

SERFF Tracking Number: LFCR-126031192 State: Arkansas
Filing Company: Berkshire Life Insurance Company of America State Tracking Number: 41566
Company Tracking Number: 4186 ET AL -- MAIN BROCHURE FILING 2-09
TOI: LTC03I Individual Long Term Care Sub-TOI: LTC03I.001 Qualified
Product Name: BG01P(01/09)-AR et al.
Project Name/Number: /

Filing at a Glance

Company: Berkshire Life Insurance Company of America

Product Name: BG01P(01/09)-AR et al.

TOI: LTC03I Individual Long Term Care

Sub-TOI: LTC03I.001 Qualified

Filing Type: Advertisement

Implementation Date Requested: On Approval

State Filing Description:

SERFF Tr Num: LFCR-126031192

SERFF Status: Closed

Co Tr Num: 4186 ET AL -- MAIN

BROCHURE FILING 2-09

Co Status:

Author: Smith Darlene

Date Submitted: 02/13/2009

State: ArkansasLH

State Tr Num: 41566

State Status: Filed-Closed

Reviewer(s): Marie Bennett

Disposition Date: 03/06/2009

Disposition Status: Filed-Closed

Implementation Date:

General Information

Project Name:

Project Number:

Requested Filing Mode: Review & Approval

Explanation for Combination/Other:

Submission Type: Resubmission

Group Market Size:

Group Market Type:

Explanation for Other Group Market Type:

State Status Changed: 03/06/2009

Corresponding Filing Tracking Number:

Filing Description:

LTC Advertising Filing

Status of Filing in Domicile: Not Filed

Date Approved in Domicile:

Domicile Status Comments:

Market Type: Individual

Previous Filing Number: LFCR-125851227

Overall Rate Impact:

Filing Status Changed: 03/06/2009

Deemer Date:

Company and Contact

Filing Contact Information

(This filing was made by a third party - LCA01)

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Karina Amaral, Compliance Analyst 1 - karina.amaral@lifecareassurance.com
Advertising
21600 Oxnard Street (818) 867-2307 [Phone]
Woodland Hills, CA 91367 (818) 867-2508[FAX]

Filing Company Information

Berkshire Life Insurance Company of America CoCode: 71714 State of Domicile: Massachusetts
Long Term Care Administrative Office Group Code: 429 Company Type:
P.O. Box 4243
Woodland Hills, CA 91365-4243 Group Name: State ID Number:
(818) 867-2450 ext. [Phone] FEIN Number: 75-1277524

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Filing Fees

Fee Required? Yes
Fee Amount: \$275.00
Retaliatory? No
Fee Explanation: Please apply filing fee from previously approved filing under SERFF tracking #LFCR-125851227 to this filing.
Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Berkshire Life Insurance Company of America	\$0.00	02/13/2009	
Berkshire Life Insurance Company of America	\$50.00	03/04/2009	26117579

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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Filed-Closed	Marie Bennett	03/06/2009	03/06/2009
Deemed-Filed	Marie Bennett	03/06/2009	03/06/2009

Filing Notes

Subject	Note Type	Created By	Created On	Date Submitted
Filing Fees	Note To Reviewer	Smith Darlene	03/04/2009	03/04/2009
FILING OF UPDATED FORMS	Note To Filer	Marie Bennett	02/27/2009	02/27/2009

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Disposition

Disposition Date: 03/06/2009

Implementation Date:

Status: Filed-Closed

Comment:

Rate data does NOT apply to filing.

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Item Type	Item Name	Item Status	Public Access
Supporting Document	Cover letter	Filed	Yes
Form	LTCI Comprehensive Brochure	Filed	Yes
Form	LTCI Needs Brochure	Filed	Yes
Form	LTC Follow-up Script 1	Withdrawn	Yes
Form	LTC Follow-up Script 2	Withdrawn	Yes
Form	LTC Follow-up Script 3	Withdrawn	Yes
Form	LTC Follow-up Script 4	Withdrawn	Yes
Form	LTC Seminar Ad	Withdrawn	Yes
Form	Family Pre-Approach Letter 1	Withdrawn	Yes
Form	Family Pre-Approach Letter 2	Withdrawn	Yes
Form	Planning for LTC PowerPoint	Withdrawn	Yes
Form	PowerPoint Script	Withdrawn	Yes

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Comment:

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Note To Reviewer

Created By:

Smith Darlene on 03/04/2009 11:29 AM

Last Edited By:

Marie Bennett

Submitted On:

03/06/2009 09:57 AM

Subject:

Filing Fees

Comments:

We would like to withdraw form numbers 8923-01-09, 8924-01-09, 8925-01-09, 8926-01-09, 7324-01-09, PA187-1-2009, PA188-1-2009, 8546-01-09, 8546-01-09, and 8546-01-09-Script since these forms were not updated and filed in error. Furthermore, we are submitting the appropriate filing fee for forms 4186 and 4185 only.

