely examine if the choices we have for rainy day money meet these two requirements?
We are analyzing them for safety; access to cash, tax deferral; life insurance multipliers; and long-term care multiplier.

Savings, Bank CDs and Money Market accounts are very common safe places used for short term savings needs. They are all easy to set up and can be FDIC insured up to $100,000. They all allow access to the cash, but the Bank CD may charge a penalty for early withdrawal. Interest earned each year will be subject to income tax reporting and therefore accumulation is not tax deferred.

Savings, Bank CDs, and Money market accounts are fixed rate short term investment vehicles with no multiplier or added life insurance benefits paid at death. Legacy Assets (e.g. money you want to leave your children) left in these accounts at death could be subject to probate and income taxation. There is also no multiplier or added benefits payable for expenses associated with Long-Term Care Services, only the account value.

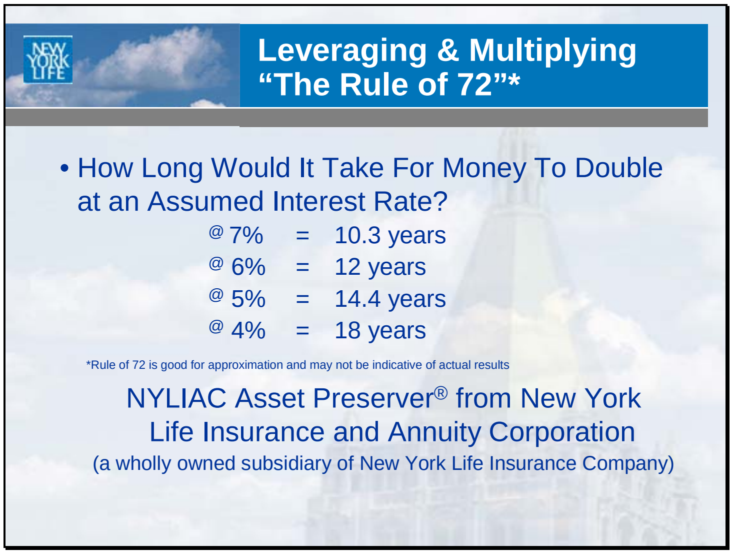
Fixed Annuities are popular and are backed by the full faith and credit of the issuing company. Withdrawals from Fixed Annuities are allowed but may be subject to surrender charges and subject to a 10% IRS penalty if made if made prior to age 59 ½.
Interest is earned but is now it's on a taxed deferred basis which means you only pay tax on the interest if you actually take it out of the policy.
At death there is no life insurance multiplier which means only the accumulation value goes probate free to a beneficiary. The beneficiary is may be taxed on the growth in the annuity.
The annuity has no Long-term care multiplier. There are no additional benefits above accumulation value.

Is the conclusion self evident, OBVIOUSLY NOT.

Life Insurance Multiplier = This represents a death benefit usually substantially larger than the initial premium and in most cases will be paid to the policy beneficiary (the person you designate) free of income tax.
Long-Term Care Multiplier = Does the choice provide for immediate leveraging of funds for Long-Term Care Services? More than the initial premium?

Consumers should evaluate the issuer's ratings from independent rating agencies such as Moody's, A.M. Best, Standard & Poor's and Fitch.

Slide 26



How long would it take for money to DOUBLE taking into account an assumed interest rate? *Explain the rule of 72… Divide 72 by the assumed interest rate to determine the number of years.*
The examples are self- explanatory and should be related to interest being paid on saving accounts and CD's. For example, it would take 18 years for $1 to become worth $2 assuming 4% interest AFTER TAXES.
Can you imagine if it happened much, much faster?

Can you imagine if it happened immediately?

That brings us to a discussion of NYLIAC Asset Preserver

Examples: Female non-smoker risk class, a $50,000 premium will purchase a death/LTC benefit of:
Age 55 = $123,190
Age 60 = $106,215
Age 65 = $ 92,150
Age 70 = $ 80,510

Slide 27

To effectively build an emergency fund we want:

A one-time movement of money approach to creating significant emergency funds rather than sending off monthly or annual premium payments.
*To **retain access to that one-time premium asset** as opposed to premium payments that are "gone for good" unless there is a claim.*
Create significant leveraging of the premium with regard to monies available for use in the event of illness (LTC) or death.
Low risk tolerance.
And income tax free wealth transfer in the event of a death.

Slide 28

We have a solution to help build this emergency fund. It's a product called Asset Preserver!

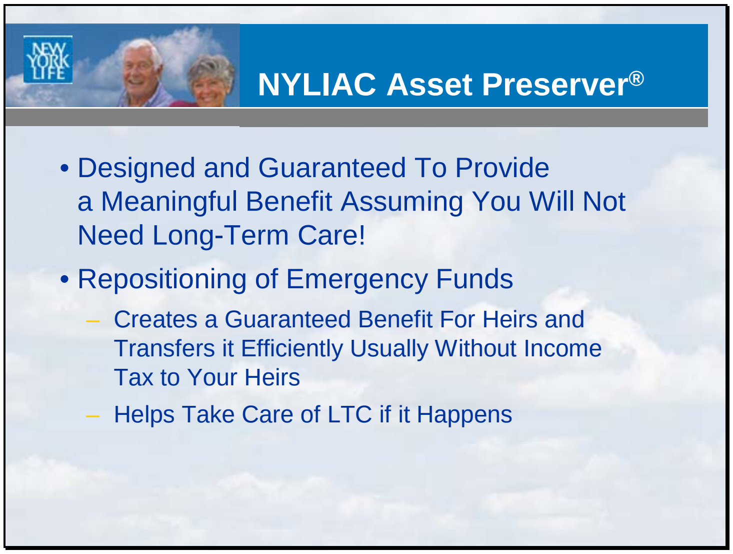
Asset Preserver is a life insurance policy that let's you use the death benefit for LTC expenses, if needed.

This product comes with a lifetime money back guarantee. (In Maryland, the Lifetime Money Back Guarantee is referred to as the Conditional Money Back Guarantee.) If you ever change your mind, NYLIAC will give you back at least what you gave us. (This guarantee is void, if any distributions are made from the policy.) This means your money, or principal is never at risk as long as the guarantee is active.

Your one-time premium payment will create a pool of benefits substantially larger than the premium for LTC expenses or death benefit. The amount of this "pool of benefits" or face amount as we call it, is guaranteed. It can never be lower and may increase over time as cash value grows.

The cash value accumulates tax deferred – no 1099's.

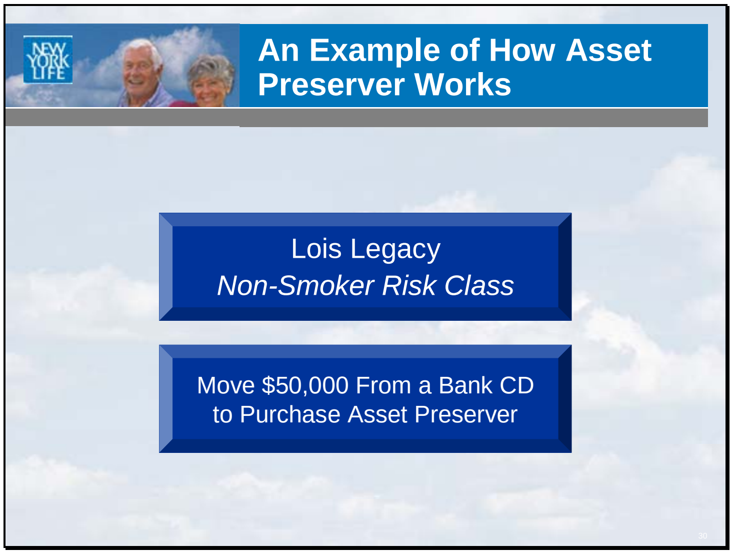
Slide 29



NYLIAC Asset Preserver® is designed to create a very meaningful benefit even assuming that you will not need LTC. As you will see in a moment, Asset Preserver will help take care of it if it happens, and reward your family if it does not.

Let’s look at an example…..

Slide 30

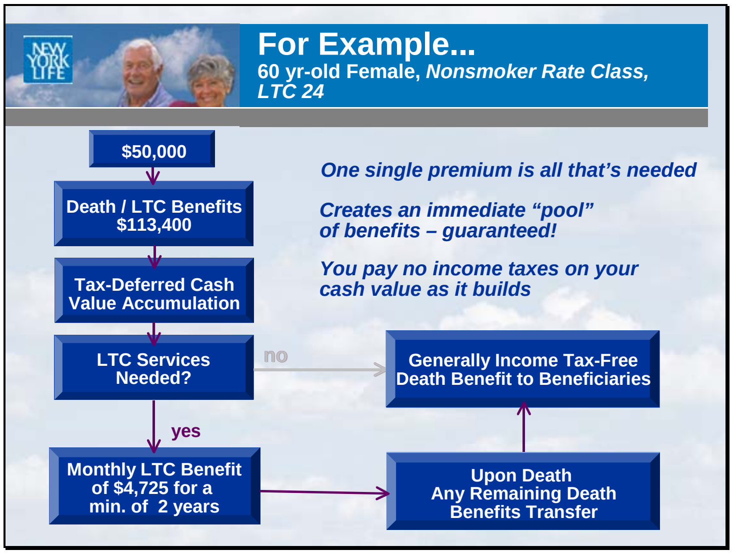


Here is an example of how ASSET PRESERVER works:

Our hypothetical client is Lois Legacy. She is age 60 and of good health.

She has set aside money for “just in case” situations and has learned about ASSET PRESERVER. She moves $50,000 of those emergency funds from a bank CD to ASSET PRESERVER.
(Note: ***I am using $50,000 as an example***. The minimum premium is $10,000)

Slide 31



What has she accomplished?

The $50,000 continues to be risk free.

If you ever change your mind, and surrender the policy, at a minimum you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value. Any amount received in excess of the premium paid is taxable as ordinary income.

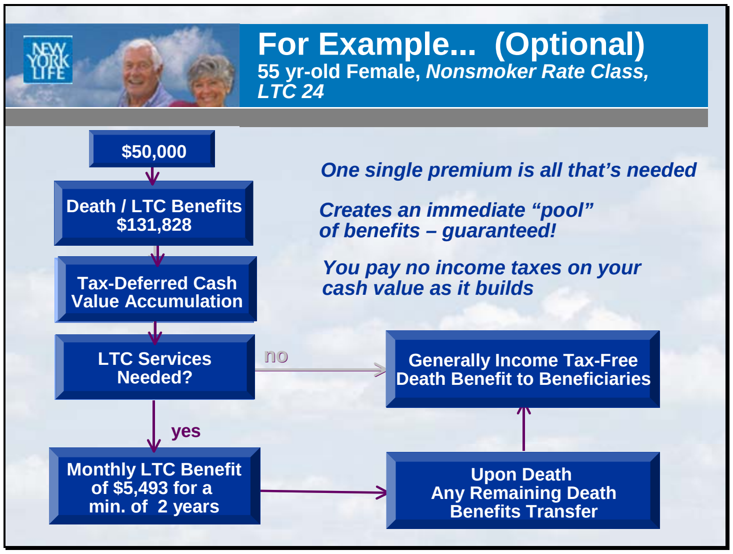
The ASSET PRESERVER premium is earning [_%] tax deferred interest as of [month/year].

The ASSET PRESERVER premium purchases approximately $113,400 of life insurance death benefit that is also increasing..

The unused death benefit passes usually income tax free and outside of probate to the named beneficiary.

The ASSET PRESERVER cash value is available for loans and withdrawals. *Although loans may be taken, they will accrue interest and reduce policy values and void policy guarantees. Loans and withdrawals may be taxable. 10% penalty if taken prior to age 59 ½.*

Slide 32



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If you ever change your mind, and surrender the policy, <u>at a minimum</u> you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value. Any amount received in excess of the premium paid is taxable as ordinary income.

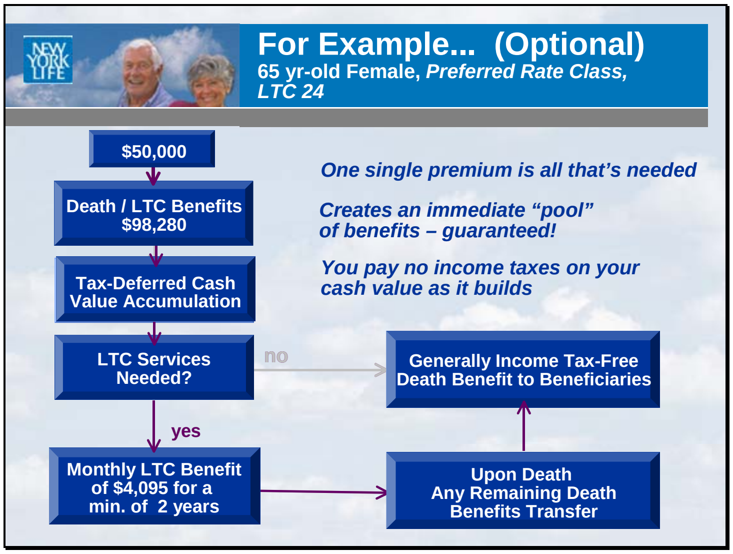
The ASSET PRESERVER premium is earning [__%] tax deferred interest as of [month/year].

The ASSET PRESERVER premium purchases approximately $131,828 of life insurance death benefit that is also increasing..

The unused death benefit passes usually income tax free and outside of probate to the named beneficiary.

The ASSET PRESERVER cash value is available for loans and withdrawals. *Although loans may be taken, they will accrue interest and reduce policy values and void policy guarantees. Loans and withdrawals may be taxable. 10% penalty if taken prior to age 59 ½.*

Slide 33



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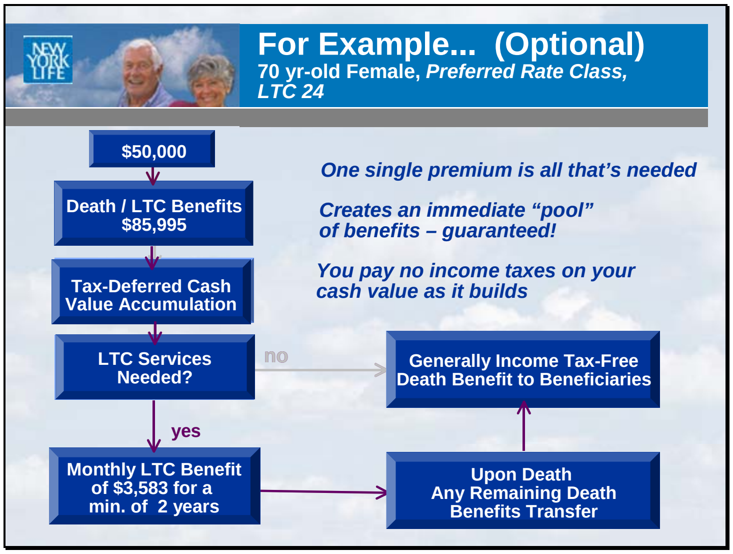
The ASSET PRESERVER premium is earning [__%] tax deferred interest as of [month/year].

The ASSET PRESERVER premium purchases approximately $98,280 of life insurance death benefit that is also increasing..

The unused death benefit passes usually income tax free and outside of probate to the named beneficiary.

The ASSET PRESERVER cash value is available for loans and withdrawals. *Although loans may be taken, they will accrue interest and reduce policy values and void policy guarantees. Loans and withdrawals may be taxable. 10% penalty if taken prior to age 59 ½.*

Slide 34



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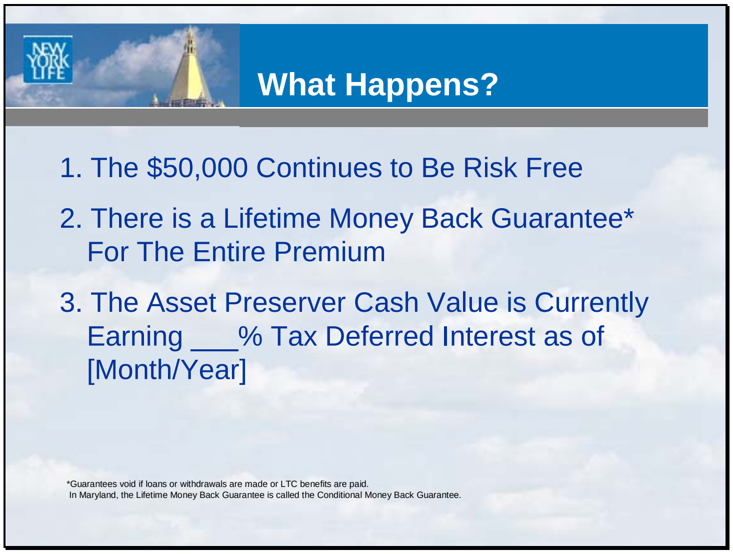
The ASSET PRESERVER premium is earning [__%] tax deferred interest as of [month/year].

The ASSET PRESERVER premium purchases approximately $85,995 of life insurance death benefit that is also increasing..

The unused death benefit passes usually income tax free and outside of probate to the named beneficiary.

The ASSET PRESERVER cash value is available for loans and withdrawals. *Although loans may be taken, they will accrue interest and reduce policy values and void policy guarantees. Loans and withdrawals may be taxable. 10% penalty if taken prior to age 59 ½.*

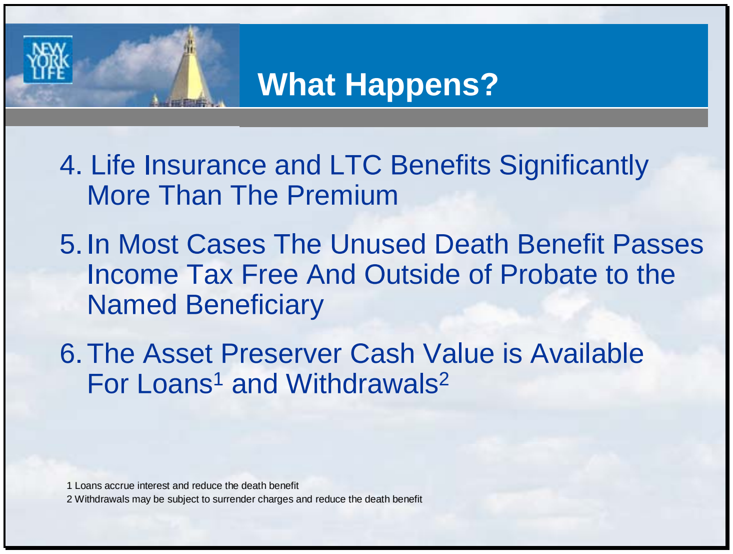
Slide 35



What has she accomplished?
The $50,000 continues to be risk free.
If you ever change your mind, and surrender the policy, <u>at a minimum</u> you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for more than an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value.
The ASSET PRESERVER premium is earning __% tax deferred interest as of [month/year].
The ASSET PRESERVER premium purchases approximately $[100,000] of life insurance death benefit that is also increasing..
The unused death benefit passes income tax free and outside of probate to the named beneficiary.
The ASSET PRESERVER cash value is available for loans and withdrawals.

(Continued on next screen)

Slide 36



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The ASSET PRESERVER premium is earning __% tax deferred interest as of [month/year].
The ASSET PRESERVER premium purchases approximately $[100,000] of life insurance death benefit that is also increasing..
 The unused death benefit passes income tax free and outside of probate to the named beneficiary.
The ASSET PRESERVER cash value is available for loans and withdrawals.

(Continued on next screen)

Slide 37

(Continued from previous screen)

WOULD YOU AGREE WITH ME THAT WE HAVE ACCOMPLISHED 1 OF OUR 2 GOALS
The transferring of MORE MONEY at death without any income taxation
And without probate "lock up" problems
And without public scrutiny

WE HAVE TRANSFERRED SOME WEALTH IN A TAX ADVANTAGED MANNER.
Now let's look at how ASSET PRESERVER deals with a need for LTC.

Slide 38

And because the ASSET PRESERVER is state of the art, Home Health Care, Nursing Home Care, ASSISTED LIVING FACILITIES, and hospice are covered at up to 100% of the monthly benefit.

In OREGON, Adult Foster Care is also covered at 100% up to the monthly benefit.

And there are some additional unique benefits that I will get to in a moment.

To complete my list of how ASSET PRESERVER works, I come to the "legacy asset", a unique feature of the strategy.

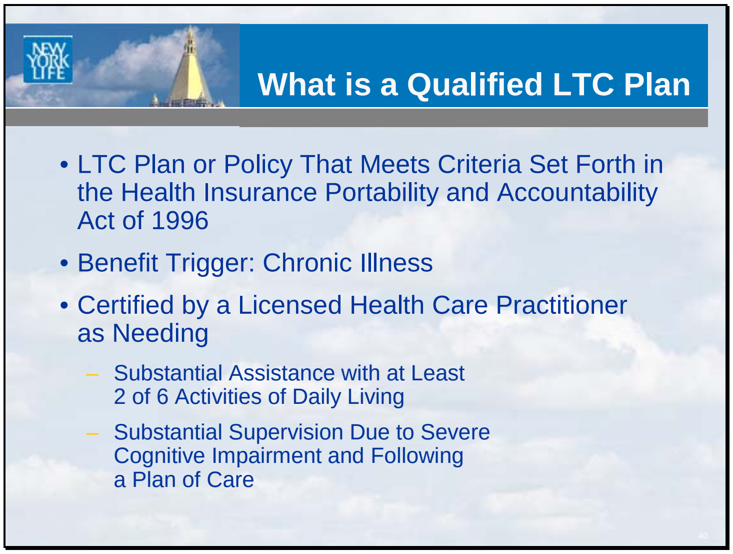
NOTE: This policy may not cover all costs associated with LTC. The buyer is advised to review carefully all policy terms and limitations.

Slide 39

Whatever portion of the benefit that is not used to reimburse LTC expenses STILL GETS PAID TO THE BENEFICIARY. For example, the ASSET PRESERVER reimbursed Lois and her family for $40,000 of LTC and she passes away. The $60,000 remaining benefit STILL GETS PAID TO THE BENEFICIARIES.

WE HAVE NOW ACCOMPLISHED OUR 2nd GOAL:
We have created a lot more available dollars than the amount originally used to purchase the policy to pay for long-term care. Lois had put away $50,000 "just in case" money and now has $100,000 to access for long-term care.

Slide 40

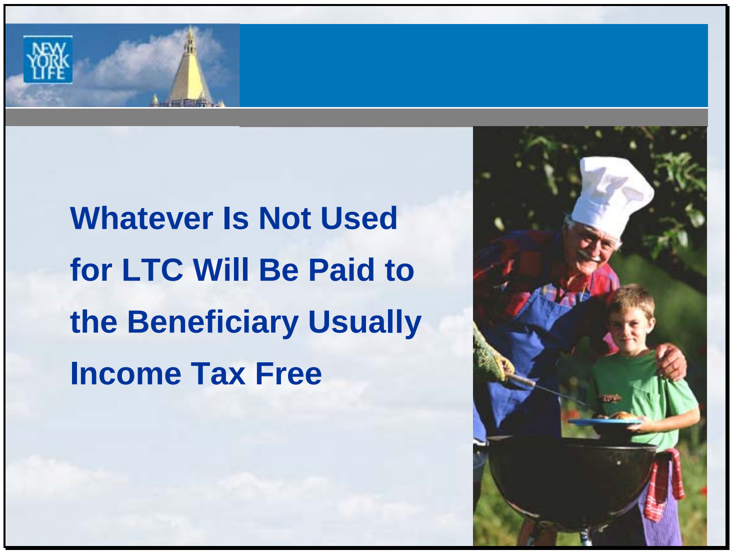


What is a Qualified LTC plan?
A qualified LTC plan is a plan or policy that meets the criteria for a “qualified long term care insurance contract.”

You may have seen this term before in various articles on long term care. It is an important term created by the Federal Government and is defined in the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It is important because LTC plans that meet the criteria of a “Qualified LTC insurance contract” will pay LTC benefits TAX FREE.

FYI Note to Presenter: Prior to the passing of this legislation, the tax status of benefits paid under an LTC policy was uncertain. HIPAA also specifically clarified that a life policy’s acceleration of death benefit for LTC expenses would not be taxable as income if the policy met the criteria of a qualified LTC plan. Asset Preserver is a qualified LTC plan.

Slide 41



Death benefits are usually income tax free.

Slide 42

Long Term Care Benefit
Payment Option Summary

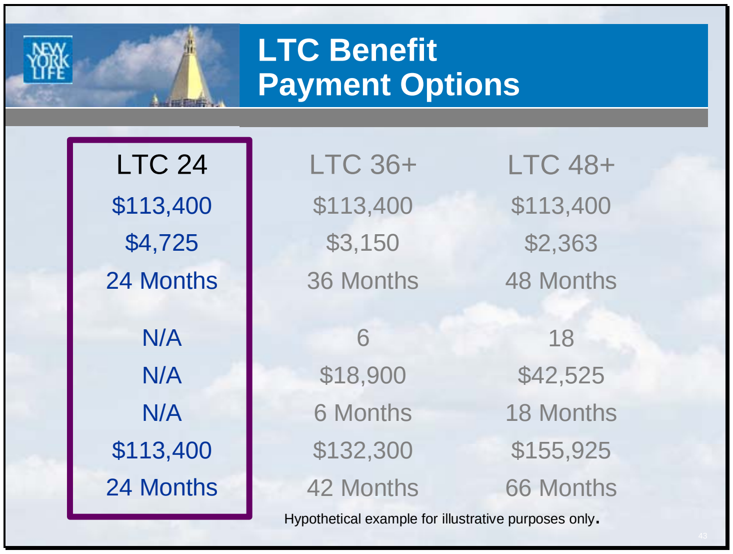
FEMALE, AGE 60, NON-SMOKER	***LTC BENEFIT PAYMENT OPTIONS***		
PREMIUM = $50,000	LTC 24	LTC 36+	LTC 48+
Guaranteed Total Benefit For LTC (Face Amount)	$113,400	$113,400	$113,400
Initial Monthly LTC Benefit Amount	$4,725	$3,150	$2,363
Provides Accelerated Payments for at Least:	24 Months	36 Months	48 Months
Extension of Benefits Factor	N/A	6	18
Initial Extension of Benefit Amount	N/A	$18,900	$42,525
Provides Additional LTC Benefit Payments for at Least:	N/A	6 months	18 months
Total Benefit for LTC + Extension of Benefits	$113,400	$132,300	$155,925
Potential Duration of LTC Benefits	24 months	42 months	66 months

Remember the example we reviewed before. Female, age 60, n/s, - $50,000 purchased $113,400. The monthly benefit for LTC depends on the monthly benefit payment option you select at the time of purchase.

The LTC 24 was used in the example(s) viewed earlier. We simply divide the 113,400 by 24 which is the maximum monthly benefit for LTC.

Let’s take a closer look…….

Slide 43

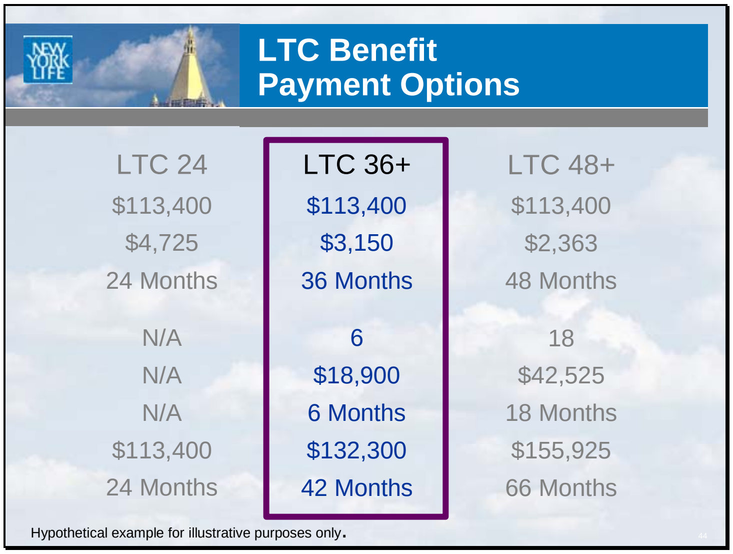


Let's look at a specific example from an illustration. This is the same 60 year old female from the generic example. This shows the guaranteed face amount of $113,400 (at a non-smoker rating). It also demonstrates her three options for receiving long term care benefits (24 months, 36, months, and 48 months), as well as the extension of benefits.

The Extension of Benefits is payable after the death benefit is completely utilized for LTC. We will continue to pay up to the monthly benefit for LTC until the Extension of Benefits amount is exhausted.

Please note: if less than the maximum monthly benefit is paid the benefits will remain in the policy. There is no time limit for using the benefits.

Slide 44



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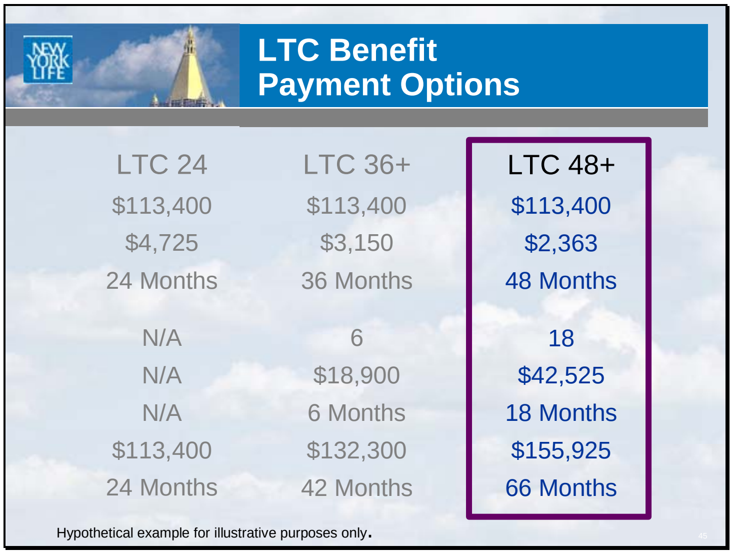
Slide 45



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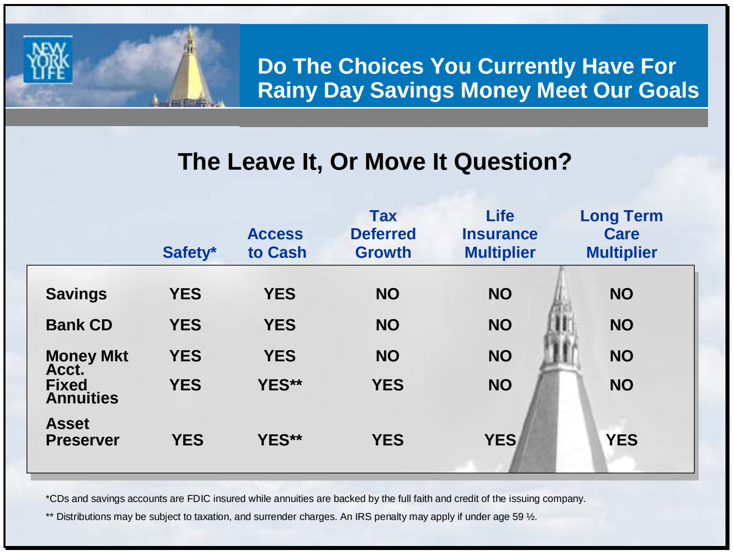
Slide 46

Let's review what we have achieved with ASSET PRESERVER
We have designed a financial product which helps to create the wealth in order to:
Transfer your financial success to the next generation if you don't spend it first (assuming that is your wish)
Pay for long-term care costs
We have afforded you maximum flexibility, choice, and control
We have eliminated the ***expense*** of ongoing costly premium payments… forever? The premium paid to the ASSET PRESERVER remains an asset.
We enabled some of your existing emergency funds and legacy dollars to do more for you and create a win-win asset preservation strategy.
ADDED- We have created a significant increase in tax- advantaged funds for transferring wealth income tax free and/or long-term care if needed, …And we did it without the need for ongoing premium payments.

Slide 47



	Safety*	Access to Cash	Tax Deferred Growth	Life Insurance Multiplier	Long Term Care Multiplier
Savings	YES	YES	NO	NO	NO
Bank CD	YES	YES	NO	NO	NO
Money Mkt Acct.	YES	YES	NO	NO	NO
Fixed Annuities	YES	YES**	YES	NO	NO
Asset Preserver	YES	YES**	YES	YES	YES

Let's look at our "choices" chart again and now add Asset Preserver

As you can see, NYLIAC's Asset Preserver® scores a YES in all five categories.

Safety – Asset Preserver is a life insurance product backed by the New York life Insurance & Annuity Corporation, the issuing company
Access to cash – loan and partial surrenders are permitted.
It should be noted that accessing cash from a deferred annuity or life insurance policy is not the same as taking a withdrawal from a savings account. Policy withdrawals and loans may affect the policy benefits and values. Policy withdrawals may be subject to surrender charges if made during the surrender charge period. Loans accrue interest. Partial withdrawals and loans may be taxable. If a policy is classified as a modified endowment contract, there may be adverse tax consequences including an additional 10% IRS penalty for withdrawals and loans taken prior to age 59 ½.

Tax Deferred Growth – cash accumulation is tax deferred
Life Insurance Multiplier – the policy has a guaranteed death benefit usually substantially greater than the initial premium paid
Long-Term Care Multiplier – The guaranteed death benefit may be paid early for LTC expenses tax free.

Slide 48

Safety – through guarantees that will remain effective as long as no loans or withdrawals have been made and no LTC benefits have been paid.

Money Back Guarantee – If you ever change your mind you will get back at least the premium you paid. **Minimum Benefit Guarantee** – The death/LTC benefits will never be less than the amount at time of issue (face amount). The policy is **Guaranteed not to lapse**.

Assets – immediate leveraging, tax deferred cash value accumulation, and extension of LTC benefits with the LTC 36+ and LTC 48+ benefit payment options.

No ongoing premium commitment –

The reputation and financial stability of New York Life Insurance and Annuity Corporation (a wholly owned subsidiary of New York Life).

Slide 49

Family Care: There are many instances when a spouse, child or grandchild may take on the role of your caregiver. Most LTC insurance does not see this as an eligible expense. For example, how many of you have received a bill from your child or grandchild? And, even if you did, it is unlikely your insurance company will accept it as a covered expense. As a result, this period of time that you are receiving care from a family member or friend will not count towards satisfying most LTC policies' waiting period. (The period of time you must wait before benefit payments can begin.)

Asset Preserver Family Care Benefit - not only allows you to use a period of chronic illness where care is being received from a family member or friend but we will also make available a daily benefit for you to use in any way you see appropriate.

You may want to use the Family Care Benefit to pay for devices or equipment to make the insured more comfortable around the home. Or, to give your grandchild some dollars for taking the time to provide the care you need. It's up to you!

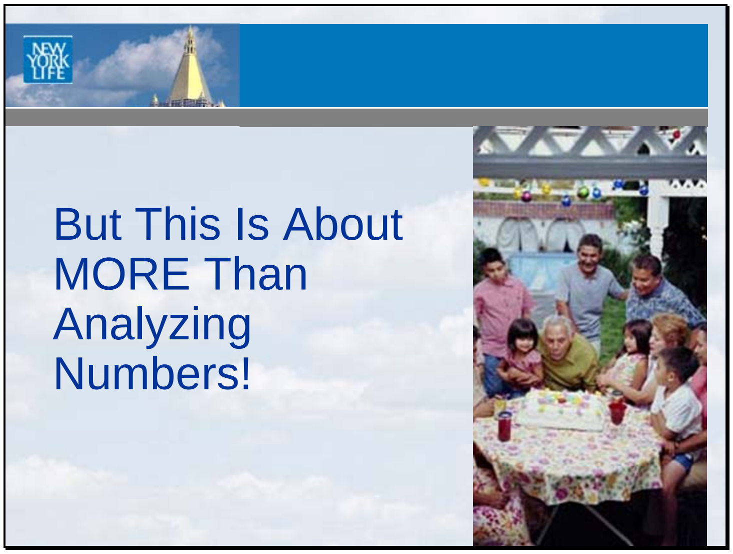
A unique real world feature!

The Family Care Daily Benefit amount is equal to 1/60th of your monthly benefit for LTC up to $100 per day for a maximum of 365 days. If monthly benefit is $3,000, your daily family care benefit equals $50 per day.

Note also that HIPPA imposes limits on the amount of tax-free daily indemnity benefits a qualified LTC contract may pay. The 2008 limit is $270 per day. Asset Preserver's Family Care Benefit (daily indemnity) combined with other LTC indemnity plans a consumer may have, could result in exceeding the current tax-free limit. This limit would not apply to expense reimbursement.

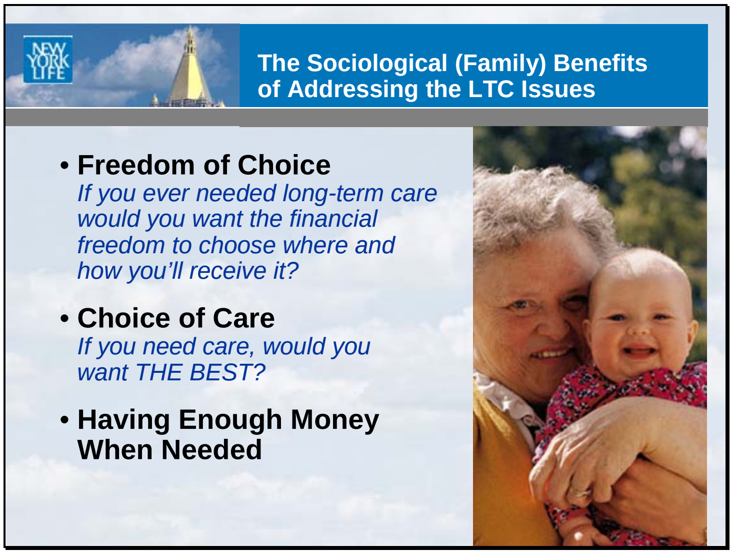
In New Hampshire, the Family Care Benefit is 1/60th of the monthly benefit for LTC up to $50 per day for a maximum of 730 days.

Slide 50



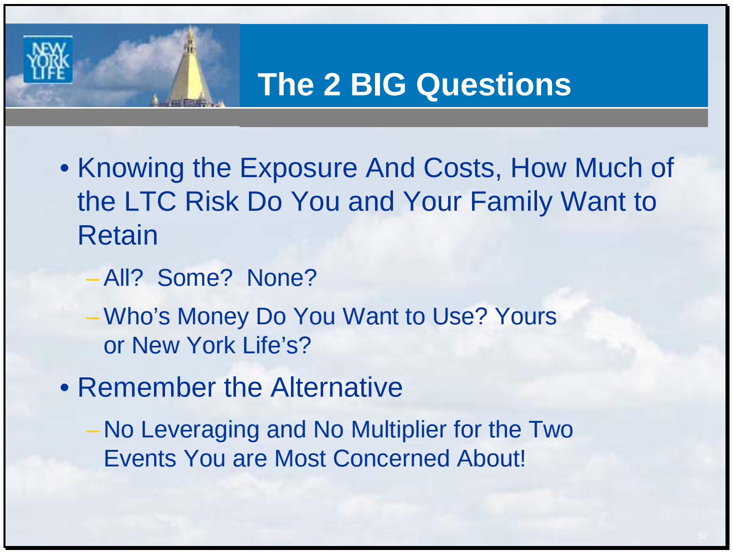
BUT FOLKS, THIS IS ABOUT MUCH MORE THAN JUST ANALYZING NUMBERS.

Slide 51



Freedom of Choice: *Ask the audience the illustrated question about desiring the financial freedom to choose where and how they want to receive care. Every one will answer yes.*
Choice of Care: *Ask the question as written on the slide. This refers back to Medicaid as a strategy to pay for care. Your attendees have worked hard all their lives to be successful and to have accumulated assets. Do they now want and deserve the finest of care of their choosing?*
The whole point of the presentation is that having enough (emergency / "just in case") money will help to guarantee freedom of choice, quality of care, dignity, control, financial independence, and peace of mind.
Asset Preserver may help accomplish this by increasing the money available for LTC.

Slide 52



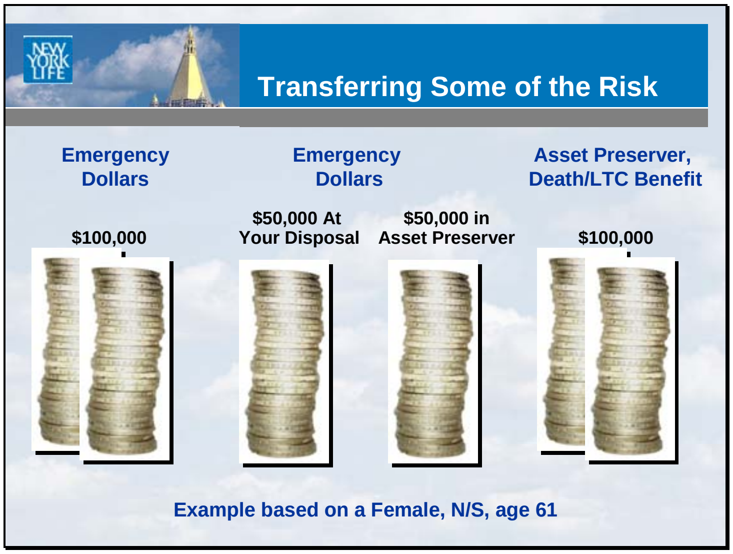
Knowing what you know now (the LTC exposure and costs) how much of the LTC risk do you and your family want to retain? ALL? SOME? NONE? ***If they say "some," or "none," you have a sale.***

Who's money do you want to use…

Yours, or New York Life's?

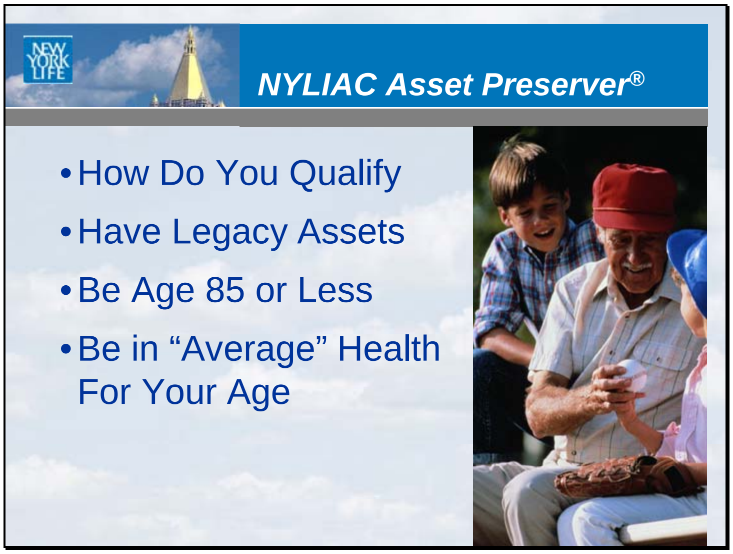
Take this opportunity to remind them that all the other places they keep safe money, legacy assets, emergency funds, etc., offer NO LEVERAGING and NO MULTIPLIERS for the only two events they are concerned about… death and extended illness (LTC)

Slide 53



Moving 50k of the 100k of emergency dollars to purchase Asset Preserver – will result in a $100,000 Death/LTC benefit – leaving 50k at her disposal.

Slide 54



So what are the requirements to qualify?

Having legacy assets.

Money that you have set aside for emergencies that you do not expect to need to support your lifestyle income requirements.

(Note: This may not be for some members of your audience. Not everyone is comfortable about having money they “don’t need”. There is nothing wrong with “taking it away” by suggesting that “this may not be for you”. People want what may not be good for them.)

Another real world benefit of Asset Preserver is that you can qualify up to age 85.

If you are in “average” health for your age. You do not have to be Tarzan or Jane to qualify. I (or your NYL Agent) will be available to discuss your personal situation. You may be pleasantly surprised.

IF YOU MEET THESE REQUIREMENTS, YOU AND YOUR FAMILY MAY NOT BE ABLE TO THINK OF A REASON <u>NOT</u> TO TAKE ACTION.

SO GO AHEAD…………REWARD YOURSELF

Slide 55

One question I am often asked is simply "Why does the ASSET Preserver work"?:

That's an easy one. It works for three basic reasons:

It is **easy** to apply for. Please note that applications for life insurance are subject to underwriting. No insurance coverage exists unless a policy is issued and the required premium to put it in force is paid
Many believe it is really quite **simple to understand**.
And maybe most importantly, many believe **it just seems to make sense**.

Actually, it probably "seems too good to be true". We take that as a compliment. It sure beats the alternative conclusion. But the facts of the matter are….it does what it says and it works!

Slide 56

OK. What should you do now?

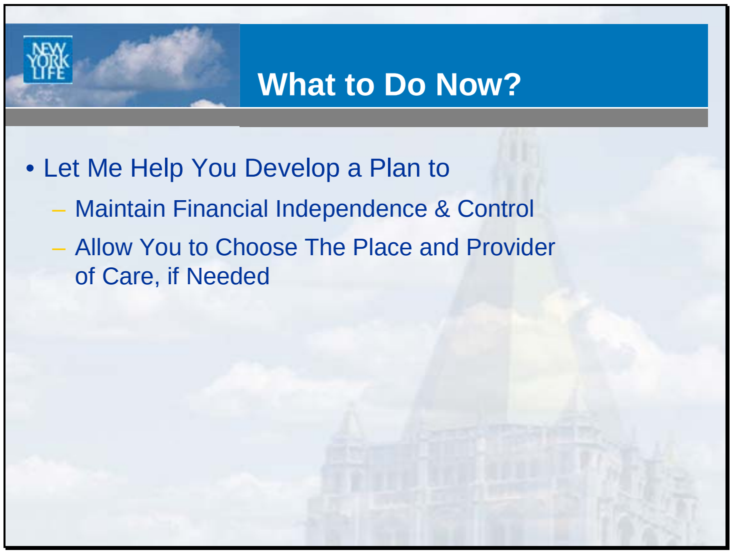
I’d like to meet with you and discuss your situation and specific needs. Review the options together and design a plan that’s best for you.

Decide if the ASSET Preserver may be right for you.
If not, Perhaps traditional LTC or a combination of both.

Have a customized illustration designed for your age with a legacy asset premium that’s comfortable for you.

Look procrastination in the eye. It is the enemy.

Slide 57



When making decisions, a wise advisor told me to always compare the “small mistake” versus the “big mistake” that would result from my choice. Here, the *small* error is to develop and put in place a plan and later change your mind. Remember, Asset Preserver has a money back guarantee, so you’ll receive a full refund of the premium. This guarantee is void if any distributions are made from the policy or if LTC benefits have been paid. The BIGGER mistake would be to put off any action, and suffer some health deterioration which could make you ineligible for these products.