If you any questions please feel free to contact me.

Sincerely,

Karina Amaral, (800) 366-5463, ext. 2307

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Note To Filer

Created By:

Marie Bennett on 02/27/2009 10:51 AM

Last Edited By:

Marie Bennett

Submitted On:

03/06/2009 09:57 AM

Subject:

FILING OF UPDATED FORMS

Comments:

THIS IS CONSIDERED TO BE A NEW FILING AND AS SUCH THE APPROPRIATE FILING FEE MUST BE SUBMITTED.

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Form Schedule

Lead Form Number: 4186

Review Status	Form Number	Form Type	Form Name	Action	Action Specific Data	Readability	Attachment
Filed	4186	Advertising	LTCI Comprehensive Brochure	Initial		0	4186 LTCI Comprehensive revised 12-08.pdf
Filed	4185	Advertising	LTCI Needs Brochure	Initial		0	4185 LTCI Needs revised 12-08.pdf
Withdrawn	8923-01-09	Advertising	LTC Follow-up Script 1	Initial		0	8923 LTC Follow Up Script 1 submitted 10-6-08.pdf
Withdrawn	8924-01-09	Advertising	LTC Follow-up Script 2	Initial		0	8924 LTC Follow Up Script 2 submitted 10-6-08.pdf
Withdrawn	8925-01-09	Advertising	LTC Follow-up Script 3	Initial		0	8925 LTC Follow Up Script 3 submitted 10-6-08.pdf
Withdrawn	8926-01-09	Advertising	LTC Follow-up Script 4	Initial		0	8926 LTC Follow Up Script 4 submitted 10-6-08.pdf
Withdrawn	7324-01-09	Advertising	LTC Seminar Ad	Initial		0	7324 LTC Seminar Ad submitted 10-6-08.pdf

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Withdrawn PA187-1-2009	Advertising Family Pre-Approach Initial Letter 1	0	PA187 final 10-1-08.pdf
Withdrawn PA188-1-2009	Advertising Family Pre-Approach Initial Letter 2	0	PA188 final 10-1-08.pdf
Withdrawn 8546-01-09	Advertising Planning for LTC Initial PowerPoint	0	8546 LTCI 1-09 revised 12-17-08.pdf
Withdrawn 8546-01-09-Script	Advertising PowerPoint Script Initial	0	8546 Script Notes 10-8-08.pdf

Customized Long Term Care Coverage

*LTC Choice*ProVider™ LONG TERM CARE INSURANCE

This Long Term Care Insurance is underwritten
by and the financial responsibility of

Berkshire Life Insurance Company of America

Berkshire Life Insurance Company of America, Pittsfield, MA,
is a wholly owned stock subsidiary of The Guardian Life Insurance
Company of America, New York, NY.



GUARDIAN®

LTC Choice ProVider™ Long Term Care Insurance Policy with Comprehensive Coverage

Making Plans for a Long, Fulfilling Life

Go ahead—expect the best from your future. You can breathe easier with LTC Choice ProVider Long Term Care Insurance with Comprehensive Coverage. This policy provides important protection should you need long term care services. This long term care insurance policy was designed to comprehensively cover a wide range of services in the setting of your choice, including your home—offering you more choices, more independence and a better quality of life.

Including LTC Choice ProVider with Comprehensive Coverage into your overall longevity plan is essential in developing a sound strategy for the future. LTC Choice ProVider with Comprehensive Coverage lets you create a personalized policy that can help protect what's most important to you, at a cost that's right for your budget.



Service Benefits Provided

Daily Benefit Amount

The maximum amount of money that will be paid to cover your daily long term care expenses.

You may choose a Daily Benefit Amount up to \$400 per day available in \$10 increments.

[In Metro NY, the Daily Benefit Amount range is \$100 to \$400. Outside of Metro NY, the range is \$70 to \$400. In WI, the range is \$60 to \$400 per day.]

Covered Services

The type of services eligible for coverage under this policy.

- ▶ Facility Care Services Benefit – 100% of daily facility charges incurred up to the Daily Benefit Amount selected.
- ▶ Home and Community Care Services Benefit – 100% of Home and Community Care Services charges incurred up to the Daily Benefit Amount selected.

[In NY, Home and Community Care Services is referred to as Home Care Services.]

Elimination Period

The number of days you pay for services before beginning to receive benefits. Your Elimination Period need only be satisfied once during the life of your policy. Every day you receive care will count toward satisfying your Elimination Period.

You may choose to have your coverage begin after an Elimination Period of 0, 30, 90 or 180 days.

[180 day Elimination Period is not available in CT, SD or VT.]

Benefit Period

The length of time your benefits will be paid.

You may choose to have your benefits payable for 3, 4, 5 or 6 years. Or, you may choose a Lifetime Benefit Period so you never need to worry about outliving your benefit.

Built-In Supportive Benefits

Caregiver Training Benefit

This benefit will pay for training provided by a health care professional to an informal caregiver, such as a family member. The lifetime maximum amount of this benefit is equal to 5 times the Daily Benefit Amount selected.

Respite Care Services Benefit

This benefit will pay for a maximum of 30 days per calendar year to hire a professional caregiver on a short term basis to relieve a primary caregiver in your residence, such as a family member. Benefits payable will be the actual charges incurred for the Daily Benefit Amount selected. Services may be provided in your home, in a facility or through a community based program.

Waiver of Premium Benefit

This benefit allows you to stop paying premium during the time you are receiving facility care benefits. The waiver of premium begins after you have been in a nursing home or assisted living facility for 90 days. At this time the premiums you paid since you began your stay in the facility are refunded to you. If you leave the nursing or assisted living facility, you begin to pay your regularly scheduled premiums again.

Facility Bed Reservation Benefit

This benefit will pay an amount up to your maximum Daily Benefit Amount for charges incurred to reserve your accommodations at a nursing or assisted living facility. Benefits payable for a maximum of 30 days per calendar year.

Emergency Response System Benefit

This benefit will pay up to \$50 per month for charges you incur for the use of an emergency response system. Benefits are payable toward a device or system installed in your residence.

Coverage Outside the U.S. Benefit

This benefit will pay for qualified services received outside the United States, or its territories, or Canada for up to 30 days per calendar year. *[In NY, this benefit is not available.]*

Alternate Plan of Care Benefit

If you are chronically ill and otherwise eligible for benefits, we will consider paying benefits for an Alternative Plan of Care agreed to by you, your licensed health care practitioner and us. Benefits may include home modification (such as ramps or rails), equipment purchases or rentals, or care services not normally covered under home and community care services. This benefit has a lifetime of 50 times the Daily Benefit Amount selected.

Nonforfeiture Benefit - Contingent Benefit Upon Lapse

If you lapse your policy due to a future premium increase, you may reduce your policy benefits so that your premium payments are not increased, or convert your coverage to paid-up status, under which no further payments are due. This benefit is not available in all states. Please ask your agent/representative for further details.

Added Value & Personalized Support

Personal Care Advisor

A Personal Care Advisor is available to assist you and your family members with questions about the payment of benefits, the level of care needed, facilities and resources, or any other questions you may have about a claim, your policy or the benefits available to you. Personal Care Advisors are available as a free service to you, and are available at any time, not just while you are on claim.

Care Coordinator

A dedicated Care Coordinator is available to you at no additional cost should you need assistance with any of the following:

- ▶ Understanding your benefits
- ▶ Filing a claim
- ▶ Coordinating care services in your area
- ▶ Developing a plan of ongoing care

All Care Coordinators are experienced registered nurses who are knowledgeable and can provide a level of emotional support to you during a potentially difficult time. Additionally, if you wish, your Care Coordinator can maintain a continuing role in the planning and monitoring of your care and can help with the necessary claims documentation.

Helping to make a difficult time easier—
free of charge and at your convenience.

Flexible Payment Options

These options provide that, at the end of the premium payment period, the policy automatically will be renewed for the rest of your life with no further premium payments required. You can choose one from the following:

- ▶ 10-Year Premium Payment
- ▶ Paid-Up at Age 65
 - Only available to age 55
 - First to reach age 65 under joint coverage

Optional Features

To help customize your policy for your specific needs

Your Personal Situation

Your long term goals, your longevity plan and your budget are all different from anyone else's. The optional riders defined in this brochure are available at an additional premium and can help you customize your LTC Choice ProVider Long Term Care Insurance policy to best meet your specific lifestyle and financial needs—today and in the future. Rider availability and definitions may vary by state. Please ask your agent/representative for further details.