Slide 58

The End!

New York Life Insurance and Annuity Corporation is a wholly owned subsidiary of New York Life.

NYLIAC is among the highest rated companies in the industry for financial strength: Fitch (AAA); Moody's (Aaa), A.M. Best (A++), and Standard and Poor's (AAA). Source: Individual Third Party Rating Reports.

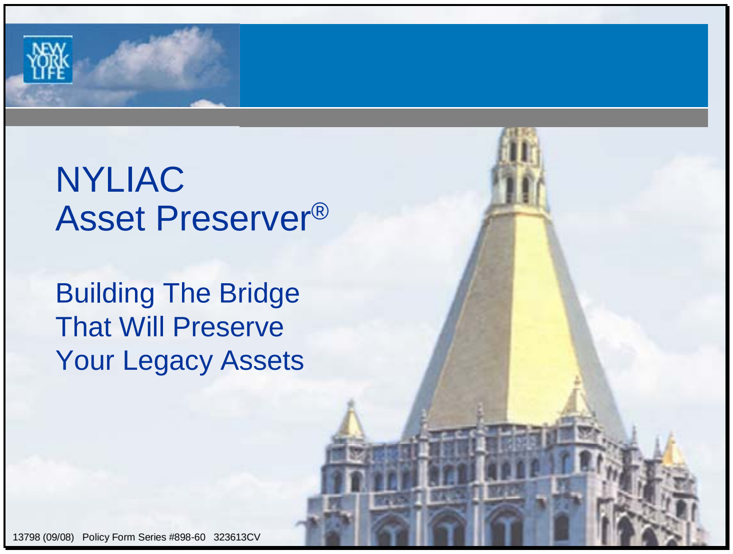
Slide 59

Sometimes I get very few, if any, questions, or comments, or objections to the material. My first assumption is that I put you to sleep. Sometimes you're just shy or are not sure its a good question or pertinent comment.
I have so much confidence in this concept that I will ask and answer them for you.

It just sounds to good to be true
We have illustrated a premium payment that is guaranteed based on the claims paying ability of the issuing company and fully refundable according to policy provisions. The cash value accumulates and earns interest tax deferred. The death benefit is available immediately in the event of death with a generally income tax free life insurance benefit (double in our example) and accelerates the death benefit so that it is available while they are alive for LTC. The observation that it is too good to be true implies the solution seems very sensible. Take it as a compliment and a positive. They are just asking for confirmation. We have taken two time tested insurance concepts - the unique tax advantaged features and benefits of single premium life insurance *and* the principles of long term care insurance - and combined them to address the asset preservation concern,
It sure beats the alternative of introducing a strategy that sounds awful and thereby causing the response of "why would I ever do that"?

I think I can do better with my money
The client did not understand the concept and is mistakenly judging it based on alternative interest yields. In fact, this is a question and analysis of TIME and RISK. If neither death or disability (LTC) occur for many years, the client could have possibly done better. We are offering a solution that does not need to have time on it's side. Our Asset Preserver benefit is in place IMMEDIATELY. There is no risk that death or LTC may happen "too soon". Isn't that why we insure things?
The rate of return for Asset Preserver is measured at the time of the (guaranteed to happen) claim, not on the interest crediting yield. Lois Legacy dies in the 4th year (or needs LTC) and we pay a $100,000 income tax free benefit to her heirs. Remember, only insurance can provide for immediate and significant leveraging of your money.
This is the time to emphasize our LTC unique benefits if the 36 or 48 month pay out is chosen. Where else is that available?

Slide 1



Slide 1:

There is an old and wise adage that tells us "it is easier to make money, than it is to keep it, and pass it on to the next generation." All of you here today have been, and continue to be, successful. Whether you are retired, or in pre-retirement planning, or never intend to retire, I think you will agree with me that the adage is true.

We have gathered to discuss the broad subject of asset preservation because there are some new and very smart ways of protecting and controlling assets that are currently available.

Our intent is to BUILD THE BRIDGE that will help guarantee the preservation of your legacy assets. I believe we will accomplish that today. And the bridge we build will stand in the future.

Slide 2

Introduction of Presenter with Brief Bio

- Ice Breaker -

Slide 3

To put it in perspective, we first need to understand the components, or "pillars" upon which successful aging is built. For the sake of our discussion, I have chosen the following objectives as being key:

- Maintaining our independence – *none of us wants to become dependent on our family, our children or our friends.*
- Keeping control of our assets, our choices, and our ability to make decisions – *and if we are losing control because of circumstances such as illness, it is helpful if we have planned in advance.*
- Maintaining good health – *and dealing with the possibility and consequences of failing health.*
- Maintaining positive social relationships – *with both family and peer group friendships. Sociologists refer to this as vertical relationships (the family because of generational age differences) and horizontal relationships (friends our own age)*
- Financial Security
- Peace of Mind – *or what I call "sleeping well at night."*

Slide 4

Financial Security - *I want to focus our attention on a particular aspect of "financial security" because it is perhaps the key issue.*

Longevity - *To put that issue in perspective, we must recognize the reality of increased longevity. Life expectancy at the beginning of the 20th century (1900) was into the forties. By the end of the century, it appears to be into the eighties. Without question, doubling life expectancy has been a great achievement. However, it changes everything with regard to our successful aging planning. Demographically, age 85 and over is the fastest growing age group in America. Being 65 and contemplating "making it" to ninety or a hundred presents new financial challenges.*

Money – *And when it comes to money and income, keeping it becomes as important, or even more important than accumulating it.*

To sum it up… we need to pay more attention to <u>preserving our legacy assets,</u> and that is what we will do in our discussion.

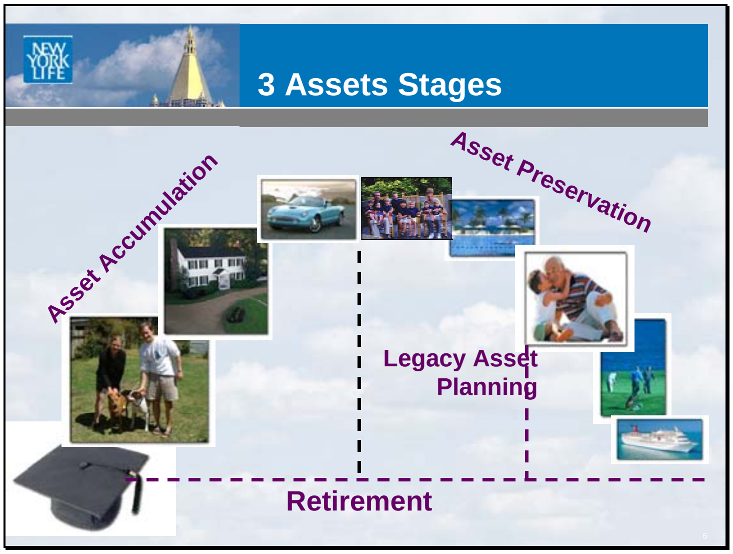
Slide 5

Our primary financial objective when we were younger was the accumulation of assets. The desire to accumulate never goes away, but as we reach our fifties, sixties, and seventies, there begins a shift in the pendulum to asset preservation. We want to protect and preserve what we have worked so hard to earn.

Any state of the art retirement portfolio needs a strategy to efficiently and effectively, help you preserve your legacy assets. We are going to introduce one to you today. It is called NYLIAC Asset Preserver and it is from New York Life Insurance and Annuity Corporation, a wholly owned subsidiary of New York Life Insurance Company.

Let me begin by first differentiating between Investment and Savings dollars.

Slide 6



In general -
Asset Accumulation stage: Building and saving assets for a secure retirement

Approaching retirement: The need to accumulate assets changes to preserving assets. Making them last through out retirement.

Legacy Asset Planning: to help asset transfer from one generation to another in the most efficient way possible.

Accumulate – Preserve - Transfer

Slide 7

(Continued from previous screen)

If you are like most people, you are concerned about having adequate “savings” dollars to survive emergencies such as becoming ill for an extended period of time and having to pay for it with YOUR MONEY

(Continue with next screen)

Slide 8

Let me ask you a question: "Do you want to live to Age 100?" When asked why not, the overwhelming majority said that by the time they got to be that old, they were afraid they would have run out of money and income.

What do you think would cause you to "run out of money before you ran out of life?" "What might cause that to happen?" *Note: The answer you are looking for is something to do with getting sick/ill by the time you have reached that age. It is the audience's connection to the long-term care issue and the relationship between the extended need for long-term care causing the "running out of money" fear.*

Slide 9

“The potential need for long-term care is the looming iceberg at the heart of ALL aging issues.”

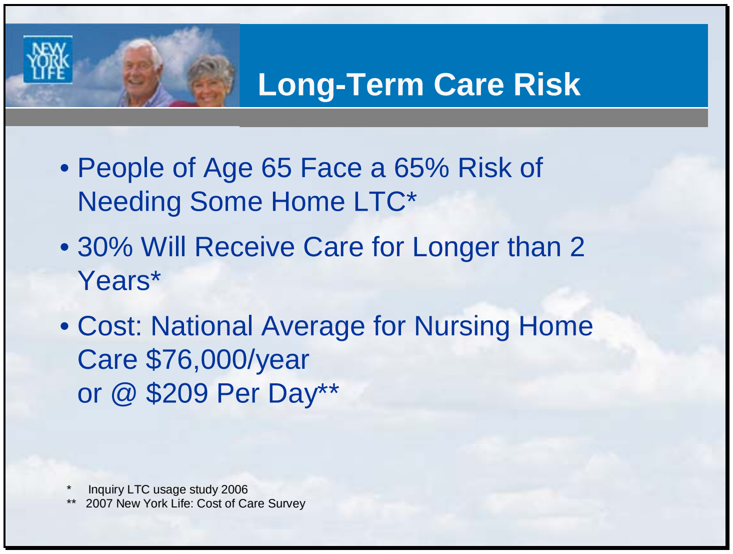
Note: Read this sentence with them. You must bring “passion” to this slide. Paint the “word picture” as best you can.

Slide 10

Take them back to the six "components" of successful aging that you introduced in slide #2. *(Repeat them)*

Now tie the premise together: The possible need for extended long-term care impacts ALL of these components. *If you need LTC, you may have a problem maintaining independence, keeping control, maintaining financial security, keeping active social relationships, and retaining peace of mind…* ***unless you have set aside, or created, adequate funds to address the issue.***

Slide 11



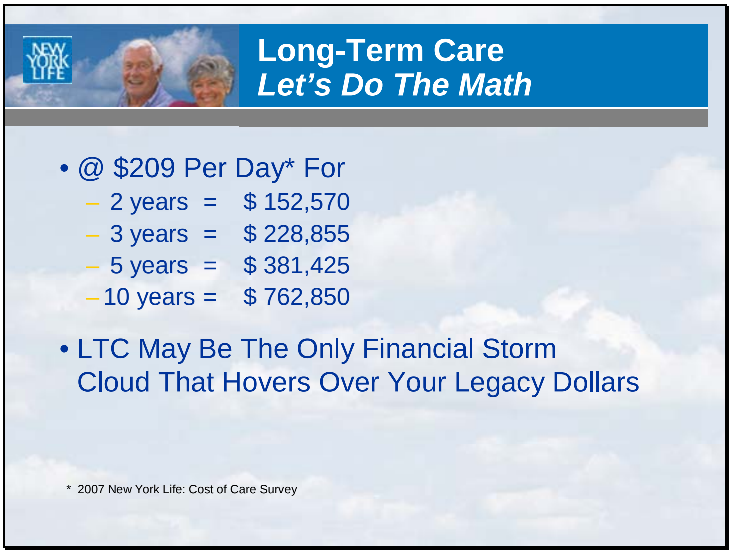
The purpose of these figures is not to frighten you. It is merely about awareness. Could this happen to me, or my spouse IS a reasonable question?*

A 2006 Inquiry LTC usage study indicates that people of age 65 face at least a 65% lifetime risk of needing some Home LTC. About 30% will require care for longer than 2 years.

Because women generally outlive men by several years, they face a 50% greater likelihood than men of entering a nursing home.

The average cost of care nationwide is $209 per day… and rising.

Slide 12



A Risk Manager would look at the exposure to determine if it was a real and serious concern:
If the average cost is $209 per day nationwide, let's look at the potential cost:

for 2 years	$152,570
for 3 years	$228,855
for 5 years	$381,425
for 10 years	$762,850

And this does not take into account that the costs are rising <u>and</u> the length of time care is needed is increasing due to a longer life span.
Yes. I think it's fair to say that LTC may be a storm cloud that hovers over your legacy dollars and your life event planning.
Now, we have established that LTC is a problem...
Our purpose here is have the audience really focus on the dollar exposure. We don't want to scare them. It is a simple reality. Let them look at the figures with you and ingest them.
Make them aware that these figures don't come close to relating to future costs (10 or 20 years from now) because we have not taken the increasing cost of health care and inflation into account.

Slide 13

Now we come to a crucial point in our discussion.
In this section we will find out who pays what for long-term care between health insurance, Medicare and Medicaid.

Having reviewed the emotional and financial risk & exposure, it’s important to know that there are generally **3 ways to pay for LTC if it is needed.**

Government programs such as Medicare and Medicaid
Insurance – Health Insurance and Traditional LTC Insurance
YOUR MONEY.

Let’s look at each one more closely

Slide 14

Moving on to Medicare….Medicare will pay for some long-term care but coverage is limited.
An important point to note is that MEDICARE PAYS FOR SKILLED CARE ONLY.
Medicare will pay 100% of the Medicare-approved amount for the first 20 days of care. After 20 days, Medicare will pay everything above the daily deductible which for [2008 is $135.00] per day. This deductible goes up each year. Beyond 100 days, Medicare pays nothing. You are responsible for all costs.
Medicare pays for skilled care in your home but only under certain conditions. As you can see, Medicare does not cover the costs for long-term care over extended periods of time, nor does it pay for intermediate care.

Intermediate care is: Medically necessary care that is provided on an intermittent basis. It is similar to skilled care although the level of care is not performed daily.

Does Medicare cover custodial care, which is the type of care most chronically ill people require?

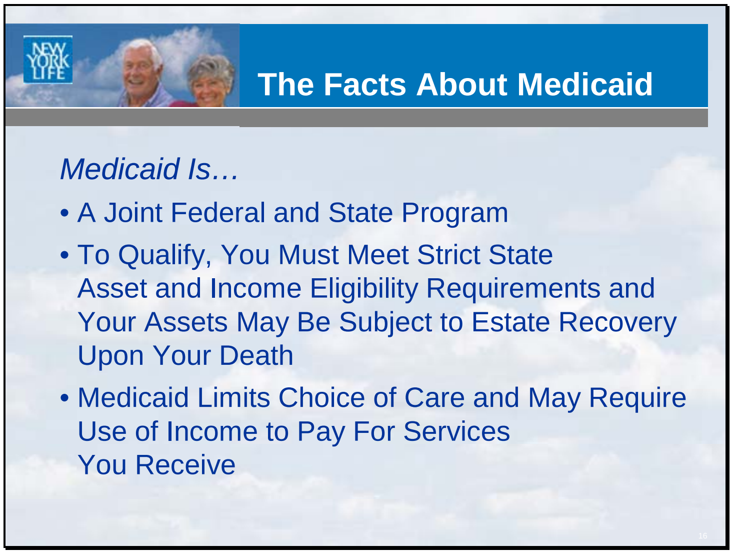
Answer: (NO)…….. GO to Next Slide

Slide 15

NOT COVERED BY MEDICARE

As you have seen, the only nursing home/facility coverage Medicare provides for is Skilled or Acute Care, or for care that is designed to make you well, for example, Rehabilitative Care.
Not covered by Medicare is Intermediate Care, which is similar to Skilled Care but on a less than daily basis, and Custodial Care.
Custodial Care is assistance with the activities of daily living, which is what characterizes long-term care, and it clearly is not covered by Medicare. The fact is, Medicare does not extensively cover long-term care.

Slide 16



THE FACTS ABOUT MEDICAID

Now let's look at another choice for paying for long-term care - Medicaid. Medicaid will pay for long-term care; however, in order for Medicaid to cover long-term care you must meet strict state asset and income eligibility requirements. You may be required to pay some of the cost of your care from your income. Also, Medicaid can recover the cost of your care from the assets you intended to leave to your heirs. They do this through estate recovery after your death to pay for the costs of your care.
The question we all must ask ourselves is ***"Am I Willing to Do That?"***

Am I potentially willing to let the Government place me in a facility of <u>their</u> choice?

Slide 17

You may have a comprehensive Health Plan already in place. But if you think it pays for long-term care, you may want to read over your policy.
Health insurance policies do not pay for ongoing long-term care services. They are designed to cover acute care. These policies cover immediate care where full recovery is expected. They will pay for preventative medicine and limited rehabilitative care.

They do not pay for sub-acute, custodial, chronic or on-going care, all of which fall under the long-term care family of services.

Slide 18

Long-term care insurance is the traditional way for most people to cover the risk of needing care services due to chronic illness. The premium is small in relation to the amount of LTC benefits available. You pay a monthly or annual premium for a defined amount of LTC benefits. New York Life has an excellent traditional LTC insurance product line.

But many more are SELF INSURING. So why are over 90% of Americans *doing nothing? Doing nothing is the polite substitute for "self-insuring.*

Like you, they are successful and bright. There must be a reason.
WHY? (Pause for general discussion with the group.)

Slide 19

So why are over 90% of "late adulthood" Americans *doing nothing? Doing nothing is the polite substitute for "self-insuring. I believe there are three basic reasons starting with:*

Denial – *We just don't think it is going to happen to us.*

Some still believe that the government (Medicare) pays for it.

Most would rather not pay ongoing premiums, every year, for something that they hope, and pray, and don't think will happen to them.

Slide 20

If the overwhelming majority of us is going to "self-insure," we need to find a better and more efficient way of building an emergency fund that will maximize the amount of money on hand to pay for LTC, even assuming it may not be needed.
<u>Doesn't that just make sense?</u>

How do we do that? It is by leveraging our legacy assets in a low-risk environment.

Slide 21

I have usually heard people refer to their savings dollars as either:

Rainy day money

or

Emergency funds

I would like to introduce a third descriptive phrase because it offers us a broader description of the type of money we are going to be discussing today…

Legacy Assets

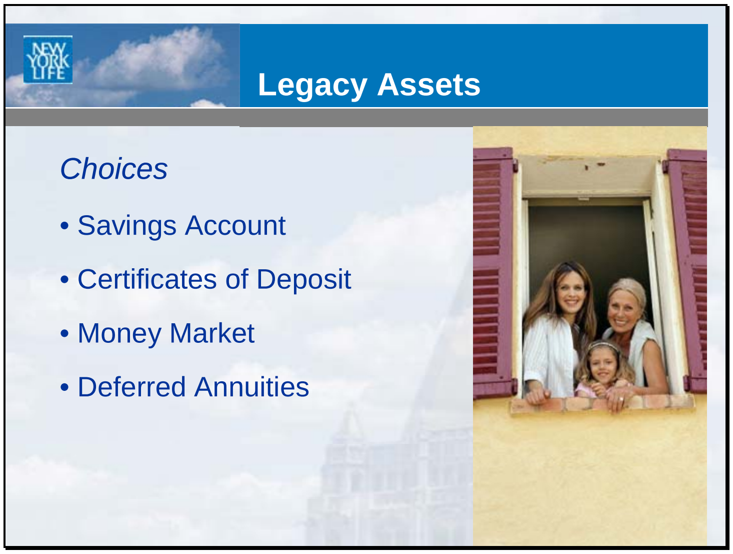
*Typically it's "safe" money such as savings accounts, bank certificates of deposit, or money market accounts. It's what we often refer to as our "emergency" funds. If we never have the emergency, it will likely pass to our family and children. Hence the phrase "legacy asset." A**sk them where they keep their emergency funds? Or phrased differently, "if you needed $50,000 to pay for the first year of care, where would you get it from?" "How about the next $50,000, and the next, and the next…?"** Note: That is what the Asset Preserver sale is all about!*

Slide 22

The attributes of these savings dollars are very clearly defined:
They are stored in a vehicle that provides safety and low risk. (Safety)
You can get to the money quickly (liquidity).
You know what to expect in the way of yield. It is going to be conservative and consistent.
And you have no “plans” to spend it. Ideally, you’d like to leave these assets as a legacy for a loved one. This is a key point and I would value your agreement. Everyone in the room has done, and hopefully, will continue to do relatively well in the accumulating phase. And, it is those investments (Pension Plans, 401K’s, IRA’s etc.) that have fueled your retirement lifestyle by providing the required income.
The interest yield from the money you have set aside for emergencies is typically not needed to support that lifestyle. If you want to buy a boat, or take a month trip to Hawaii, you are not likely to break into the bank CD for that expenditure. In other words, there is no planned intention to spend it. The money is awaiting the possibility of an emergency.
Sources of these funds could be: **(GO TO NEXT SLIDE)**
Savings Accounts
CDs
Money Markets
Annuities
Conservative Mutual Funds
I am not counting the mattress, trunk, or safety deposit box as a choice.

We are going to focus purely on those savings dollars today, not your investments. So let’s briefly analyze the choices.

Slide 23



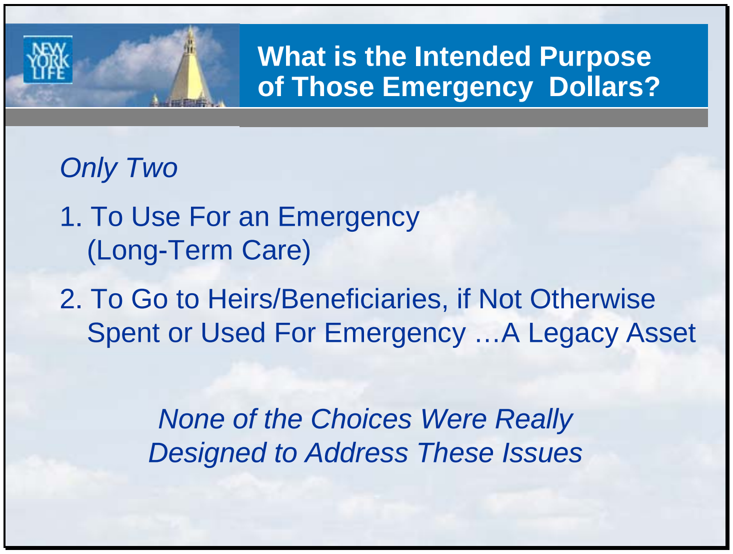
Savings Account, CDs, Money Markets: Most people use banks for financial vehicles such as Savings Accounts, CDs, and Money Markets. Funds are generally safe because they are FDIC insured up to $100k per depositor. Access to funds is available for all three options. Generally these options earn some rate or return or "interest", and that interest is taxable each year.

Deferred Annuity: What exactly is a deferred annuity, and when would it be an appropriate purchase? A deferred annuity contract is purchased from an insurance company. Most often, it is used as a vehicle for saving for retirement or to guarantee an income for life. A deferred annuity is often used for special savings plans that are provided by some employers, such as:

Tax Sheltered Annuities (TSAs), (salary reduction plans for employees of public schools and non-profit organizations),

Simplified Employee Pensions (SEPs).