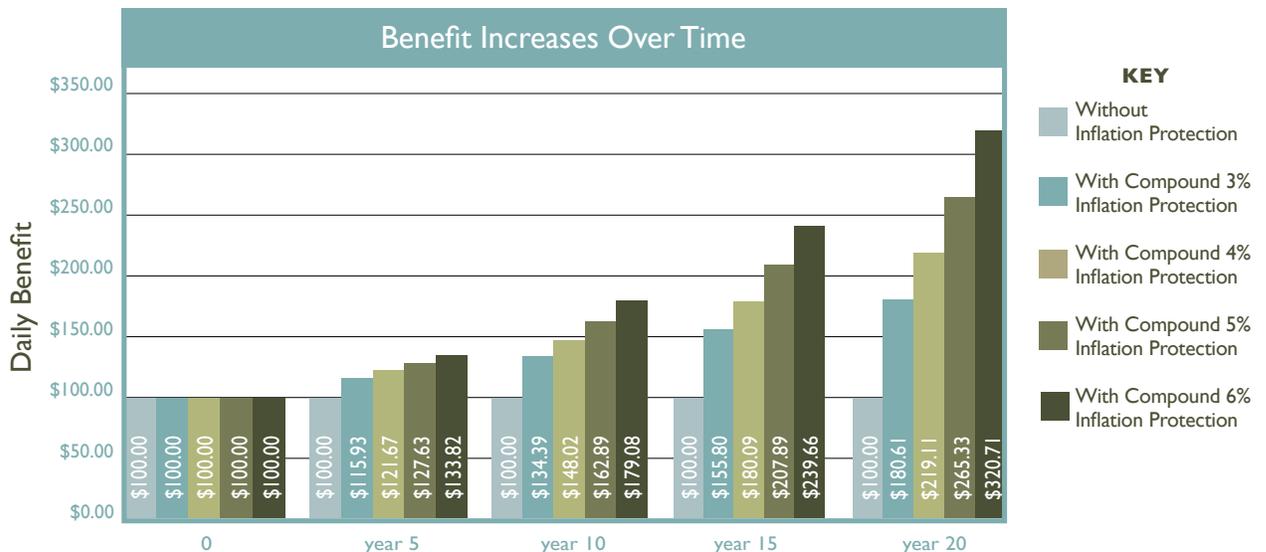
Riders To Help Protect Against Inflation

Compound Inflation Protection Riders

If history is any indication of future trends, the cost of long term care will increase in the coming years. The amount of coverage you choose today may not be sufficient 10, 20 or 30 years from now. You can help make sure your policy keeps up with the rising cost of care by purchasing an inflation protection rider that automatically increases your benefit amount. Selecting this extra protection now may prevent you from needing to purchase additional coverage later on or after your health status has changed. You can choose how much you would like your benefits to grow annually - 3%, 4%, 5% or 6%.

[In IN, 3% option is not available.]

How it works Each year, your benefit amount will automatically increase on a compounded basis by the selected percentage rate without a corresponding increase to your premium and without having to reapply with medical underwriting. These compounded benefit increases continue even while you are receiving benefits, providing you with further protection against inflation.



If the Lifetime payment option and the 5% Compound Inflation have been selected, premiums may be paid under either the Standard Premium or the Step Rated Premium Payment option. If the Step Rated option is selected, the premium for this rider will increase by the same amount on each policy anniversary.

Riders Designed With Couples in Mind

Shared Care Plus (Shared Benefit Amount Rider)

The LTC Choice ProVider policy with Comprehensive Coverage provides valuable protection against the high cost of long term care. But depending on the type of care needed and the length of care provided to both you and your joint applicant, what happens if your benefit amount runs out? With this rider, you and your joint applicant can add an extra layer of financial protection to your policies. This extra protection can become especially valuable if the Lifetime Benefit Period has not been selected.

This rider is not available in conjunction with the Restoration of Benefits Rider.

How it works This rider provides a third pool of money for you and your joint applicant to pull from in the event either or both of you exhaust your benefits defined in your policy. This rider is available only with joint LTC Choice ProVider policies with Comprehensive Coverage that have a benefit period shorter than the Lifetime Benefit Period.

Paid-Up Survivorship Benefit Rider

It might be helpful to relieve some of the financial obligations facing you or your joint applicant when one of you dies. This rider will eliminate the need to pay any future premiums upon the death of one of the insured individuals in a joint policy.

How it works With this rider, the policy and any other riders in place will be considered “paid-up” and no further premium payments will be required after both of the following have occurred: (a) the end of the 10th policy year; and (b) the death of either insured. In the event one insured dies prior to the end of the 10th policy year, the remaining insured will pay the individual premium rate that would have been charged at the original issue age and risk class for the balance of the 10-year period, after which the policy will be paid-up and no further premiums will be due.

Rider Designed With Beneficiaries in Mind

Full Return of Premium

People often do not want to believe that they will one day need long term care services. As discussed previously in this brochure, one reason why some people hesitate to purchase long term care insurance is that they don't think they will need to use it. With this rider, you can enjoy both the confidence of knowing you are prepared for the unexpected and the preservation of your money to share with your heirs, or provide to your beneficiaries.

How it works If you die while your policy is in force, the total amount of premium paid will be returned to your estate or the beneficiary of your choice.



How can I get the most from my policy?

When you supplement your LTC Choice ProVider™ policy with the Indemnity Rider, you can obtain the most flexibility in managing your long term care and the most control over how you spend your benefit dollars. Ask your agent/representative for further details.

Additional Riders Available

Indemnity Benefit Rider

When you supplement your LTC Choice ProVider policy with the Indemnity Rider, you will obtain the most flexibility in managing your long term care. This flexibility can provide you with the most control over how you spend your benefit dollars. Another flexible attribute to this rider, is the advantage of not having to submit receipts for covered services. Though proof of services is required, there's more flexibility provided in fulfilling this requirement.

This rider is not available in conjunction with the Monthly Benefit Rider.

How it works With the Indemnity Rider, you will be paid the full Daily Benefit Amount selected for every day a covered service is received, regardless of the cost of that service. So if the cost of your covered service is \$100 and your selected Daily Benefit Amount is \$300 you will receive the full \$300 giving you the additional \$200 to spend as you see fit. For example, you could use this money to help pay for specialized transportation or to pay an unlicensed caregiver, such as a family member, for care provided.

First Day Home & Community Care Services Benefit Rider

Often, people begin to receive care at home or in a community care setting before needing to transition into a care facility. When you choose this rider, you have a “zero day” Elimination Period for home and community-based care—therefore, days on which you receive benefits for Home and Community Care Services will count toward the Elimination Period for Facility Care. This rider can provide you with faster access to your policy benefits, as well as extra financial protection at a lower cost than selecting a zero day Elimination Period for both Home and Community Care Services and Facility Care Services coverage.

How it works With this rider, your Elimination Period required for Home and Community Care Services benefits will be waived. If you otherwise satisfy the Payment of Benefits provision for Home and Community Care Services, no Elimination Period will be required and benefits will be payable on the first day you are qualified to receive Home and Community Care Services benefits.

Waiver of Premium Rider

When you are receiving home or community-based care, you want to make this time less stressful by having one less bill to pay. With this rider, you can have your premium waived for Home and Community Care after receiving services for 90 days. Having premiums waived could free up additional resources that may be needed for your care.

[In CT, Waiver of Premium on Home and Community based care is included in the base policy.]

How it works Your premiums will be waived after you (or your joint applicant under joint coverage) have selected and received Home and Community Care Services for 90 days. The 90 days need not be consecutive but must be satisfied during a Single Claim Period. You will have returned to you any premium paid during the 90-day period described above (unearned premium) on a pro-rated basis. The premium will be waived until you no longer satisfy the conditions of eligibility. Premium payments will then again become due. Any new Single Claim Period will require satisfaction of a new 90-day waiting period for Waiver of Premium.

Optional Policy Surrender Rider

You may want to reserve the right to cancel your policy later and receive a portion of your premium back, perhaps to help you pay for other unexpected expenses that suddenly arise. Not available in all states.

How it works After the policy has been in force for at least five years, you will have the option to surrender it, subject to prior claim payment or current claim considerations. The surrender value will be made in the form of a lump sum payment equal to 80% of the total of premium paid for the policy and any attached riders, payable upon satisfactory evidence of insurability. If satisfactory evidence of insurability is not provided, the surrender value will be offered as a lifetime monthly income benefit, payable until the earlier of your death (later of your deaths in the case of joint coverage) or the completed payment to you of 80% of the total of premiums paid for the policy and any attached riders.

Restoration of Benefits Rider

If you become ill and need long term care services, but then recover, you still face the possibility of needing services again in the future. You may want the added protection of having your benefit amount restored so that you can have full access to it again later.

How it works Your total benefit amount may be restored for future protection against long term care expenses should you recover from a benefit eligible condition. Your policy must remain in force and you must not be benefit eligible—both, for a period of 180 consecutive days, in order to receive restoration of benefits under this rider. If you select a Lifetime Benefit Period, you will not need to purchase this policy rider.

Monthly Benefit Rider

It is possible that the cost of your care may fluctuate significantly from day to day. In this case, you may benefit from the Monthly Benefit Rider. Instead of receiving reimbursement for each day's expenses up to your selected Daily Benefit Amount, you are reimbursed for covered services up to your Monthly Benefit Amount. A Monthly Benefit Amount is equal to the Daily Benefit Amount selected, multiplied by the number of days in the calendar month.

This rider is not available in conjunction with the Indemnity Rider, and requires purchase of a Compound Inflation Protection Rider.

How it works If the Daily Benefit Amount selected is \$200/day, your Monthly Benefit Amount for the month of August is \$200 x 31 and would equal a maximum of \$6,200 in Monthly Benefit Amount. This amount would be available for reimbursement regardless of whether your covered services exceeded \$200 each day. The only stipulation is that your monthly reimbursement could not exceed the total Monthly Benefit Amount of \$6,200.