Slide 24



At the heart of our entire discussion of a new and smart way to build that bridge to protect legacy assets is the answer to the following question:

What is the intended purpose of those savings dollars you may have set aside?

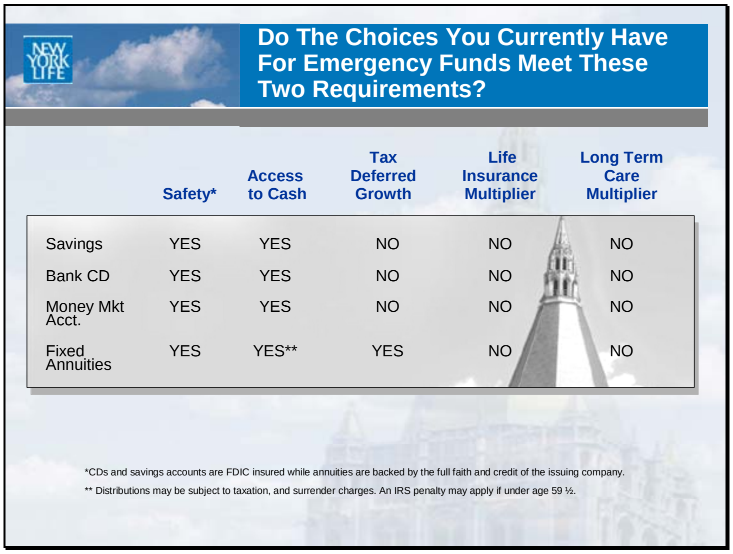
I believe there are ONLY TWO.

You want them to be there for an emergency, and
If they do not have to be spent or used for an emergency, you want them to go to your heirs - the children and grandchildren. In other words, the emergency rainy day monies you may have set aside are in fact legacy dollars that you hope to never have to spend.

NONE OF THE CHOICES YOU HAVE HAD FOR THE STORAGE OF EMERGENCY MONEY WERE EVER DESIGNED TO ADDRESS THESE ISSUES.
…until today.

Let’s now turn to the “emergency” that causes our concerns.

Slide 25



	Safety*	Access to Cash	Tax Deferred Growth	Life Insurance Multiplier	Long Term Care Multiplier
Savings	YES	YES	NO	NO	NO
Bank CD	YES	YES	NO	NO	NO
Money Mkt Acct.	YES	YES	NO	NO	NO
Fixed Annuities	YES	YES**	YES	NO	NO

*CDs and savings accounts are FDIC insured while annuities are backed by the full faith and credit of the issuing company.

** Distributions may be subject to taxation, and surrender charges. An IRS penalty may apply if under age 59 ½.

Let’s closely examine if the choices we have for rainy day money meet these two requirements?
We are analyzing them for safety; access to cash, tax deferral; life insurance multipliers; and long-term care multiplier.

Savings, Bank CDs and Money Market accounts are very common safe places used for short term savings needs. They are all easy to set up and can be FDIC insured up to $100,000.   They all allow access to the cash, but the Bank CD may charge a penalty for early withdrawal. Interest earned each year will be subject to income tax reporting and therefore accumulation is not tax deferred.

Savings, Bank CDs, and Money market accounts are fixed rate short term investment vehicles with no multiplier or added life insurance benefits paid at death. Legacy Assets (e.g. money you want to leave your children) left in these accounts at death could be subject to probate and income taxation. There is also no multiplier or added benefits payable for expenses associated with Long-Term Care Services, only the account value.

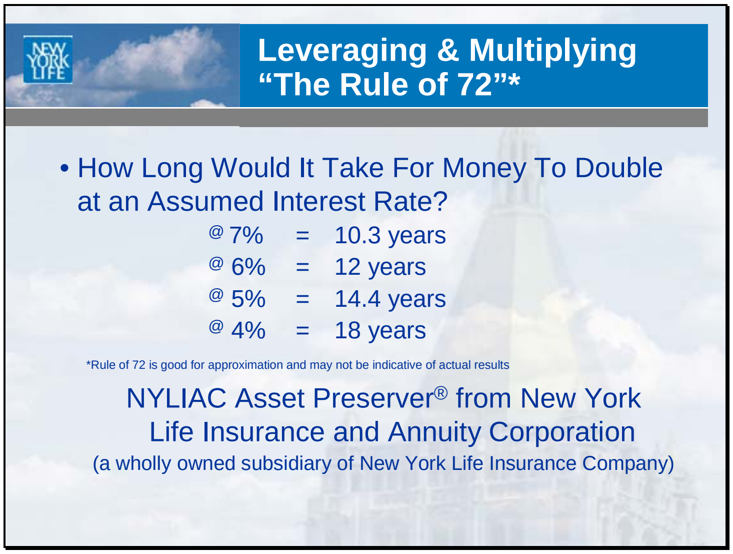
Fixed Annuities are popular and are backed by the full faith and credit of the issuing company. Withdrawals from Fixed Annuities are allowed but may be subject to surrender charges and subject to a 10% IRS penalty if made if made prior to age 59 ½.
Interest is earned but is now it’s on a taxed deferred basis which means you only pay tax on the interest if you actually take it out of the policy.
At death there is no life insurance multiplier which means only the accumulation value goes probate free to a beneficiary. The beneficiary is may be taxed on the growth in the annuity.
The annuity has no Long-term care multiplier. There are no additional benefits above accumulation value.

Is the conclusion self evident, OBVIOUSLY NOT.

Life Insurance Multiplier = This represents a death benefit usually substantially larger than the initial premium and in most cases will be paid to the policy beneficiary (the person you designate) free of income tax.
Long-Term Care Multiplier = Does the choice provide for immediate leveraging of funds for Long-Term Care Services? More than the initial premium?

Consumers should evaluate the issuer’s ratings from independent rating agencies such as Moody’s, A.M. Best, Standard & Poor’s and Fitch.

Slide 26



How long would it take for money to DOUBLE taking into account an assumed interest rate? *Explain the rule of 72… Divide 72 by the assumed interest rate to determine the number of years.*
The examples are self- explanatory and should be related to interest being paid on saving accounts and CD's. For example, it would take 18 years for $1 to become worth $2 assuming 4% interest AFTER TAXES.
Can you imagine if it happened much, much faster?

Can you imagine if it happened immediately?

That brings us to a discussion of NYLIAC Asset Preserver

Examples: Female non-smoker risk class, a $50,000 premium will purchase a death/LTC benefit of:
Age 55 = $123,190
Age 60 = $106,215
Age 65 = $ 92,150
Age 70 = $ 80,510

Slide 27

To effectively build an emergency fund we want:

A one-time movement of money approach to creating significant emergency funds rather than sending off monthly or annual premium payments.
To ***retain access to that one-time premium asset*** *as opposed to premium payments that are "gone for good" unless there is a claim.*
Create significant leveraging of the premium with regard to monies available for use in the event of illness (LTC) or death.
Low risk tolerance.
And income tax free wealth transfer in the event of a death.

Slide 28

We have a solution to help build this emergency fund. It's a product called Asset Preserver!

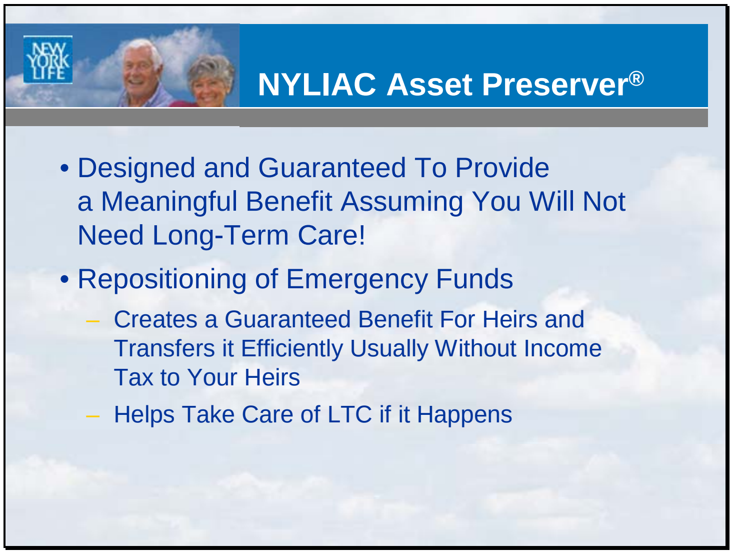
Asset Preserver is a life insurance policy that let's you use the death benefit for LTC expenses, if needed.

This product comes with a lifetime money back guarantee. (In Maryland, the Lifetime Money Back Guarantee is referred to as the Conditional Money Back Guarantee.) If you ever change your mind, NYLIAC will give you back at least what you gave us. (This guarantee is void, if any distributions are made from the policy.) This means your money, or principal is never at risk as long as the guarantee is active.

Your one-time premium payment will create a pool of benefits substantially larger than the premium for LTC expenses or death benefit. The amount of this "pool of benefits" or face amount as we call it, is guaranteed. It can never be lower and may increase over time as cash value grows.

The cash value accumulates tax deferred – no 1099's.

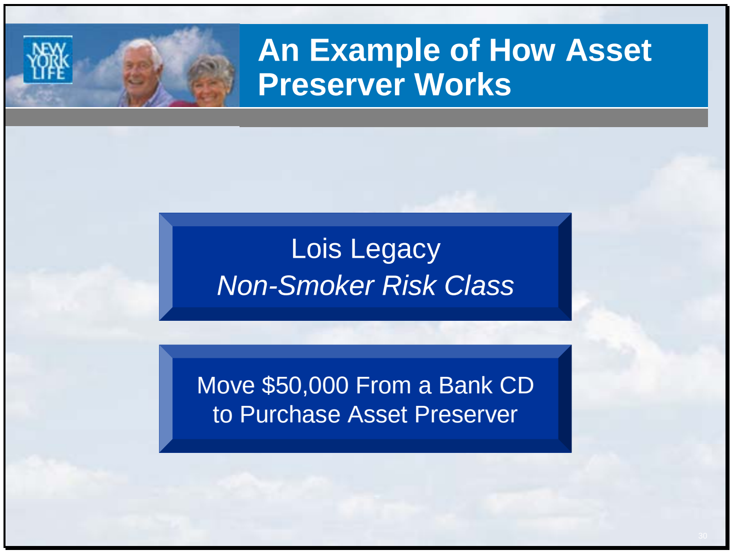
Slide 29



NYLIAC Asset Preserver® is designed to create a very meaningful benefit even assuming that you will not need LTC. As you will see in a moment, Asset Preserver will help take care of it if it happens, and reward your family if it does not.

Let's look at an example…..

Slide 30

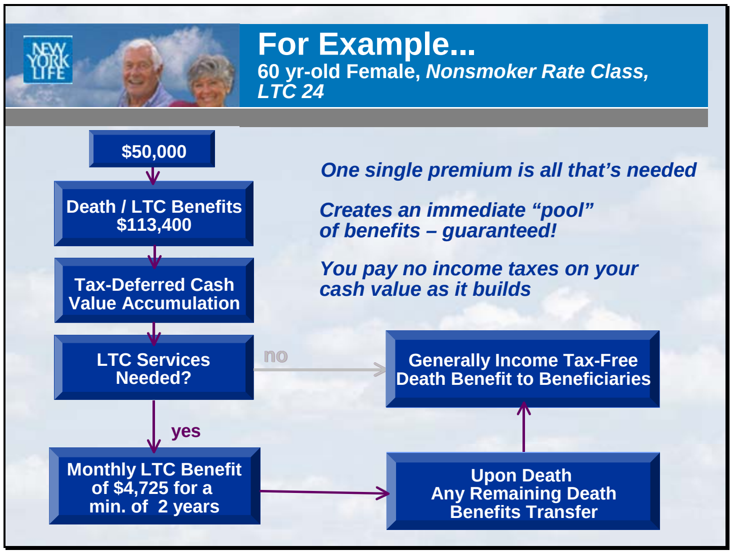


Here is an example of how ASSET PRESERVER works:

Our hypothetical client is Lois Legacy. She is age 60 and of good health.

She has set aside money for “just in case” situations and has learned about ASSET PRESERVER. She moves $50,000 of those emergency funds from a bank CD to ASSET PRESERVER.
(Note: ***I am using $50,000 as an example***. The minimum premium is $10,000)

Slide 31



What has she accomplished?

The $50,000 continues to be risk free.

If you ever change your mind, and surrender the policy, at a minimum you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value. Any amount received in excess of the premium paid is taxable as ordinary income.

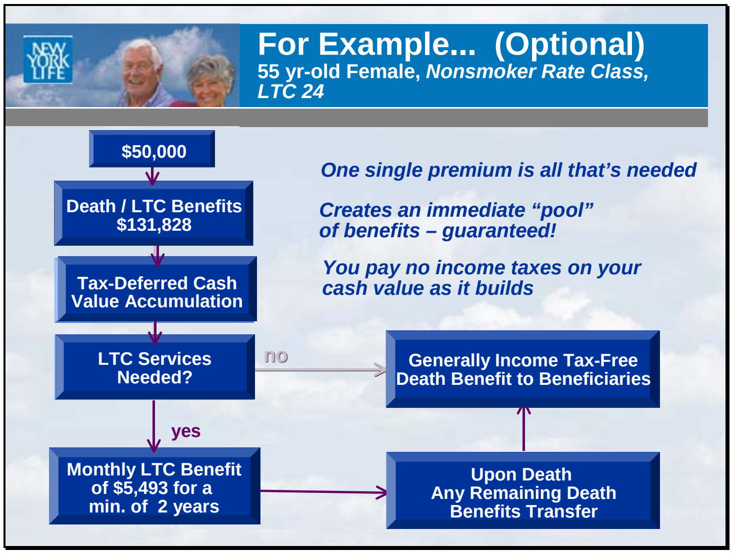
The ASSET PRESERVER premium is earning [__%] tax deferred interest as of [month/year].

The ASSET PRESERVER premium purchases approximately $113,400 of life insurance death benefit that is also increasing..

The unused death benefit passes usually income tax free and outside of probate to the named beneficiary.

The ASSET PRESERVER cash value is available for loans and withdrawals. *Although loans may be taken, they will accrue interest and reduce policy values and void policy guarantees. Loans and withdrawals may be taxable. 10% penalty if taken prior to age 59 ½.*

Slide 32



What has she accomplished?

The $50,000 continues to be risk free.

If you ever change your mind, and surrender the policy, <u>at a minimum</u> you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value. Any amount received in excess of the premium paid is taxable as ordinary income.

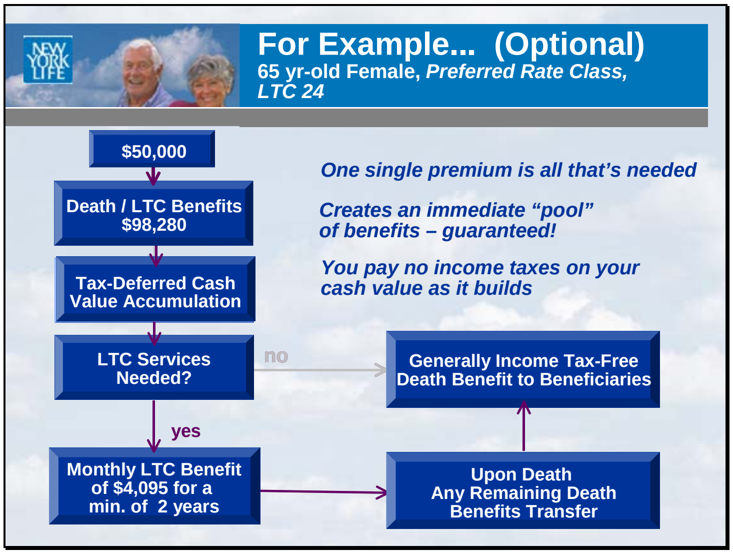
The ASSET PRESERVER premium is earning [__%] tax deferred interest as of [month/year].

The ASSET PRESERVER premium purchases approximately $131,828 of life insurance death benefit that is also increasing..

The unused death benefit passes usually income tax free and outside of probate to the named beneficiary.

The ASSET PRESERVER cash value is available for loans and withdrawals. *Although loans may be taken, they will accrue interest and reduce policy values and void policy guarantees. Loans and withdrawals may be taxable. 10% penalty if taken prior to age 59 ½.*

Slide 33



What has she accomplished?

The $50,000 continues to be risk free.

If you ever change your mind, and surrender the policy, at a minimum you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value. Any amount received in excess of the premium paid is taxable as ordinary income.

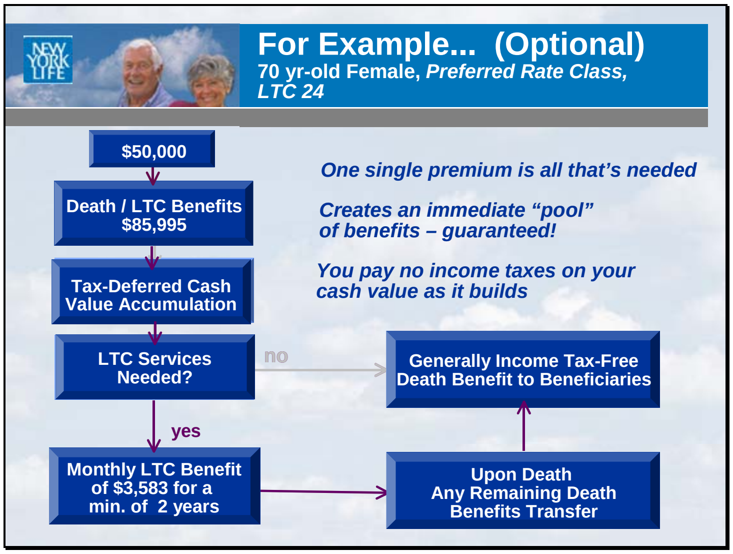
The ASSET PRESERVER premium is earning [__%] tax deferred interest as of [month/year].

The ASSET PRESERVER premium purchases approximately $98,280 of life insurance death benefit that is also increasing..

The unused death benefit passes usually income tax free and outside of probate to the named beneficiary.

The ASSET PRESERVER cash value is available for loans and withdrawals. *Although loans may be taken, they will accrue interest and reduce policy values and void policy guarantees. Loans and withdrawals may be taxable. 10% penalty if taken prior to age 59 ½.*

Slide 34



What has she accomplished?

The $50,000 continues to be risk free.

If you ever change your mind, and surrender the policy, at a minimum you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value. Any amount received in excess of the premium paid is taxable as ordinary income.

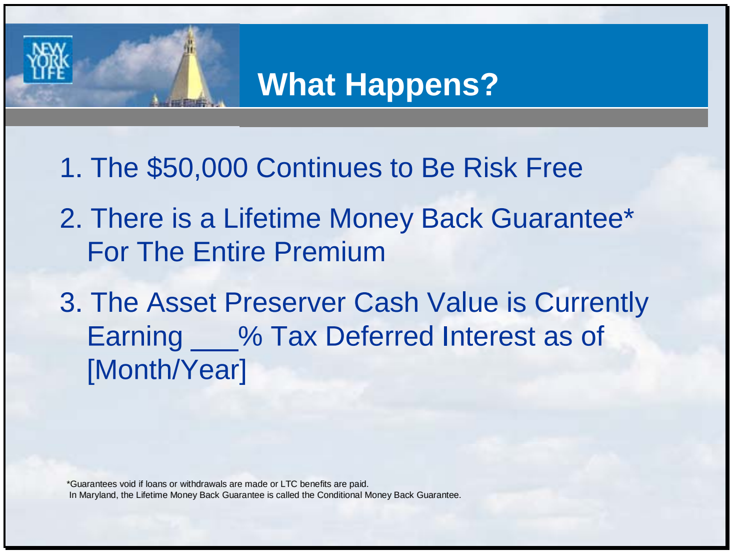
The ASSET PRESERVER premium is earning [__%] tax deferred interest as of [month/year].

The ASSET PRESERVER premium purchases approximately $85,995 of life insurance death benefit that is also increasing..

The unused death benefit passes usually income tax free and outside of probate to the named beneficiary.

The ASSET PRESERVER cash value is available for loans and withdrawals. *Although loans may be taken, they will accrue interest and reduce policy values and void policy guarantees. Loans and withdrawals may be taxable. 10% penalty if taken prior to age 59 ½.*

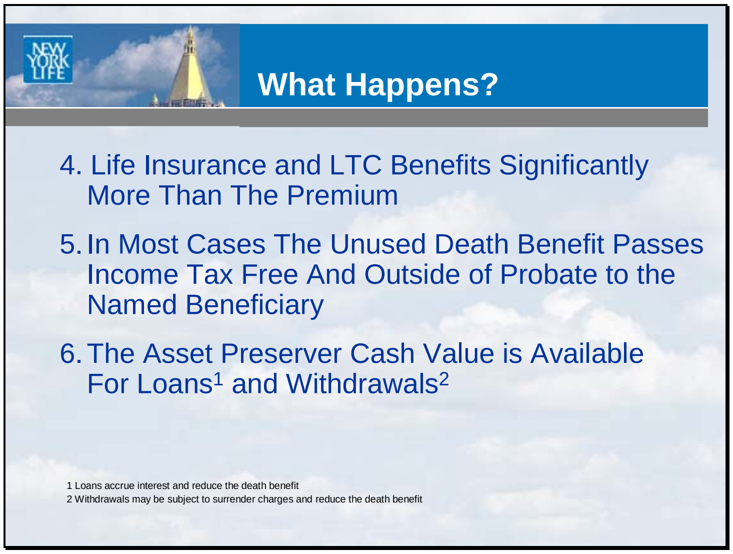
Slide 35



What has she accomplished?
The $50,000 continues to be risk free.
If you ever change your mind, and surrender the policy, <u>at a minimum</u> you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for more than an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value.
The ASSET PRESERVER premium is earning __% tax deferred interest as of [month/year].
The ASSET PRESERVER premium purchases approximately $[100,000] of life insurance death benefit that is also increasing..
The unused death benefit passes income tax free and outside of probate to the named beneficiary.
The ASSET PRESERVER cash value is available for loans and withdrawals.

(Continued on next screen)

Slide 36



What has she accomplished?
The $50,000 continues to be risk free.
If you ever change your mind, and surrender the policy, <u>at a minimum</u> you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for more than an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value.
The ASSET PRESERVER premium is earning __% tax deferred interest as of [month/year].
The ASSET PRESERVER premium purchases approximately $[100,000] of life insurance death benefit that is also increasing..
The unused death benefit passes income tax free and outside of probate to the named beneficiary.
The ASSET PRESERVER cash value is available for loans and withdrawals.

(Continued on next screen)

Slide 37

(Continued from previous screen)

WOULD YOU AGREE WITH ME THAT WE HAVE ACCOMPLISHED 1 OF OUR 2 GOALS
The transferring of MORE MONEY at death without any income taxation
And without probate "lock up" problems
And without public scrutiny

WE HAVE TRANSFERRED SOME WEALTH IN A TAX ADVANTAGED MANNER.
Now let's look at how ASSET PRESERVER deals with a need for LTC.

Slide 38

And because the ASSET PRESERVER is state of the art, Home Health Care, Nursing Home Care, ASSISTED LIVING FACILITIES, and hospice are covered at up to 100% of the monthly benefit.

In OREGON, Adult Foster Care is also covered at 100% up to the monthly benefit.

And there are some additional unique benefits that I will get to in a moment.

To complete my list of how ASSET PRESERVER works, I come to the "legacy asset", a unique feature of the strategy.