Shortened Benefit Period Nonforfeiture Rider

You may want the added security of knowing your benefits will continue even if you cannot make your premium payments.

[In GA, this is referred to as Shortened Benefit Rider.]

How it works If your policy has been in force for three or more years, and the policy lapses for non-payment under the grace period and unintentional lapse provisions, coverage will continue at the daily benefit amount at the time of lapse, including any inflation increases. No further inflation rider increases will occur. Your new benefit amount becomes equal to the greater of the total premiums paid, or 30 times the Daily Benefit Amount in effect at the time of lapse.

A Long, Healthy, Fulfilling Life

It's what so many people hope for, but it usually doesn't happen by chance. Careful planning today can help ensure a more enjoyable life later on. One of the most important parts of your life's plan is developing a strategy to protect your independence, financial security and choices should you need long term care. With long term care insurance, you know that you are prepared.

The following provisions may not apply or may vary depending on the state in which you live at time of policy issue. Please refer to your state's Outline of Coverage for the exact language in your state.

Eligibility for Payment of Benefits

While this Policy is in force, you will be eligible for Payment of Benefits if you are Chronically Ill. This means that within the previous 12 months, you have been certified by a Licensed Health Care Practitioner as:

- being unable to perform, without Substantial Assistance, at least two Activities of Daily Living for an expected period of at least 90 days due to loss of functional capacity; or
- having a Severe Cognitive Impairment.

The expected 90 day period for loss of functional capacity does not establish an additional waiting period beyond any elimination period before benefits become payable.

Payment of Benefits

While this Policy is in force, we will pay benefits if:

- you satisfy Eligibility for Payment of Benefits;
- you have satisfied any applicable Elimination Period shown on the Policy Schedule;
- you receive services covered under this Policy pursuant to a Plan of Care;
- you are not receiving any other benefits covered under this Policy;
- you have not been paid benefits that exceed the Benefit Amount shown on the Policy Schedule;
- you satisfy the requirements under the "filing a claim" section; and
- your claim is not subject to any Limitations and Exclusions contained in this Policy.

Limitations and Exclusions

No benefits will be paid and the Elimination Period will not be satisfied for any confinement, care, treatment, or service(s):

- provided to you by a person in your Family;
 - provided outside the United States or its territories, or Canada, except as described under Coverage Outside the United States or its territories, in the Benefit Provisions section of the Policy;
 - for which you have no financial liability or that is provided at no charge in the absence of insurance;
 - provided in facilities operated primarily for the treatment of alcoholism or drug addiction;
 - provided in facilities operated primarily for the treatment of Mental or Nervous Disorders. However, this shall not operate to exclude coverage for loss which results for Alzheimer's or another demonstrable organic disease such as senile dementia;
- [• For PA only, providing duplication of benefits provided under any Motor Vehicle Responsibility Law.]
[• In MD only, for any claim, bill or other demand or request for payment for health care services provided and determined to be furnished as a result of a referral prohibited by §1-302 of the Health Occupations Article.]

Non-Duplication of Benefits

Benefits are not payable under this Policy for (a) expenses incurred to the extent that such expenses are reimbursable under Medicare or would be so reimbursable but for the application of a deductible or coinsurance amount; or (b) for any other state or federal worker's compensation plan or other governmental program (except Medicaid). For purposes of satisfying the Elimination Period, days on which you satisfy the conditions on Eligibility for Payment of Benefits, but coverage is excluded due to Non-Duplication of Benefits, will count toward satisfaction of the Elimination Period. This information is intended as a general overview and is not intended to provide tax or legal advice. Please consult a tax or legal advisor for specific advice about your situation.

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7 Hanover Square, New York, NY 10004

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Planning Your Long Term Care

*LTC Choice*ProVider™

LONG TERM CARE INSURANCE



This Long Term Care Insurance is underwritten
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GUARDIAN®

Planning for Longevity

You've probably heard the exciting news: People are living longer. In fact, individuals over age 85 are one of the fastest growing segments of the population.¹ With a longer life expectancy comes the need for added planning to help you make the most of your years ahead. It's important to think about how you can preserve your physical, emotional and financial well-being for as long as possible. Many people have a retirement plan to help them accumulate the necessary savings to fund a secure retirement. Unfortunately, not many people have a "longevity plan" to take into account the special considerations that living longer presents.

Creating Your Longevity Plan

A long, healthy, fulfilling life—it's what so many people hope for, but it usually doesn't happen by chance. Careful planning today can help ensure a more enjoyable life later on. What steps are you taking right now to help you overcome the challenges that may arise as you age? You're probably doing many, if not all, of the items included in the list below.

Your Longevity Checklist

- ✓ Go for regular check-ups and obtain the recommended medical care.
- ✓ Eat right and maintain a healthy weight.
- ✓ Stay active and social.
- ✓ Challenge yourself mentally.
- ✓ Contribute to your retirement fund.
- ✓ Consider how a longer lifespan might affect your finances.
- ✓ Invest money appropriately to help meet your short term needs and long term financial goals.
- ✓ Review your insurance needs, especially as your personal and financial circumstances change.

¹ *Who Needs Long Term Care?* Retrieved on September 25, 2008, from http://www.caregiver.org/caregiver/jsp/content_nodejsp?nodeid+440&expandnodeid=480.

Building Your Longevity Plan

Having a longevity plan can help you make the most of your later years. Your plan can provide strategies to help you achieve your financial and personal goals, such as:

- ✓ I want to maintain my independence for as long as possible, and not cause physical, emotional or financial strain to my family and loved ones.
- ✓ I want to protect my standard of living from the effects of inflation and the rising cost of living.
- ✓ I want to be able to retire at a time of my choosing, whether at age 65 or sooner.
- ✓ I want to be able to leave an inheritance to my family.
- ✓ I want to have options available to me if I need help taking care of myself.

A Key Consideration

One of the most important parts of your longevity plan is developing a strategy to protect your independence, financial security and choices should you need ongoing assistance with the basics of everyday living. The longer you live, the greater the possibility that you will someday need long term care.

Long term care is the assistance people receive when they are unable to care for themselves on a daily basis. More specifically, it's the care needed if a person has a chronic illness, cognitive impairment, disability or injury that prevents them from independently performing everyday tasks, such as dressing, eating or getting in and out of bed. Long term care is *care* oriented, not *cure* oriented. As the name suggests, it is long lasting, not temporary care. While the need for this kind of care can occur at any age, it is most commonly required later in life.

The strategy for protecting against the costs associated with long term care is a critical consideration to factor into your longevity plan.

Ask Yourself These Questions

Unfortunately, there are common misconceptions about long term care that may be preventing you from properly protecting the quality of life you want for yourself and the people you love. In order to build a sound strategy for your future, it's important to consider these things.

Will you need long term care?

While it's true that you may never need long term care, a growing number of older Americans need long term care services every year. It's been noted that 70% of people over age 65 require long term care services.² In addition, nearly 40% of all working age Americans will need long term care services.³ The most common reasons for needing long term care include:

- ▶ Automobile or sporting accidents
- ▶ Spinal cord injury
- ▶ Strokes or brain tumor
- ▶ Disabling illnesses, such as:
 - Multiple Sclerosis, Parkinson's Disease, Dementia, Arthritis, Alzheimer's Disease

Will your family will take care of you?

Of course they will. You love your family and they love you. Most family members would want to do everything in their power to provide quality care to a loved one. Sadly, this isn't always easy, or even possible. Consider these obstacles your family members may face:

- ▶ Family obligations. Do they have young children?
- ▶ Location. Do they live a great distance away?
- ▶ Career. Can they afford to take time off or pass up a promotion?
- ▶ Physical challenges. Are they physically capable of providing the care you need? Without the appropriate training, caregivers can risk injuring themselves and the one receiving care.

Can you pay for your long term care needs with your own savings?

For some, self-funding for long term care may be an option. However, be sure you truly understand the costs associated with long term care services. Depending on the size of your savings, self-funding for the short term may be possible, but generally, not for the long term. Consider how long you would be able to pay these costs before your savings would run out:

National Monthly Average for Home Care: \$2,900⁴ or \$34,800 annually

National Monthly Average for Nursing Home Facility: \$5,236,⁵ or \$62,832 annually

Remember: These costs are for the long term. If you needed home care services for three years before entering into a nursing home for two years, based on these costs, your average long term care out-of-pocket costs would be a staggering \$230,064. Is this a cost you would be able to subsidize from your retirement fund or assets? Why would you want to?

² Why you should plan? Retrieved on September 25, 2008, from http://www.longtermcare.gov/LTC/Main_Site/index.aspx.

³ National Alliance for Caregiving in the U.S. and AARP, "Caregiving in the U.S." April 2004.

⁴ What Does Long-Term Care Cost? Retrieved on September 25, 2008, from http://www.longtermcare.gov/LTC/Main_Site/Paying_LTC/Costs_Of_Care/ Costs_Of_Care.aspx. Rates are based on a home health aide at \$29/hour providing 5 hours of care per day for 5 days a week.

⁵ What Does Long-Term Care Cost? Retrieved on September 25, 2008, from http://www.longtermcare.gov/LTC/Main_Site/Paying_LTC/Costs_Of_Care/ Costs_Of_Care.aspx. Nursing Home care costs are based on a semi-private room at \$187/day, 7 days per week.

Are you already covered?