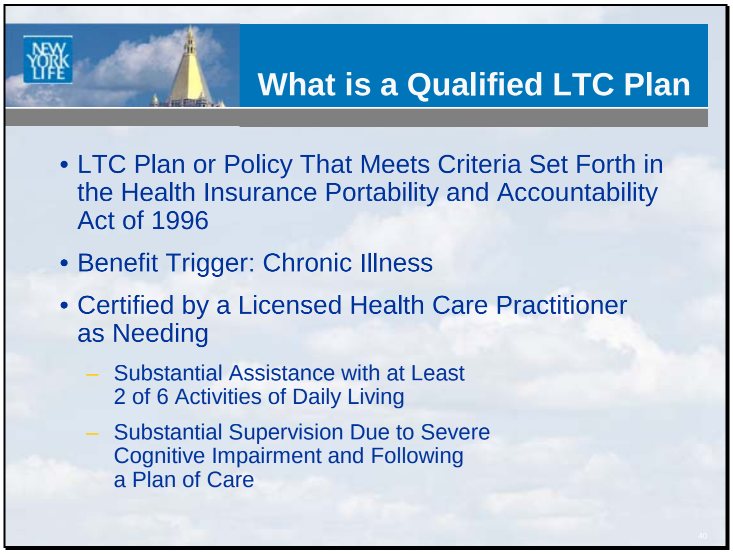
NOTE: This policy may not cover all costs associated with LTC. The buyer is advised to review carefully all policy terms and limitations.

Slide 39

Whatever portion of the benefit that is not used to reimburse LTC expenses STILL GETS PAID TO THE BENEFICIARY. For example, the ASSET PRESERVER reimbursed Lois and her family for $40,000 of LTC and she passes away. The $60,000 remaining benefit STILL GETS PAID TO THE BENEFICIARIES.

WE HAVE NOW ACCOMPLISHED OUR 2nd GOAL:
We have created a lot more available dollars than the amount originally used to purchase the policy to pay for long-term care. Lois had put away $50,000 "just in case" money and now has $100,000 to access for long-term care.

Slide 40

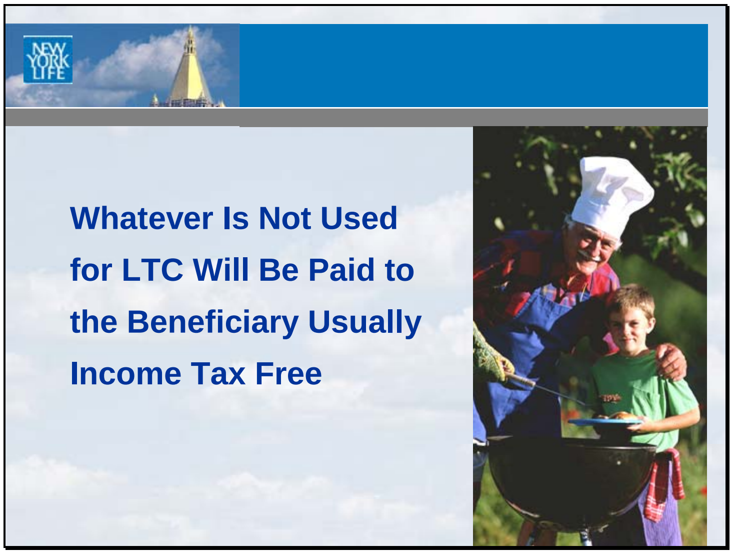


What is a Qualified LTC plan?
A qualified LTC plan is a plan or policy that meets the criteria for a "qualified long term care insurance contract."

You may have seen this term before in various articles on long term care. It is an important term created by the Federal Government and is defined in the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It is important because LTC plans that meet the criteria of a "Qualified LTC insurance contract" will pay LTC benefits TAX FREE.

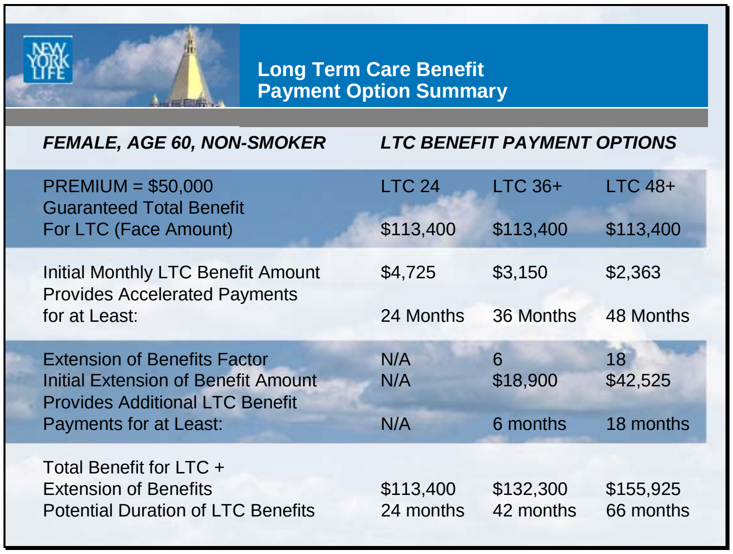
FYI Note to Presenter: Prior to the passing of this legislation, the tax status of benefits paid under an LTC policy was uncertain. HIPAA also specifically clarified that a life policy's acceleration of death benefit for LTC expenses would not be taxable as income if the policy met the criteria of a qualified LTC plan. Asset Preserver is a qualified LTC plan.

Slide 41



Death benefits are usually income tax free.

Slide 42



Long Term Care Benefit Payment Option Summary

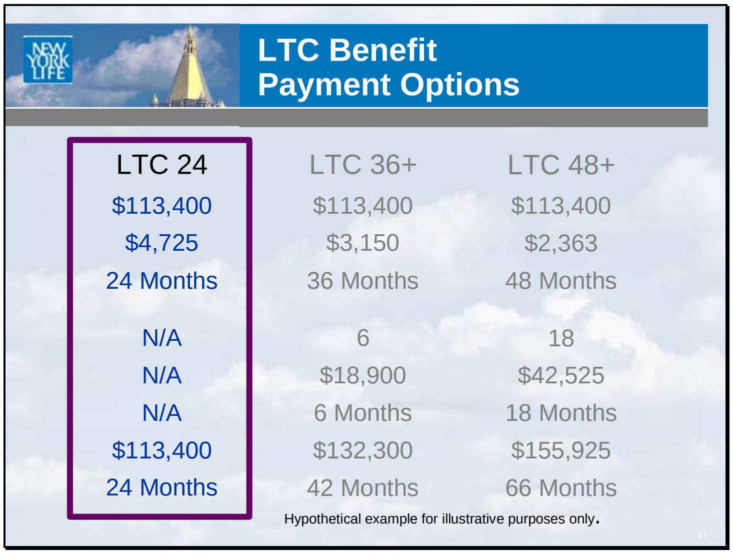
FEMALE, AGE 60, NON-SMOKER	*LTC BENEFIT PAYMENT OPTIONS*		
PREMIUM = $50,000	LTC 24	LTC 36+	LTC 48+
Guaranteed Total Benefit For LTC (Face Amount)	$113,400	$113,400	$113,400
Initial Monthly LTC Benefit Amount	$4,725	$3,150	$2,363
Provides Accelerated Payments for at Least:	24 Months	36 Months	48 Months
Extension of Benefits Factor	N/A	6	18
Initial Extension of Benefit Amount	N/A	$18,900	$42,525
Provides Additional LTC Benefit Payments for at Least:	N/A	6 months	18 months
Total Benefit for LTC + Extension of Benefits	$113,400	$132,300	$155,925
Potential Duration of LTC Benefits	24 months	42 months	66 months

Remember the example we reviewed before. Female, age 60, n/s, - $50,000 purchased $113,400. The monthly benefit for LTC depends on the monthly benefit payment option you select at the time of purchase.

The LTC 24 was used in the example(s) viewed earlier. We simply divide the 113,400 by 24 which is the maximum monthly benefit for LTC.

Let’s take a closer look…….

Slide 43

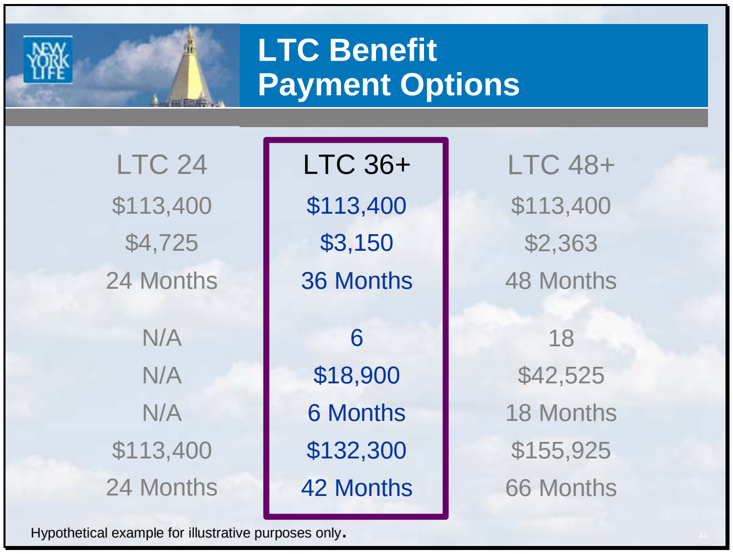


Let's look at a specific example from an illustration. This is the same 60 year old female from the generic example. This shows the guaranteed face amount of $113,400 (at a non-smoker rating). It also demonstrates her three options for receiving long term care benefits (24 months, 36, months, and 48 months), as well as the extension of benefits.

The Extension of Benefits is payable after the death benefit is completely utilized for LTC. We will continue to pay up to the monthly benefit for LTC until the Extension of Benefits amount is exhausted.

Please note: if less than the maximum monthly benefit is paid the benefits will remain in the policy. There is no time limit for using the benefits.

Slide 44



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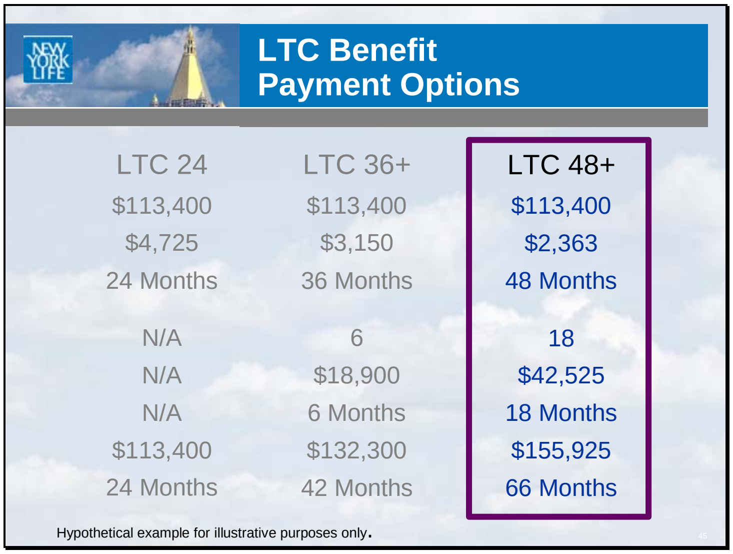
The Extension of benefits is payable after the death benefit is completely utilized for LTC. We will continue to pay up to the monthly benefit for LTC until the Extension of Benefits amount is exhausted.

Please note: if less than the maximum monthly benefit is paid the benefits will remain in the policy. There is no time limit for using the benefits.

Slide 45



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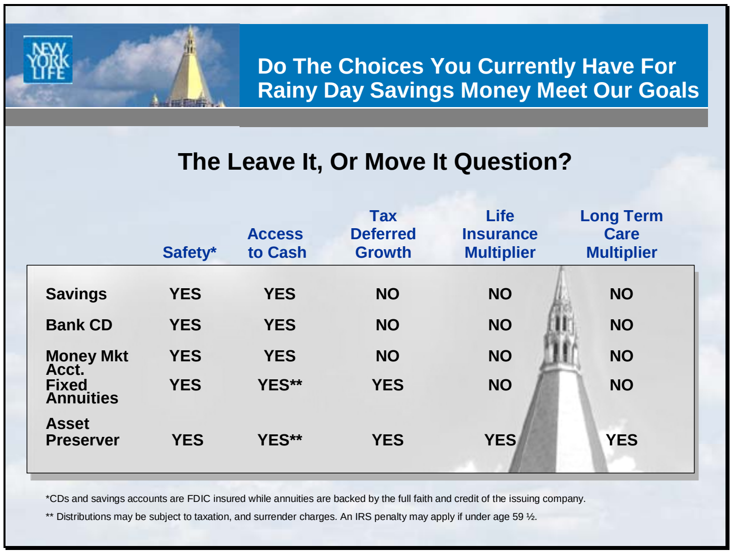
The Extension of Benefits is payable after the death benefit is completely utilized for LTC. We will continue to pay up to the monthly benefit for LTC until the Extension of Benefits amount is exhausted.

Please note: if less than the maximum monthly benefit is paid the benefits will remain in the policy. There is no time limit for using the benefits.

Slide 46

Let's review what we have achieved with ASSET PRESERVER
We have designed a financial product which helps to create the wealth in order to:
Transfer your financial success to the next generation if you don't spend it first (assuming that is your wish)
Pay for long-term care costs
We have afforded you maximum flexibility, choice, and control
We have eliminated the ***expense*** of ongoing costly premium payments… forever? The premium paid to the ASSET PRESERVER remains an asset.
We enabled some of your existing emergency funds and legacy dollars to do more for you and create a win-win asset preservation strategy.
ADDED- We have created a significant increase in tax- advantaged funds for transferring wealth income tax free and/or long-term care if needed, …And we did it without the need for ongoing premium payments.

Slide 47



Let's look at our "choices" chart again and now add Asset Preserver

As you can see, NYLIAC's Asset Preserver® scores a YES in all five categories.

Safety – Asset Preserver is a life insurance product backed by the New York life Insurance & Annuity Corporation, the issuing company
Access to cash – loan and partial surrenders are permitted.
It should be noted that accessing cash from a deferred annuity or life insurance policy is not the same as taking a withdrawal from a savings account. Policy withdrawals and loans may affect the policy benefits and values. Policy withdrawals may be subject to surrender charges if made during the surrender charge period. Loans accrue interest. Partial withdrawals and loans may be taxable. If a policy is classified as a modified endowment contract, there may be adverse tax consequences including an additional 10% IRS penalty for withdrawals and loans taken prior to age 59 ½.

Tax Deferred Growth – cash accumulation is tax deferred
Life Insurance Multiplier – the policy has a guaranteed death benefit usually substantially greater than the initial premium paid
Long-Term Care Multiplier – The guaranteed death benefit may be paid early for LTC expenses tax free.

Slide 48

Safety – through guarantees that will remain effective as long as no loans or withdrawals have been made and no LTC benefits have been paid.

Money Back Guarantee – If you ever change your mind you will get back at least the premium you paid. **Minimum Benefit Guarantee** – The death/LTC benefits will never be less than the amount at time of issue (face amount). The policy is **Guaranteed not to lapse**.

Assets – immediate leveraging, tax deferred cash value accumulation, and extension of LTC benefits with the LTC 36+ and LTC 48+ benefit payment options.

No ongoing premium commitment –

The reputation and financial stability of New York Life Insurance and Annuity Corporation (a wholly owned subsidiary of New York Life).

Slide 49

Family Care: There are many instances when a spouse, child or grandchild may take on the role of your caregiver. Most LTC insurance does not see this as an eligible expense. For example, how many of you have received a bill from your child or grandchild? And, even if you did, it is unlikely your insurance company will accept it as a covered expense. As a result, this period of time that you are receiving care from a family member or friend will not count towards satisfying most LTC policies' waiting period. (The period of time you must wait before benefit payments can begin.)

Asset Preserver Family Care Benefit - not only allows you to use a period of chronic illness where care is being received from a family member or friend but we will also make available a daily benefit for you to use in any way you see appropriate.

You may want to use the Family Care Benefit to pay for devices or equipment to make the insured more comfortable around the home. Or, to give your grandchild some dollars for taking the time to provide the care you need. It's up to you!

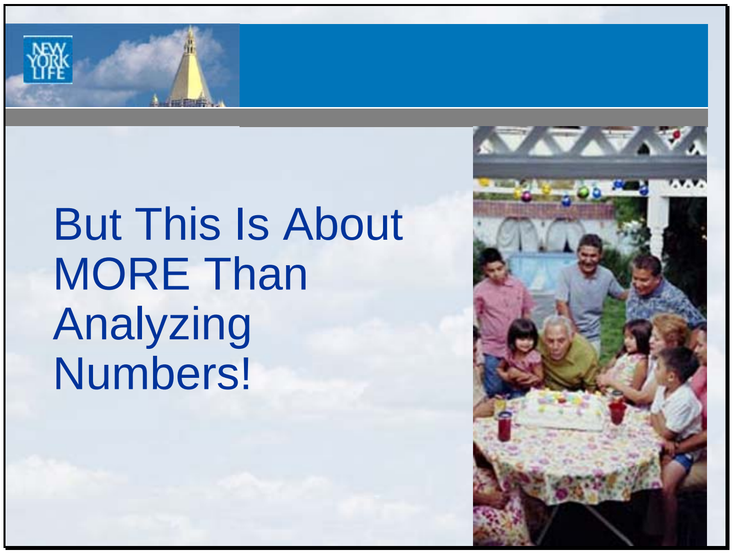
A unique real world feature!

The Family Care Daily Benefit amount is equal to 1/60th of your monthly benefit for LTC up to $100 per day for a maximum of 365 days. If monthly benefit is $3,000, your daily family care benefit equals $50 per day.

Note also that HIPPA imposes limits on the amount of tax-free daily indemnity benefits a qualified LTC contract may pay. The 2008 limit is $270 per day. Asset Preserver's Family Care Benefit (daily indemnity) combined with other LTC indemnity plans a consumer may have, could result in exceeding the current tax-free limit. This limit would not apply to expense reimbursement.

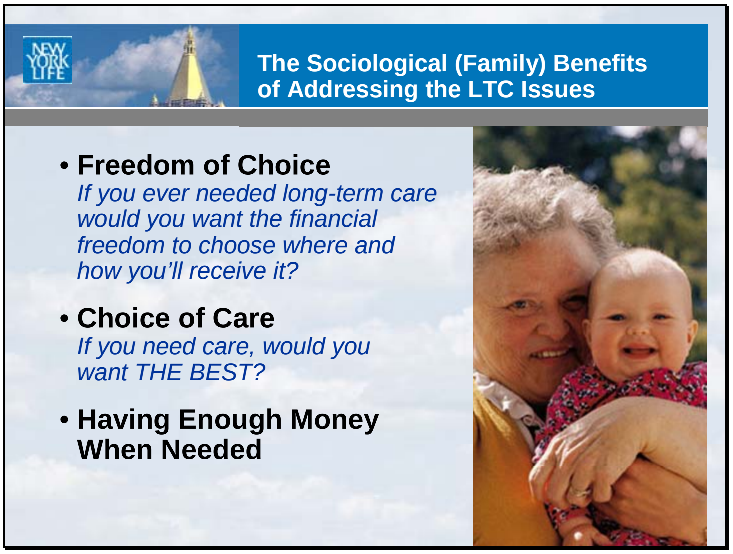
In New Hampshire, the Family Care Benefit is 1/60th of the monthly benefit for LTC up to $50 per day for a maximum of 730 days.

Slide 50



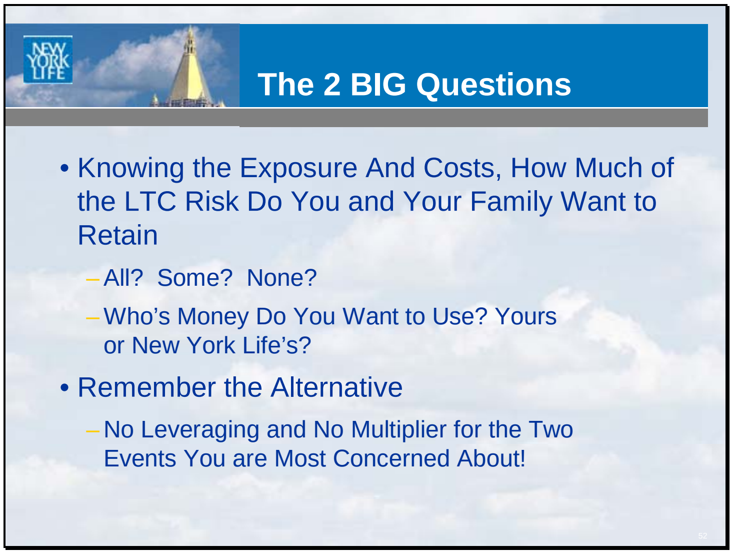
BUT FOLKS, THIS IS ABOUT MUCH MORE THAN JUST ANALYZING NUMBERS.

Slide 51



Freedom of Choice: *Ask the audience the illustrated question about desiring the financial freedom to choose where and how they want to receive care. Every one will answer yes.*
Choice of Care: *Ask the question as written on the slide. This refers back to Medicaid as a strategy to pay for care. Your attendees have worked hard all their lives to be successful and to have accumulated assets. Do they now want and deserve the finest of care of their choosing?*
The whole point of the presentation is that having <u>enough</u> (emergency / "just in case") money will help to guarantee freedom of choice, quality of care, dignity, control, financial independence, and peace of mind.
Asset Preserver may help accomplish this by increasing the money available for LTC.

Slide 52

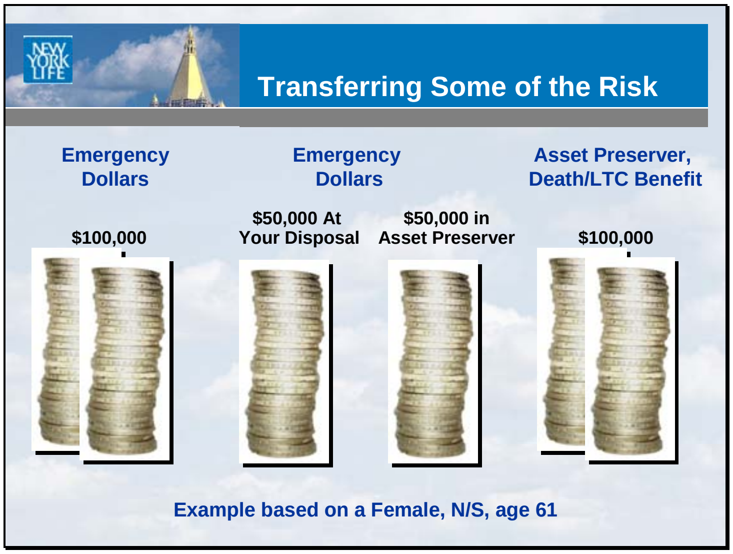


Knowing what you know now (the LTC exposure and costs) how much of the LTC risk do you and your family want to retain? ALL? SOME? NONE? ***If they say "some," or "none," you have a sale.***

Who's money do you want to use…
Yours, or New York Life's?

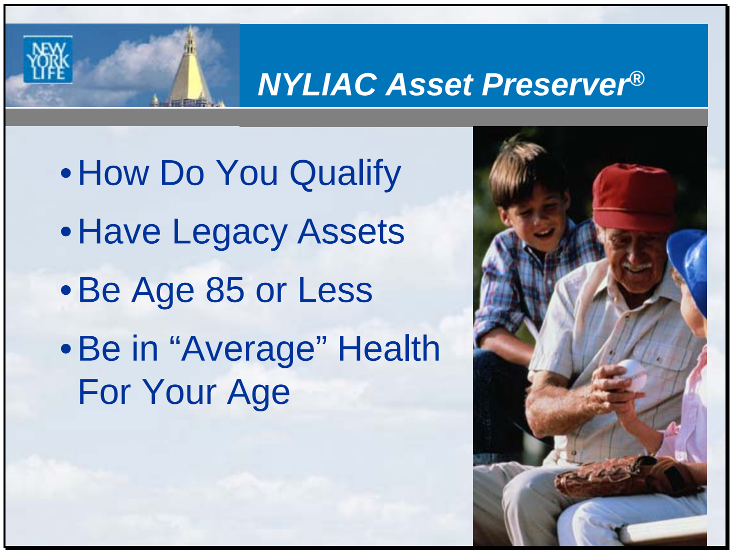
Take this opportunity to remind them that all the other places they keep safe money, legacy assets, emergency funds, etc., offer NO LEVERAGING and NO MULTIPLIERS for the only two events they are concerned about… death and extended illness (LTC)

Slide 53



Moving 50k of the 100k of emergency dollars to purchase Asset Preserver – will result in a $100,000 Death/LTC benefit – leaving 50k at her disposal.

Slide 54



So what are the requirements to qualify?

Having legacy assets.

Money that you have set aside for emergencies that you do not expect to need to support your lifestyle income requirements.

(Note: This may not be for some members of your audience. Not everyone is comfortable about having money they "don't need". There is nothing wrong with "taking it away" by suggesting that "this may not be for you". People want what may not be good for them.)

Another real world benefit of Asset Preserver is that you can qualify up to age 85.

If you are in "average" health for your age. You do not have to be Tarzan or Jane to qualify. I (or your NYL Agent) will be available to discuss your personal situation. You may be pleasantly surprised.

IF YOU MEET THESE REQUIREMENTS, YOU AND YOUR FAMILY MAY NOT BE ABLE TO THINK OF A REASON NOT TO TAKE ACTION.

SO GO AHEAD…………REWARD YOURSELF

Slide 55

One question I am often asked is simply "Why does the ASSET Preserver work"?:

That's an easy one. It works for three basic reasons:

It is **easy** to apply for. Please note that applications for life insurance are subject to underwriting. No insurance coverage exists unless a policy is issued and the required premium to put it in force is paid
Many believe it is really quite **simple to understand**.
And maybe most importantly, many believe **it just seems to make sense**.

Actually, it probably "seems too good to be true". We take that as a compliment. It sure beats the alternative conclusion. But the facts of the matter are….it does what it says and it works!

Slide 56

OK. What should you do now?

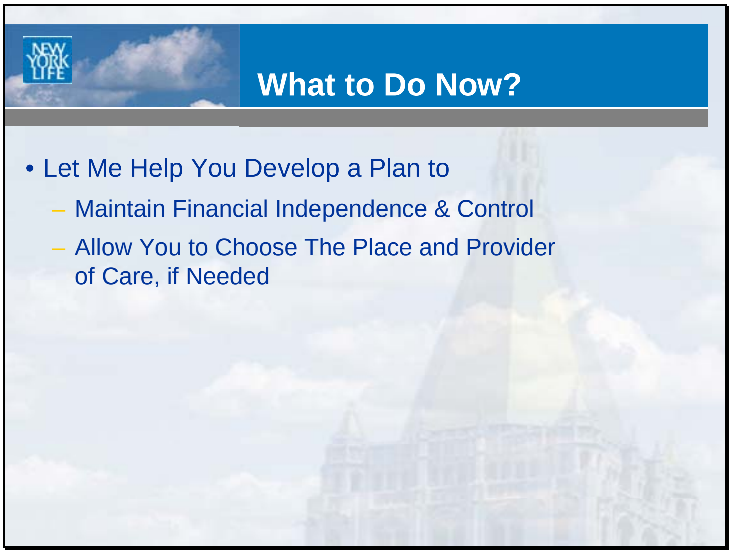
I’d like to meet with you and discuss your situation and specific needs. Review the options together and design a plan that’s best for you.

Decide if the ASSET Preserver may be right for you.
If not, Perhaps traditional LTC or a combination of both.

Have a customized illustration designed for your age with a legacy asset premium that’s comfortable for you.

Look procrastination in the eye. It is the enemy.

Slide 57



When making decisions, a wise advisor told me to always compare the “small mistake” versus the “big mistake” that would result from my choice. Here, the *small* error is to develop and put in place a plan and later change your mind. Remember, Asset Preserver has a money back guarantee, so you’ll receive a full refund of the premium. This guarantee is void if any distributions are made from the policy or if LTC benefits have been paid. The BIGGER mistake would be to put off any action, and suffer some health deterioration which could make you ineligible for these products.

Slide 58

The End!

New York Life Insurance and Annuity Corporation is a wholly owned subsidiary of New York Life.

NYLIAC is among the highest rated companies in the industry for financial strength: Fitch (AAA); Moody's (Aaa), A.M. Best (A++), and Standard and Poor's (AAA). Source: Individual Third Party Rating Reports.

Slide 59

Sometimes I get very few, if any, questions, or comments, or objections to the material. My first assumption is that I put you to sleep. Sometimes you're just shy or are not sure its a good question or pertinent comment.
I have so much confidence in this concept that I will ask and answer them for you.

It just sounds to good to be true
We have illustrated a premium payment that is guaranteed based on the claims paying ability of the issuing company and fully refundable according to policy provisions. The cash value accumulates and earns interest tax deferred. The death benefit is available immediately in the event of death with a generally income tax free life insurance benefit (double in our example) and accelerates the death benefit so that it is available while they are alive for LTC. The observation that it is too good to be true implies the solution seems very sensible. Take it as a compliment and a positive. They are just asking for confirmation. We have taken two time tested insurance concepts - the unique tax advantaged features and benefits of single premium life insurance *and* the principles of long term care insurance - and combined them to address the asset preservation concern,
It sure beats the alternative of introducing a strategy that sounds awful and thereby causing the response of "why would I ever do that"?

I think I can do better with my money
The client did not understand the concept and is mistakenly judging it based on alternative interest yields. In fact, this is a question and analysis of TIME and RISK. If neither death or disability (LTC) occur for many years, the client could have possibly done better. We are offering a solution that does not need to have time on it's side. Our Asset Preserver benefit is in place IMMEDIATELY. There is no risk that death or LTC may happen "too soon". Isn't that why we insure things?
The rate of return for Asset Preserver is measured at the time of the (guaranteed to happen) claim, not on the interest crediting yield. Lois Legacy dies in the 4th year (or needs LTC) and we pay a $100,000 income tax free benefit to her heirs. Remember, only insurance can provide for immediate and significant leveraging of your money.
This is the time to emphasize our LTC unique benefits if the 36 or 48 month pay out is chosen. Where else is that available?

Slide 1

Slide 1:

There is an old and wise adage that tells us "it is easier to make money, than it is to keep it, and pass it on to the next generation." All of you here today have been, and continue to be, successful. Whether you are retired, or in pre-retirement planning, or never intend to retire, I think you will agree with me that the adage is true.

We have gathered to discuss the broad subject of asset preservation because there are some new and very smart ways of protecting and controlling assets that are currently available.

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Slide 2

Slide 3

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Money – *And when it comes to money and income, keeping it becomes as important, or even more important than accumulating it.*

To sum it up… we need to pay more attention to <u>preserving our legacy assets,</u> and that is what we will do in our discussion.

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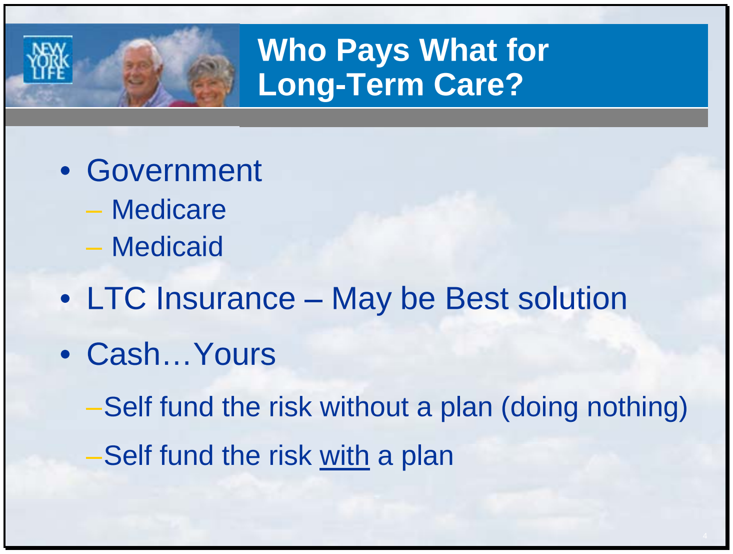

Now we come to a crucial point in our discussion.
In this section we will find out who pays what for long-term care between health insurance, Medicare and Medicaid.
Having reviewed the emotional and financial risk & exposure, it’s important to know that there are generally **3 ways to pay for LTC if it is needed.**
Government programs such as Medicare and Medicaid
Insurance – Health Insurance and Traditional LTC Insurance
Cash - YOUR MONEY.   Either with a plan or without a plan.
Whether you realize it or not, without a plan for LTC you have decided to Self Fund the risk.
What we want to discuss today is the benefits of doing something.
Let’s look at this one more closely

Slide 5

To effectively build an emergency fund we want:

A one- time movement of money approach to creating significant emergency funds rather than sending off monthly or annual premium payments.
To ***retain access to that one- time premium asset*** *as opposed to premium payments that are "gone for good" unless there is a claim.*
Create significant leveraging of the premium with regard to monies available for use in the event of illness (LTC) or death.
Low Risk Tolerance
And income tax free wealth transfer in the event of a death.

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We have a solution to help build this emergency fund. It's a product called Asset Preserver!

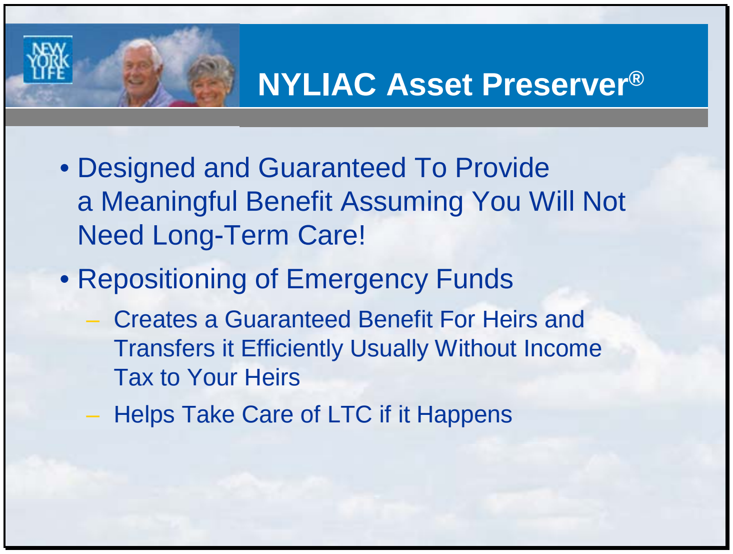
Asset Preserver is a life insurance policy that let's you use the death benefit for LTC expenses, if needed.

This product comes with a lifetime money back guarantee. (In Maryland, the lifetime money back guarantee is referred to as the conditional money back guarantee. If you ever change your mind, NYLIAC will give you back at least what you gave us. (This guarantee is void, if any distributions are made from the policy.) This means your money, or principal is never at risk as long as the guarantee is active.

Your one time premium payment will create a pool of benefits substantially larger than the premium for LTC expenses or death benefit. The amount of this "pool of benefits" or face amount as we call it, is guaranteed. It can never be lower and may increase over time as cash value grows.

The cash value accumulates tax deferred – no 1099's.

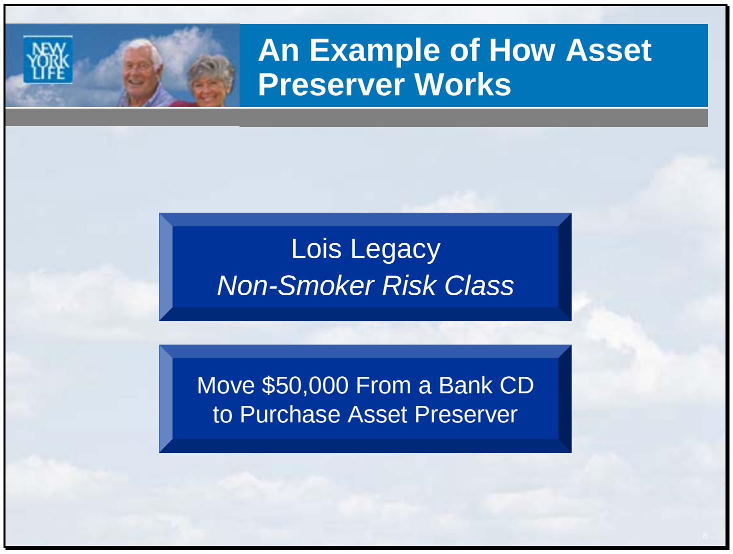
Slide 7



NYLIAC Asset Preserver® is designed to create a very meaningful benefit even assuming that you will not need LTC. AS you will see in a moment, Asset Preserver will help take care of it if it happens, and reward your family if it does not.

Let's look at an example…..

Slide 8



Here is an example of how ASSET PRESERVER works:

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She has set aside money for “just in case” situations and has learned about ASSET PRESERVER. She moves $50,000 of those emergency funds from a bank CD to ASSET PRESERVER.
(Note: ***I am using $50,000 as an example***. The minimum premium is $10,000)

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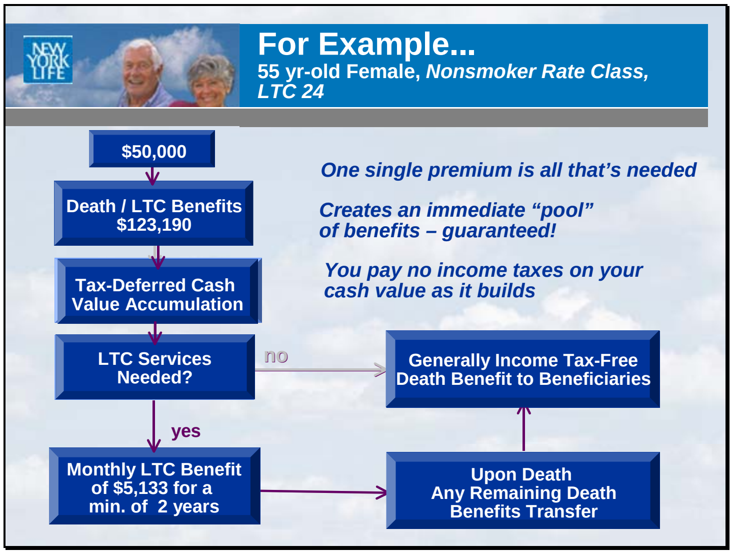


What has she accomplished?

The $50,000 continues to be risk free.

If you ever change you mind, and surrender the policy, <u>at a minimum</u> you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value. Any amount received in excess of the premium paid is taxable as ordinary income.

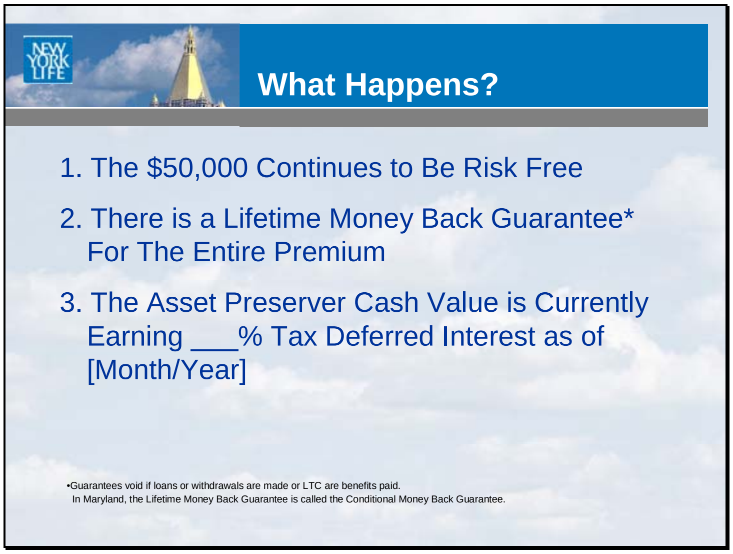
The ASSET PRESERVER premium is earning [__%] tax deferred interest as of [month/year].

The ASSET PRESERVER premium purchases approximately $123,190 of life insurance death benefit that is also increasing..

The unused death benefit passes usually income tax free and outside of probate to the named beneficiary.

The ASSET PRESERVER cash value is available for loans and withdrawals. *Although loans may be taken, they will accrue interest and reduce policy values and void policy guarantees. Loans and withdrawals may be taxable. 10% penalty if taken prior to age 59 ½.*

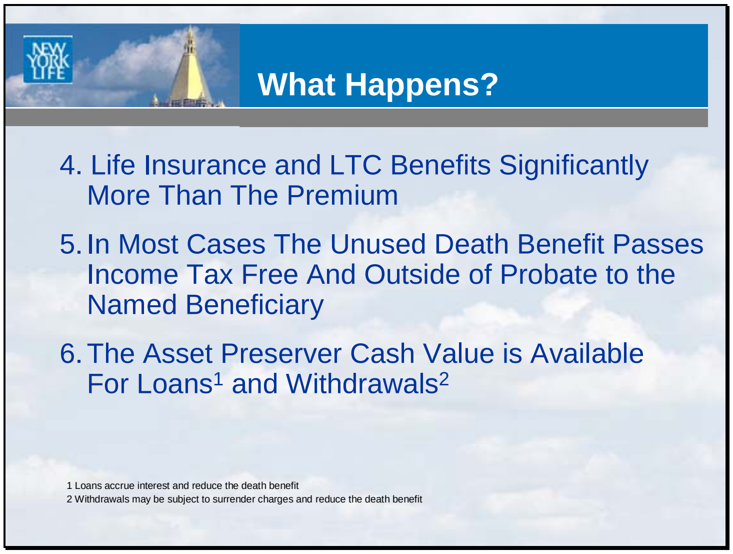
Slide 10



What has she accomplished?
The $50,000 continues to be risk free.
If you ever change you mind, and surrender the policy, <u>at a minimum</u> you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for more than an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value.
The ASSET PRESERVER premium is earning __% tax deferred interest as of [month/year].
The ASSET PRESERVER premium purchases approximately $[100,000] of life insurance death benefit that is also increasing..
The unused death benefit passes income tax free and outside of probate to the named beneficiary.
The ASSET PRESERVER cash value is available for loans and withdrawals.

(Continued on next screen)

Slide 11



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The ASSET PRESERVER cash value is available for loans and withdrawals.

(Continued on next screen)

Slide 12

And because the ASSET PRESERVER is state of the art, Home Health Care, Nursing Home Care, ASSISTED LIVING FACILITIES, and hospice are covered at up to 100% of the monthly benefit.

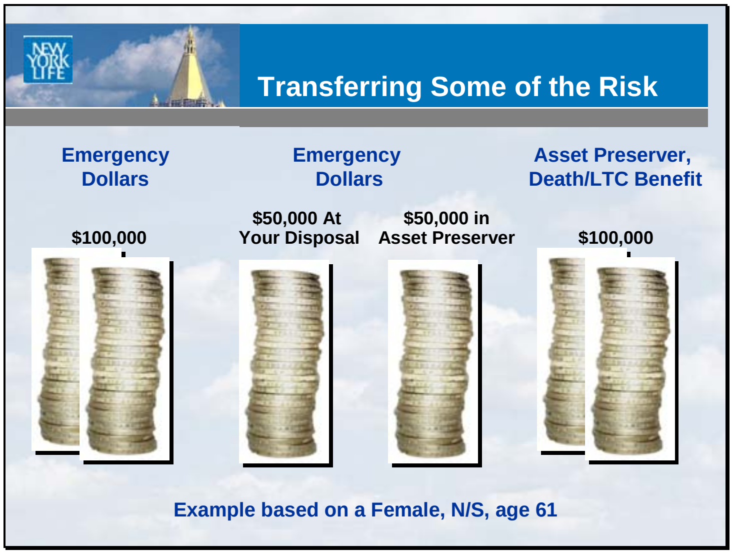
In OREGON, Adult Foster Care is also covered at 100% up to the monthly benefit.

And there are some additional unique benefits that I will get to in a moment.

To complete my list of how ASSET PRESERVER works, I come to the "legacy asset", a unique feature of the strategy.

NOTE: This policy may not cover all costs associated with LTC. The buyer is advised to review carefully all policy terms and limitations.

Slide 13



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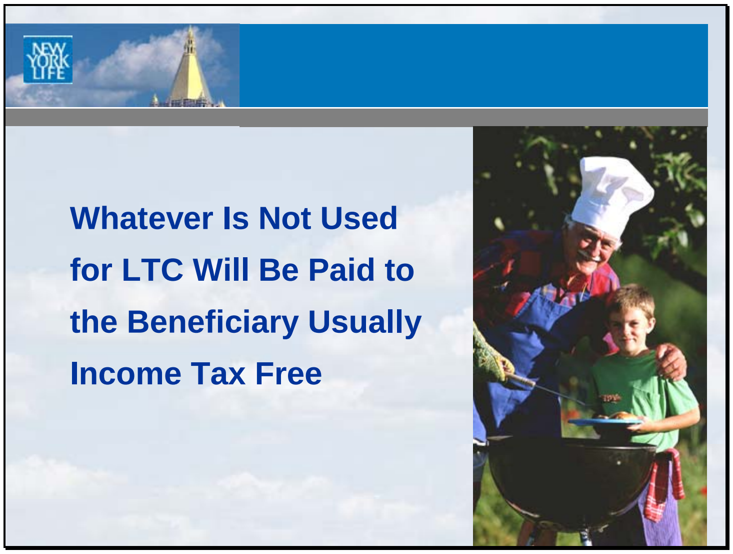
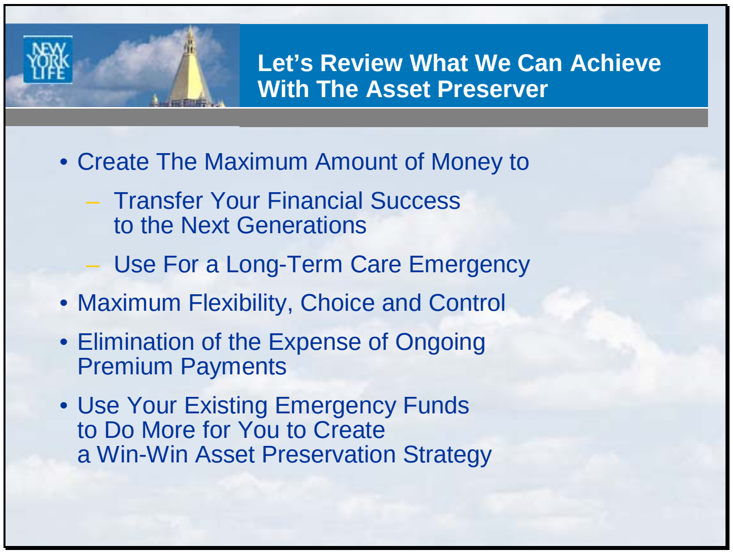


Death benefits are usually income tax free.

Slide 15



Let's review what we have achieved with ASSET PRESERVER

We have designed a financial product which helps to create the wealth in order to:

Transfer your financial success to the next generation if you don't spend it first (assuming that is your wish)

Pay for long-term care costs

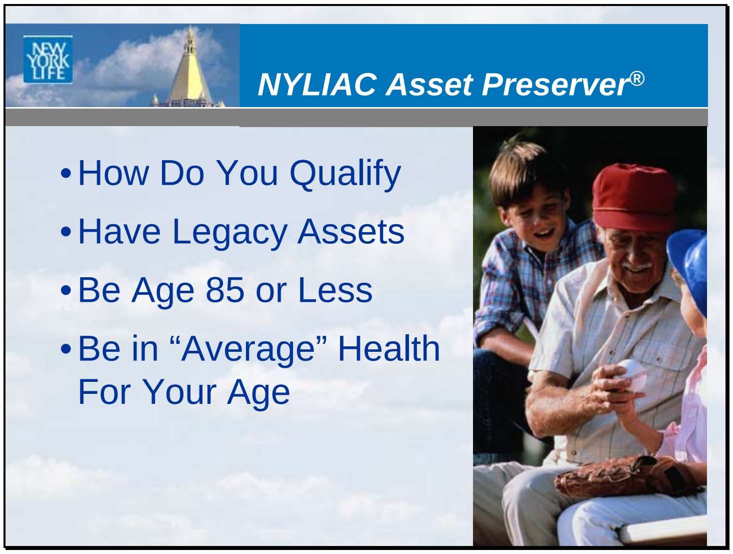
We have afforded you maximum flexibility, choice, and control

We have eliminated the ***expense*** of ongoing costly premium payments… forever? The premium paid to the ASSET PRESERVER remains an asset.

We enabled some of your existing emergency funds and legacy dollars to do more for you and create a win-win asset preservation strategy.

ADDED- We have created a significant increase in tax- advantaged funds for transferring wealth income tax free and/or long-term care if needed, …And we did it without the need for ongoing premium payments.

Slide 16



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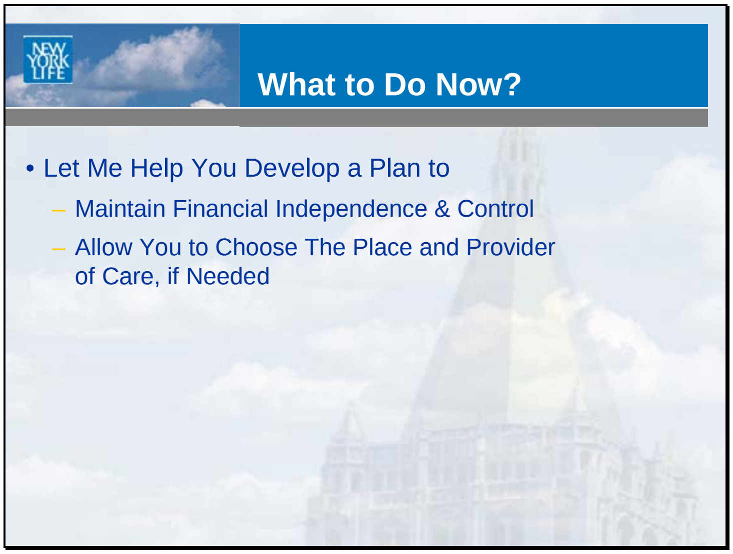

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13798S(0308) Policy Form Series #898-60 366779CV

Slide 1

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13798S(0908) Policy Form Series #898-60 366779CV

Slide 2

Slide 3

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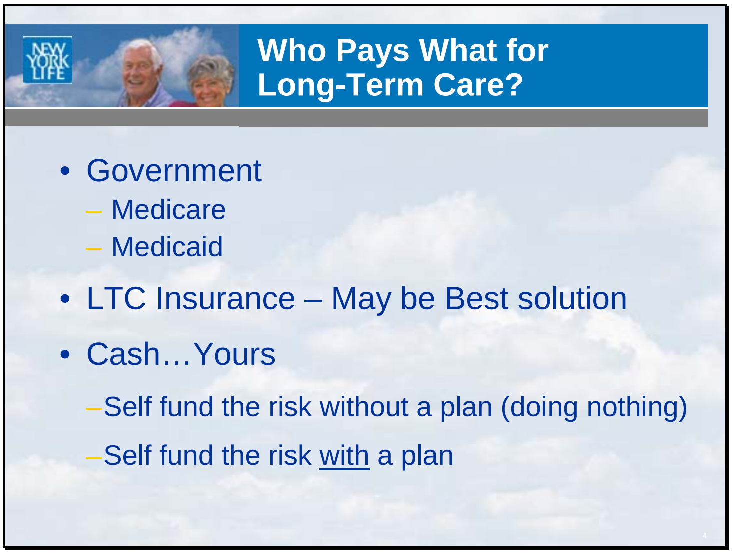

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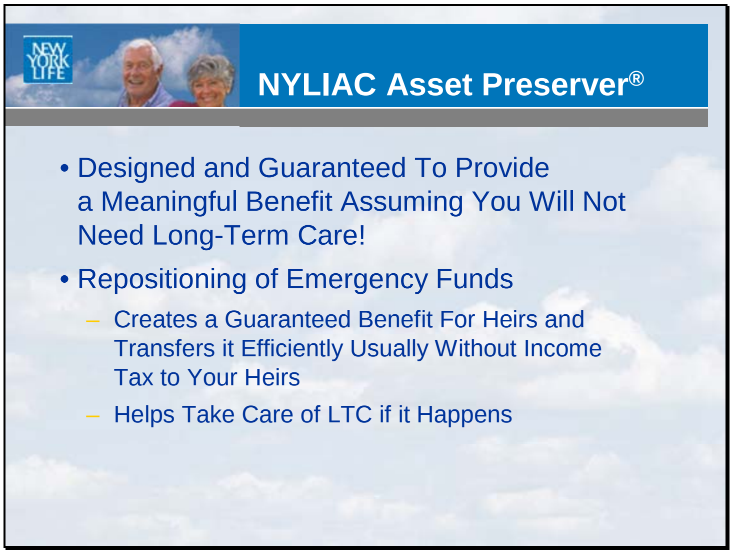

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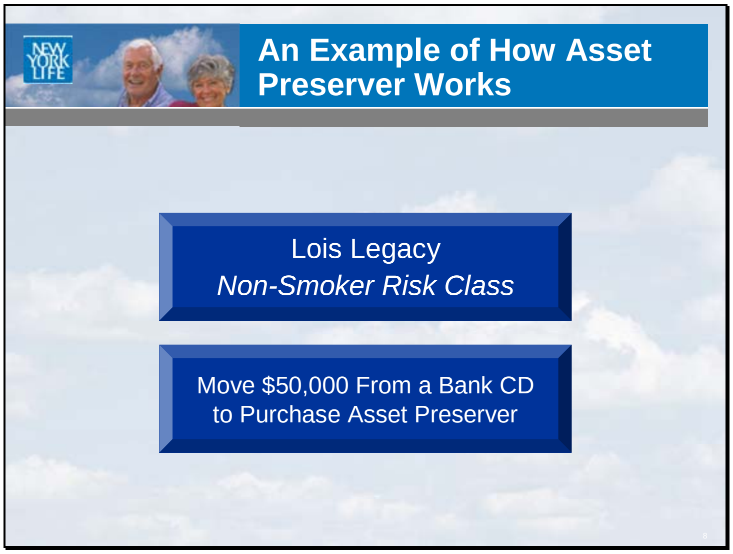

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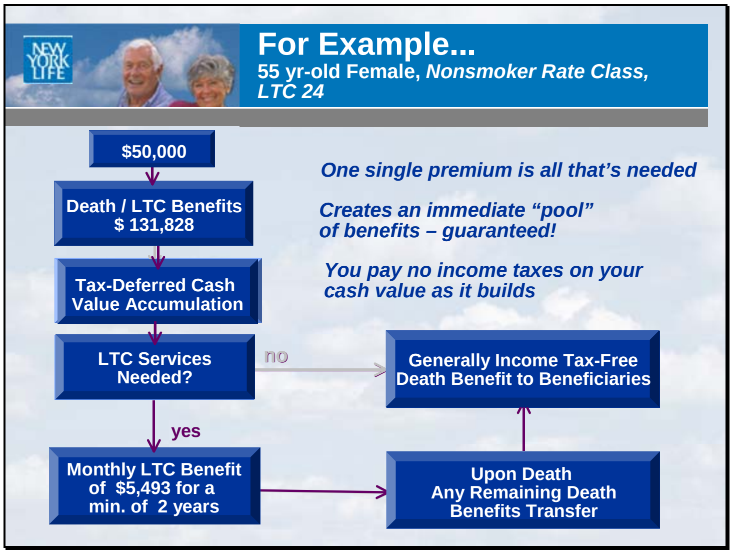
Slide 9



What has she accomplished?

The $50,000 continues to be risk free.

If you ever change you mind, and surrender the policy, at a minimum you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value. Any amount received in excess of the premium paid is taxable as ordinary income.

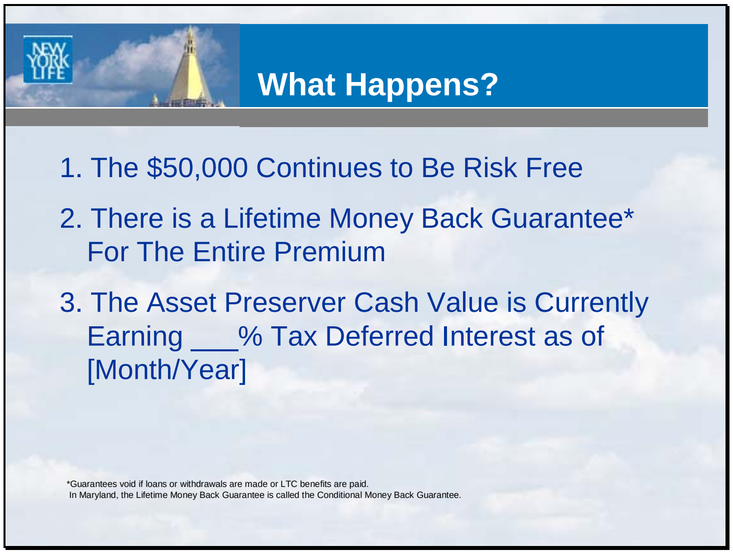
The ASSET PRESERVER premium is earning [__%] tax deferred interest as of [month/year].

The ASSET PRESERVER premium purchases approximately $131,828 of life insurance death benefit that is also increasing..

The unused death benefit passes usually income tax free and outside of probate to the named beneficiary.

The ASSET PRESERVER cash value is available for loans and withdrawals. *Although loans may be taken, they will accrue interest and reduce policy values and void policy guarantees. Loans and withdrawals may be taxable. 10% penalty if taken prior to age 59 ½.*

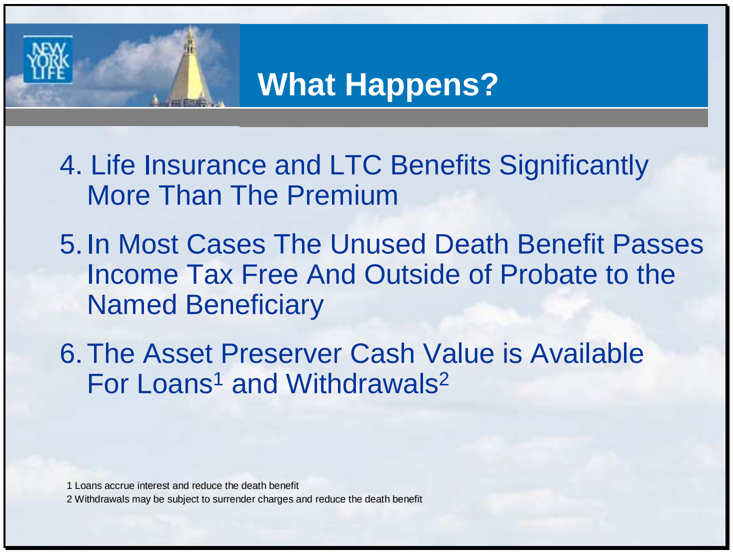
Slide 10



What has she accomplished?
The $50,000 continues to be risk free.
If you ever change you mind, and surrender the policy, at a minimum you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for more than an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value.
The ASSET PRESERVER premium is earning __% tax deferred interest as of [month/year].
The ASSET PRESERVER premium purchases approximately $[100,000] of life insurance death benefit that is also increasing..
The unused death benefit passes income tax free and outside of probate to the named beneficiary.
The ASSET PRESERVER cash value is available for loans and withdrawals.

(Continued on next screen)

Slide 11



What has she accomplished?
The $50,000 continues to be risk free.
If you ever change your mind, and surrender the policy, at a minimum you'll get back an amount equal to the premium you gave us (assuming no loans, withdrawals or LTC benefits paid). Please note: this is the worst case scenario. If the policy is kept for more than an extended period, chances are you'll get back an amount greater than the total premium paid because of interest credited to the cash value.
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The unused death benefit passes income tax free and outside of probate to the named beneficiary.
The ASSET PRESERVER cash value is available for loans and withdrawals.

(Continued on next screen)

Slide 12

And because the ASSET PRESERVER is state of the art, Home Health Care, Nursing Home Care, ASSISTED LIVING FACILITIES, and hospice are covered at up to 100% of the monthly benefit.

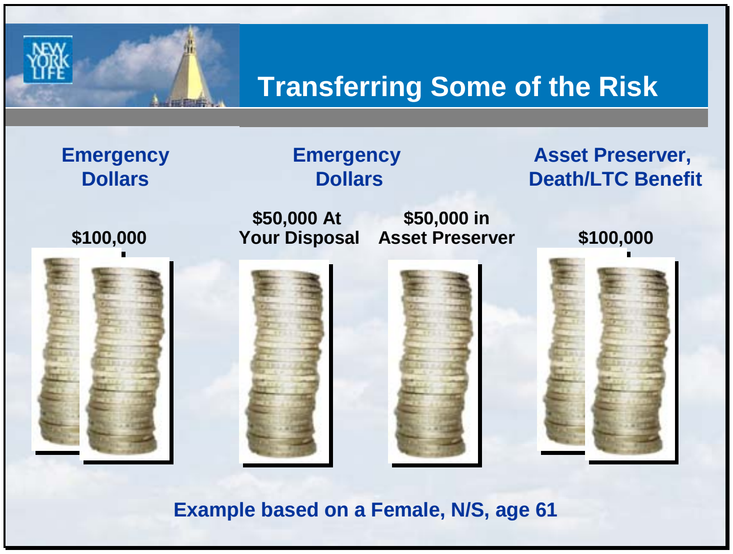
In OREGON, Adult Foster Care is also covered at 100% up to the monthly benefit.

And there are some additional unique benefits that I will get to in a moment.

To complete my list of how ASSET PRESERVER works, I come to the "legacy asset", a unique feature of the strategy.

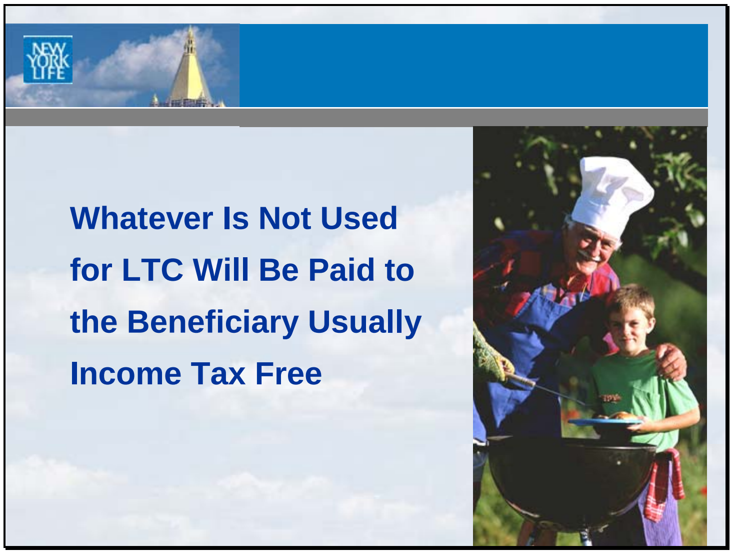
NOTE: This policy may not cover all costs associated with LTC. The buyer is advised to review carefully all policy terms and limitations.

Slide 13



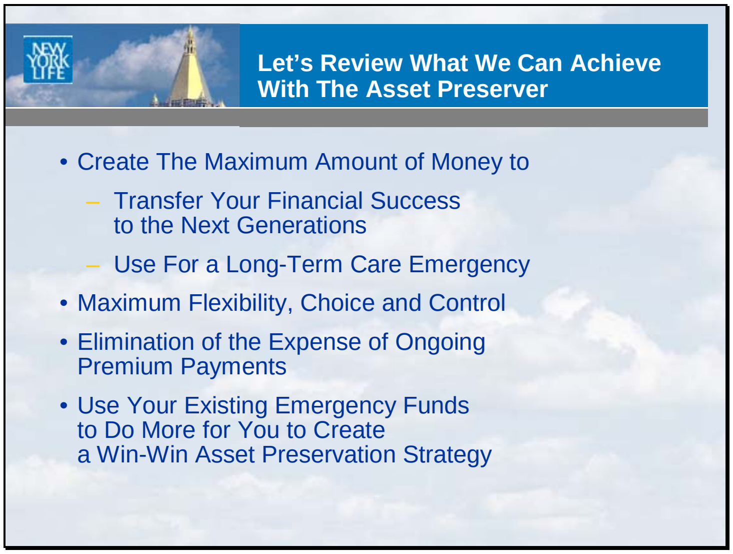
Moving 50k of the 100k of emergency dollars to purchase Asset Preserver – will result in a $100,000 Death/LTC benefit – leaving 50k at her disposal.

Slide 14



Death benefits are usually income tax free.

Slide 15



Let’s review what we have achieved with ASSET PRESERVER

We have designed a financial product which helps to create the wealth in order to:

Transfer your financial success to the next generation if you don’t spend it first (assuming that is your wish)

Pay for long-term care costs

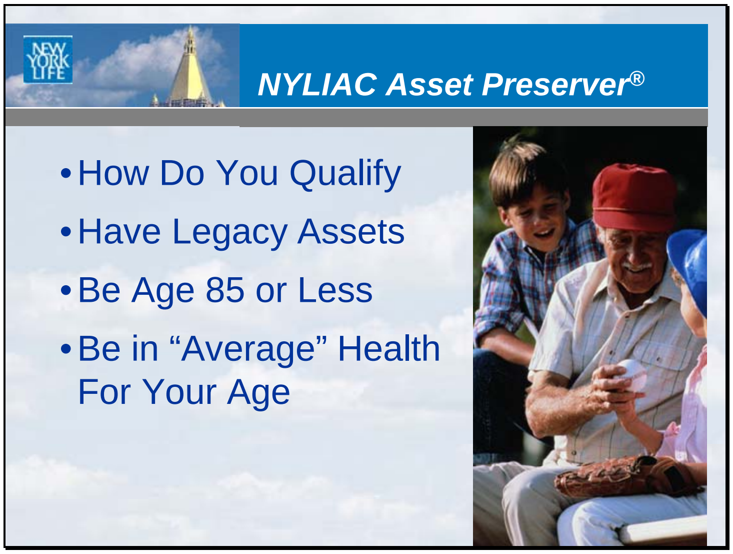
We have afforded you maximum flexibility, choice, and control

We have eliminated the ***expense*** of ongoing costly premium payments… forever? The premium paid to the ASSET PRESERVER remains an asset.

We enabled some of your existing emergency funds and legacy dollars to do more for you and create a win-win asset preservation strategy.

ADDED- We have created a significant increase in tax- advantaged funds for transferring wealth income tax free and/or long-term care if needed, …And we did it without the need for ongoing premium payments.

Slide 16



So what are the requirements to qualify?

Having legacy assets.

Money that you have set aside for emergencies that you do not expect to need to support your lifestyle income requirements.

(Note: This may not be for some members of your audience. Not everyone is comfortable about having money they “don’t need”. There is nothing wrong with “taking it away” by suggesting that “this may not be for you”. People want what may not be good for them.)

Another real world benefit of Asset Preserver is that you can qualify up to age 85

If you are in “average” health for your age. You do not have to be Tarzan or Jane to qualify. I (or your NYL Agent) will be available to discuss your personal situation. You may be pleasantly surprised.

IF YOU MEET THESE REQUIREMENTS, YOU AND YOUR FAMILY MAY NOT BE ABLE TO THINK OF A REASON <u>NOT</u> TO TAKE ACTION.

SO GO AHEAD…………REWARD YOURSELF

Slide 17

One question I am often asked is simply "Why does the ASSET Preserver work"?:

That's an easy one. It works for three basic reasons:

It is **easy** to apply for.   Please note that applications for life insurance are subject to underwriting.   No insurance coverage exists unless a policy is issued and the required premium to put it in force is paid.
Many believe it is really quite **simple to understand**.
And maybe most importantly, many believe **it just seems to make sense**.

Actually, it probably "seems too good to be true". We take that as a compliment. It sure beats the alternative conclusion. But the facts of the matter are….it does what it says and it works!

Slide 18

OK. What should you do now?

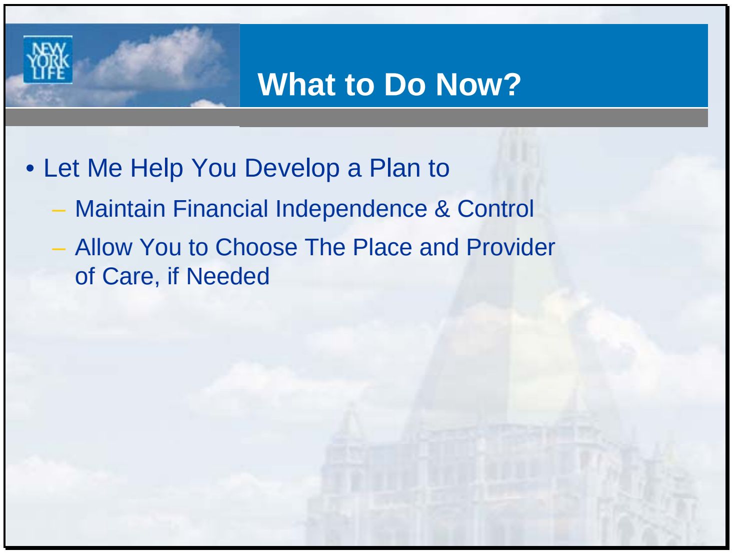
I’d like to meet with you and discuss your situation and specific needs. Review the options together and design a plan that’s best for you.

Decide if the ASSET Preserver may be right for you.
If not, Perhaps traditional LTC or a combination of both.

Have a customized illustration designed for your age with a legacy asset premium that’s comfortable for you.

Look procrastination in the eye. It is the enemy.

Slide 19



When making decisions, a wise advisor told me to always compare the “small mistake” versus the “big mistake” that would result from my choice. Here, the *small* error is to develop and put in place a plan and later change your mind. Remember, Asset Preserver has a money back guarantee, so you’ll receive a full refund of the premium. This guarantee is void if any distributions are made from the policy or if LTC benefits have been paid. The BIGGER mistake would be to put off any action, and suffer some health deterioration which could make you ineligible for these products.

Slide 20

There is an old and wise adage that tells us “it is easier to make money, than it is to keep it, and pass it on to the next generation.” All of you here today have been, and continue to be, successful. Whether you are retired, or in pre-retirement planning, or never intend to retire, I think you will agree with me that the adage is true.

We have gathered to discuss the broad subject of asset preservation because there are some new and very smart ways of protecting and controlling assets that are currently available.

Our intent is to BUILD THE BRIDGE that will help guarantee the preservation of your legacy assets. I believe we will accomplish that today. And the bridge we build will stand in the future.

13798S(0908) Policy Form Series #898-60 366779CV

A Special Advisory Report

Protecting Your Clients' Financial Independence

The Company You Keep®

Form # 13929(07/07) | Policy Form Series # 898-60 | In Idaho Policy Form # 898-60.48

A special report for attorneys, accountants and other professionals on the financial advisory team who work with successful older Americans.

Many of your clients are enjoying a happy and successful retirement, or are in pre-retirement planning. While working with them on tax issues, accounting and estate planning, it is also important to address the serious impact an extended need for long-term care could have on their retirement plans.

It's easy to adopt strategies that confront potential fluctuations in the value of your clients' investment portfolios; updating of estate planning tactics is par for the course. But making adjustments after the long-term care need arises can be tremendously difficult. Help your clients prepare for the possibility they will need long-term care now, while they are able to do so.

Living Longer in Today's World

There's no doubt people are living longer. Just 50 years ago, there was little reason to worry about long-term care. The average life expectancy was not far past retirement, and seniors who did need assistance could probably count on their families to provide care or financial help. These days, it's not uncommon for people to live active lives more than 20 years into retirement. In addition, today's economic and social realities often mean that adult children may feel squeezed between raising children and needing to look after older parents, or they may have moved away. The possibility of needing long-term care — home care, assisted living, or skilled nursing care — is very real. According to the U.S. Department of Health and Human Services, by 2020, 12 million older Americans will need long-term care[1].

Protecting Your Clients' Financial Independence

With this new reality comes new responsibilities for attorneys, accountants and other professional advisors to become involved in appropriate asset preservation strategies for their clients. Extended long-term care is sure to affect their tax and estate planning, so now is the time to get ready for that possibility.

[1] http://www.medicare.gov/LongTermCare/Static/Home.asp, May, 2007.

How can you help your clients plan for the possibility they will need long-term care and protect their assets if they do?

While drawing your clients' wills, writing their trusts, guiding their estate planning strategies, or doing their tax planning, talk to them about the possibility they will need long-term care. Discuss the implications it could have on their retirement plans.

Points you might emphasize include:

- The U.S. population age 65 and over is expected to double within the next 25 years. By 2030, almost one out of five Americans — some 72 million people — will be 65 years or older.[2]

- People who reach age 65 will likely have a 40% chance of entering a nursing home. About 10% of the people who enter a nursing home will stay there five years or more.[1]

- Costs of long-term care are on the rise. The average cost of a private room with a single occupant in a nursing home is $204 per day, or $74,445 per year.[3]

- The government won't help as much as before.
    - With the passage of the Health Insurance Portability and Accountability Act of 1996, the government encouraged individuals to assume more responsibility for paying for care services they may receive in an assisted living facility[4], at home or in a nursing home. This is true even if one has Medicare or a Medicare Supplement policy.
    - Medicaid should be considered the provider of last resort for long-term care because of the strict asset and income eligibility requirements. Plus, many nursing homes limit the number of Medicaid patients they accept.

- Planning for long-term care preserves your clients' dignity by ensuring they are cared for in the manner they prefer.

- It is difficult to adopt new strategies after a long-term care need arises, so it's important to plan now.

[2] "65+ in the United States: 2005," U.S. Census Bureau, December 2005
[3] New York Life Long-term Care Insurance Study, 2006
[4] In California, such facilities are licensed as residential care facilities.

Traditional Options for Funding Long-term Care

Long-term Care Insurance: Policyholders pay monthly or annual premiums and receive the benefits described in the policy, if they need care. Some consider this an attractive option. Premiums usually continue as long as a policy remains in force, but there is always the possibility the policyholder may never need long-term care, and will have paid a lot of money for no reason.

Self-funding: Those who plan well probably have put away funds in a safe place, like a bank CD, to pay for long-term care services, if needed; make their later retirement years more comfortable; and leave the remaining portion to their children or heirs.

But with the steep costs of care services for assisted living facilities, home health care and nursing home care, there is a real possibility that all savings could be exhausted should extended long-term care become necessary.

New York Life Insurance and Annuity Corporation (NYLIAC)[5] Offers a Better Solution with Asset Preserver

Your clients may have set aside some emergency funds or "rainy day" money in case something happens. That "something" could be the high cost associated with a need for long-term care. If there is no emergency, the money will go to their heirs at death.

NYLIAC Asset Preserver® is a life insurance product that attorneys, accountants and other financial service professionals and advisors are increasingly recommending when addressing their successful mature clients' life insurance and long-term care concerns.

Asset Preserver assumes that long-term care may not be needed, (which is what your client is hoping) and provides a meaningful wealth transfer benefit in any event.

[5] Asset Preserver is issued by New York Life Insurance and Annuity Corporation (NYLIAC), a wholly owned subsidiary of New York Life Insurance Company, 51 Madison Avenue, New York NY 10010.

What is Asset Preserver?

Asset Preserver is an innovative single premium life insurance policy with an option to access the death benefit to help cover the costs of long-term care. This one policy can help ensure your clients are protected in a variety of situations. In doing so, it can help protect the assets they've worked so hard to accumulate during their working years, so they can stay financially independent longer. It's a one-time premium payment approach for long-term care planning.

In plain language, it can be a classic win-win method by immediately moving your clients' emergency funds, such as bank savings accounts and certificates of deposit, towards the purchase of a life insurance product. As a result, more tax-advantaged money will be available for estate planning purposes, or for long-term care if needed.[6]

Features and Benefits of NYLIAC Asset Preserver®:

- Tax-deferred cash value accumulation
- Generally income tax-free death benefit
- Generally income tax-free acceleration of the death benefit to pay for long-term care, if needed
- Lifetime Money-Back Guarantee[7]
- Access to your cash value[8], if needed
- Three monthly benefit payment options to choose from should long-term care be needed. The insured can spread the benefit payments over 24 months, 36 months (36+), or 48 months (48+). (The 36+ and 48+ options are not available in Connecticut, New Jersey and Texas.)

[6] Asset Preserver is not a bank product, and therefore is not insured by the FDIC.
[7] Guarantee is available as long as policy loans or partial cash withdrawals have not been made and no long-term care benefits have been paid. In Maryland, this benefit is called the Conditional Money-Back Guarantee.
[8] Partial cash surrenders and loans may affect the policy benefits and values. Surrender charges may apply if a withdrawal or surrender is made during the surrender charge period. Loans accrue interest. Partial surrenders and loans may be taxable. Withdrawals taken prior to age 59½ may be subject to an additional 10% IRS penalty. If a life insurance policy is classified as a modified endowment contract (MEC), there may be adverse tax consequences.

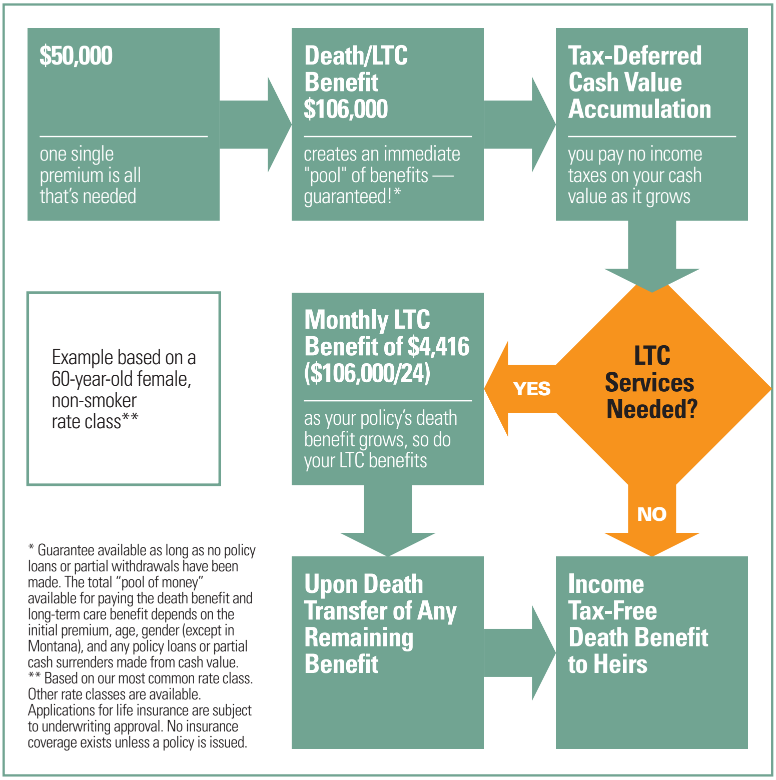
How Does Asset Preserver Work?

Let's look at the example of your 60-year-old female (non-smoker rate class)[9] client, Mrs. Smith, who has identified a $100,000 CD as the first monies she would use if she were to encounter a long-term care emergency.

You help her realize a CD would only pay for about two years of long-term care services, and after using it up, she would need to identify other assets to continue paying for the care. If Mrs. Smith never needs the care, she plans on leaving the money to her children and grandchildren. She does not anticipate or expect to need custodial care, and buying a long-term care insurance policy and paying premiums for the rest of her life does not appeal to her.

You introduce her to Asset Preserver by putting her in touch with a New York Life agent. She elects to purchase a policy using $50,000 of the $100,000 CD (after it matures) with the following results:

NYLIAC Asset Preserver®: How it Works For Your Client



[9] Based on our most common rate class. Other rate classes are available. Applications for life insurance are subject to underwriting approval. No insurance coverage exists unless a policy is issued.

What has Mrs. Smith accomplished?

- She immediately turned a $50,000 single premium into a $106,000 face amount life insurance policy to use for long-term care on an income tax-free basis, and freed up the "other" $50,000 to use as she sees fit since she no longer has to rely on it for future long-term care expenses.
- She immediately turned the $50,000 premium into a $106,000 "legacy asset" that would pass to her children and grandchildren at her death, generally in an income tax-free manner.
- The death benefit/long-term care benefit continues to grow tax-deferred.
- She can get at least the $50,000 premium back, at anytime, under the Lifetime Money-Back Guarantee with no questions asked.[7]
- She has cashed out her CD to purchase the Asset Preserver policy and by doing so, repositioned one asset for another. By using a tax advantaged wealth transfer product (life insurance), she has created additional funds to deal with a long-term claim should it become necessary.[8]
- She has avoided a commitment to a lifetime of long-term care premium payments in exchange for a lump sum premium.
- She has the advantage of long-term care coverage with a premium that is put to good use.

Commonly Asked Questions by Attorneys, Accountants and Professional Advisors

Q: "How is Asset Preserver different from traditional long-term care insurance?"

A: Asset Preserver is a single premium universal life insurance policy. It is a one time movement of money approach, instead of an annual premium expenditure. Asset Preserver addresses your older client's objective of efficiently transferring wealth to heirs for the funds in question if an extended health emergency, such as the need for long-term care, does not become a reality.

Q: "Is there a way to extend long-term care benefits after the death benefit has been fully accelerated?"

A: Yes. At time of purchase, an Asset Preserver policy can include a rider to extend the benefits for an extra six months if the insured chooses to spread the benefit payments over 36 months (36+), and an extra 18 months if the 48-month (48+) payment option is selected. For the 48+ option, that's almost $40,000 more guaranteed for long-term care in our example. (These options are not available in Connecticut, New Jersey and Texas.)

Q: "How will Asset Preserver fit my very high net worth clients?"

A: Even the very wealthy are not immune to "running out of money" fears. While there will be estate tax and gifting considerations for the very affluent, there will also be "social currency" issues such as independence, control and privacy. Asset Preserver addresses all of them.

We believe once you learn more about Asset Preserver and the possibility of various ownership arrangements, you will be able to structure a plan that best suits the needs of your high net worth clients.

Q: "Why will the Asset Preserver approach appeal to my affluent older clients?"

A: They do not view long-term care as an isolated liability. They want to shelter and protect assets from long-term care costs, but they also want to transfer as much wealth as possible in a tax-favored manner, keep control of their options, leave a legacy, and avoid substantial ongoing premium payments for an exposure they hope will not happen to them. Purchasing an Asset Preserver policy through a one-time movement of funds, "leveraging" them for long-term care expenses, understanding the tax benefits, and knowing the full benefit is going to be paid no matter what, has broad appeal.

Q: "Long-term care is not my field of expertise. Who will provide that knowledge to me and my clients?"

A: A life insurance agent from New York Life can help.

It is common today for companies, associations and individual professionals to form alliances and strategic partnering relationships. The objective is always to provide better service and solutions to clients and prospects. Meeting this objective with specially trained, knowledgeable insurance professionals is a value-added way to show your clients you care.

Q: Why develop a relationship with New York Life?

A: New York Life is an industry giant with a name recognized and trusted by your clients.

- We have a national network of specially trained agents standing by to work with you, partner with you, co-host seminars with you, and help you solve long-term care and asset protection issues for your valued clientele.
- New York Life can provide value-added documentation and support in the area of advanced underwriting and marketing.
- Our product solution — Asset Preserver — makes sense, is easy to explain, and can help protect your clients' assets, so they can stay financially independent longer in the event they need long-term care.

New York Life Insurance and Annuity
Corporation (A Delaware Corporation)
51 Madison Avenue
New York, NY 10010
www.newyorklife.com
The Company You Keep®

Policy Form Series #898-60
In Idaho Policy Form #898-60.48

The NYLIAC Asset Preserver® benefits are described in the policy form. This policy has limitations and exclusions, and terms under which the policy may be continued in force or discontinued. For complete details of the coverage, please call your agent.

SMRU 00352785CV(07/09)

NEW YORK LIFE

A Special Advisory Report

Protecting Your Clients' Financial Independence

The Company You Keep®

Form # 13929 (07/07) | Policy Form Series # 898-60 | In Idaho Policy Form # 898-60.48

1

How Does Asset Preserver Work?

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You help her realize a CD would only pay for about two years of long-term care services, and after using it up, she would need to identify other assets to continue paying for the care. If Mrs. Smith never needs the care, she plans on leaving the money to her children and grandchildren. She does not anticipate or expect to need custodial care, and buying a long-term care insurance policy and paying premiums for the rest of her life does not appeal to her.

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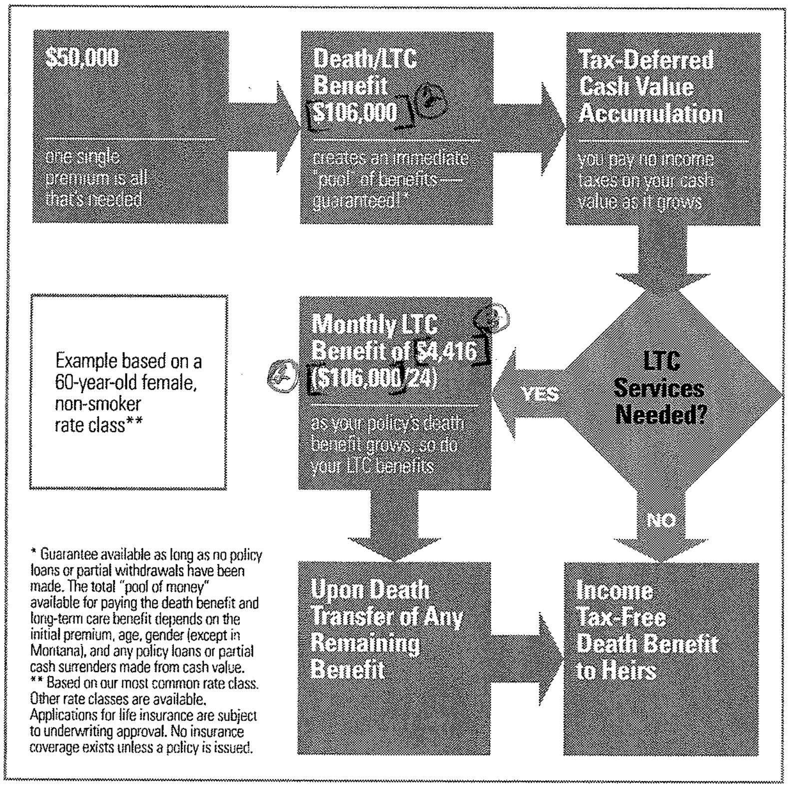

* Guarantee available as long as no policy loans or partial withdrawals have been made. The total "pool of money" available for paying the death benefit and long-term care benefit depends on the initial premium, age, gender (except in Montana), and any policy loans or partial cash surrenders made from cash value.
** Based on our most common rate class. Other rate classes are available. Applications for life insurance are subject to underwriting approval. No insurance coverage exists unless a policy is issued.

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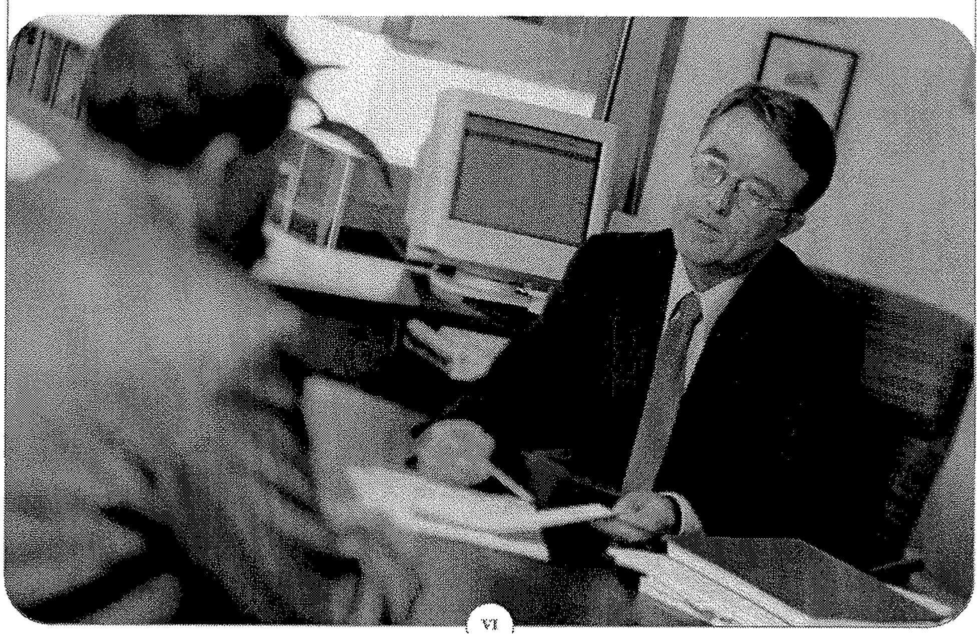
- She has the advantage of long-term care coverage with a premium that is put to good use.



Rate Information

Rate data does NOT apply to filing.

Supporting Document Schedules

Review Status:

Bypassed -Name: Application 03/18/2008

Bypass Reason: N/A

Comments:

Review Status:

Bypassed -Name: Health - Actuarial Justification 03/18/2008

Bypass Reason: N/A

Comments:

Review Status:

Bypassed -Name: Outline of Coverage 03/18/2008

Bypass Reason: N/A

Comments:

Review Status:

Bypassed -Name: Certification/Notice 03/18/2008

Bypass Reason: N/A

Comments:

Review Status:

Satisfied -Name: Cover Letter 03/18/2008

Comments:

Attachment:

Cover Letter.PDF

March 17, 2008

Hon. Julie Benafield Bowman
Insurance Commissioner
Arkansas Insurance Department
Division of Compliance
Life and Health
1200 West Third Street
Little Rock, AR 72201-1904

Re: NAIC#: 82691596
New York Life Insurance and Annuity Corporation
Advertising material for NYLIAC Asset Preserver (a Universal Life Insurance Policy Form with Acceleration of the Death Benefit for Chronic or Terminal Illness)
Forms 13775 (03/08), et al.

Dear Commissioner:

Enclosed is advertising material which will be used by our field force in soliciting applications for the NYLIAC Asset Preserver Policy (Policy form 898-60.55 approved on 11/6/1998). This policy is a modified single premium universal life Insurance contract with provisions to accelerate the death benefit for chronic or terminal illness.

The advertisements are updated versions of forms that were previously filed with your Department. The graphics have been revised and some minor clarifications in text have been made. More recent statistical references have been included. We have also made the style of these advertisements like that used for other products offered by the company.

The advertisements are listed in Exhibit A which shows the form numbers of the advertisements being replaced as well as the dates of your Department's actions on those forms.

Form 13929 (07/07) will be used as introductory material for attorneys, accountants and other professional advisors to inform them of the availability of our policy for use in financial planning and asset preservation. The remaining forms are directed to the general public and are considered invitations to inquire.

In September 2008, we are planning to implement the changes to the product for the 2001 CSO Mortality Table updates approved by your Department on 6/18/2007. The attached Exhibit B shows the information that will change for the 09/08 editions of the print advertisements. For your convenience, we have enclosed a separate file with the pages from the print advertisements where we have bracketed the form number as well as the values which will change for the examples using the new mortality table.

We have also provided 09/08 editions of both seminars, 13798 (03/08) and 13798S (03/08). The only differences besides edition dates are the numerical examples provided which reflect the different mortality tables. These changes appear on slides 31-34 and 42-45 for seminar 13798 and on slide 9 for seminar 13798S.

We reserve the right to use the forms in their paper format or as text images on the New York Life Company web site, www.newyorklife.com, or other websites advertising New York Life Insurance and Annuity Corporation products and services. The web site will consist of the text and may or may not include graphics. Some items can be produced on agents' personal computers and may therefore vary in color or appearance. We may make some of the material available through other media such as radio or television.

PS

If you have any questions about this material or require additional information, please contact me at 1-877-464-0198, fax me at 212-447-4141 or email me at Linda_E._LoPinto@NewYorkLife.com. Thank you for your attention to this matter.

Sincerely,

Linda E LoPinto

Linda E. LoPinto
Corporate Vice President
Individual Life Department

Exhibit A

Form Number	Title	Type of Form	Form Being Replaced	Date of Department Action
13775 (03/08)	NYLIAC Asset Preserver Fact Sheet	Fact sheet	13775 (03/04)	4/23/2004
13797 (03/08)	Protect Your Financial Independence	Sales Track	13797 (03/04) & 13763 (03/04)	4/23/2004
13798 (03/08)	Building the Bridge	Seminar	13798 (03/04)	4/14/2004
13929 (07/07)	A Special Advisory Report	Brochure	13929 (04/05)	7/20/2006
13798S (03/08)	Building the Bridge	Short Seminar	None	

Exhibit B

Changes to Form 13775 (03/08) for the (09/08) edition

Change 1	Form Number 13775 (03/08)	Form Number 13775 (09/08)
2	3 %	5.5%

Changes to Form 13797 (03/08) for the (09/08) edition

Change 1	Form Number 13797 (03/08)	Form Number 13797 (09/08)
2	$106,000	$113,400
3	$ 4,416	$ 4,725

Changes to Form 13929 (07/07) for the (09/08) edition

Change 1	Form Number 13929 (07/07)	Form Number 13929 (09/08)
2	$106,000	$113,400
3	$ 4,416	$ 4,725