Most other insurance plans and government programs are not intended to cover the ongoing costs associated with long term care services. Only long term care insurance is specifically designed to pay for a wide variety of long term care services, including home care, facility care, respite care, community care, or supportive services such as grocery shopping or meal preparation.

Which Were Designed to Cover Long Term Care Services?

Health Insurance		Major medical insurance, such as the kind you may have from your employer, will not pay for long term care. ⁶
Medicare		Generally, Medicare does not pay for long term care services, ⁷ and has strict limitations imposed on the services that are covered through Medicare.
Medicaid		Medicaid is available only to certain low-income individuals and families. You will have to spend down or use up most of your assets, as well as meet strict income criteria, before Medicaid will pay for care, which must be provided by government-approved facilities only.
Disability Insurance		This type of insurance protects against loss of income due to a disability during your working years. It is not designed to pay for long term care services as a result of the disability.
Long Term Care Insurance	✓	Only long term care insurance was specifically designed to help protect against the gamut of costs associated with long term care services, including home care services, facility care, respite care, or supportive services.

Is going into a nursing home your only option?

The majority of long term care recipients live in their homes and receive all their needed care right at home.⁸ You may prefer to remain in your home as long as possible in order to retain a sense of independence, familiarity and comfort. Long term care insurance can help you stay in your home by giving you the ability to pay for care in the setting of your choice.

Long term care insurance—an essential part of your longevity plan.

6 National Association of Insurance Commissioners (NAIC), "A Shopper's Guide to Long-Term Care Insurance," 2006.

7 Medicare. Retrieved on September 25, 2008, from http://www.longtermcare.gov/LTC/Main_Site/Paying_LTC/Public_Programs/Public_Programs.aspx#Medicare.

8 National Alliance for Caregiving and AARP, "Caregiving in the U.S.," April 2004.

Put Your Longevity Plan Into Effect Today

The longer you wait to design and implement your longevity plan, the greater the risk that you may not be able to achieve your goals for financial, physical and emotional well-being throughout your life. Take a moment to consider your goals for the future. Be sure to anticipate the possibility of needing long term care. The more prepared you are, the more likely you will be to maintain the quality of life you want even if you need ongoing care. Unfortunately, the risks associated with waiting may preclude you from securing your plans.

You may not qualify in the future.

It is important to note that long term care insurance policies require medical underwriting, which means that your ability to qualify for coverage and the premiums you will be charged are based on your health status and age. Health qualification generally becomes more difficult with age, given that, as we age, the likelihood of our health declining increases. For most of us, qualification may not be an option later in life.

It costs more if you wait.

A person who waits five, 10 or 15 years to apply for coverage could pay significantly more for the equivalent coverage they would have been able to secure at a younger age.

The Importance of Planning

Whether you choose to apply for long term care insurance today or not, it is important that you do not lose sight of the risks associated with needing long term care services. Due to the high cost of long term care, and the lack of government support to help you finance it, it is highly recommended that you put a strategy in place—for the long term—to protect yourself and those you love.



If you're interested in learning more about long term care, feel free to visit the following Web sites, and be sure to discuss your long term care plans with your loved ones. The cost of not having a long term care insurance plan in place could be far greater and more detrimental than the costs associated with having one.

www.medicare.gov
www.caregiving.org
www.mylifemyfamily.com
www.longtermcare.gov



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LTCI Seminar Follow-up phone script

Seminar Invitation

The follow-up call is an important part of selling the seminar. This is your chance to talk about the benefits of attending.

“Mr. Jones, this is [Name] from [Company Name]. I’m calling about the invitation that I sent to you for a Berkshire Life Insurance Company of America seminar on long term care and families. I’d like to personally invite you to attend. Will you be able to make it or can I tell you a little more about it?”

If they don’t remember receiving, or need more info...

“More and more, we’re recognizing that when a loved one needs long term care, it impacts the entire family. So, on [date], we’re holding a special educational seminar to familiarize people with the topic so they can make informed decisions. I hope you and Mrs. Jones can come.”

Whether or not they’re ready to say ‘yes’, this is a good time to get more information.

“May I ask....

- “Do you own long term care insurance (LTCI) now?”
 - If no, great. Don’t push LTCI, the point is to have them attend the seminar.
 - If yes, they may not be a great prospect. Ask them how they feel about it. If they feel good, perhaps they’d like to recommend a family member or friend they care about.
- “Have you ever tried to get LTCI and been declined?”
 - If they’ve been declined, they are not generally eligible for coverage and they’re not a very good prospect for LTCI. However, maybe they have a friend or family member whom they think would benefit from understanding the issues as they do.
- “Have you had any personal experience with a loved one who needed long term care?”
 - If yes, “that’s why we’re holding this event. So many of our friends and family have faced this issue and felt they could have been better prepared. I am only inviting a few select guests, so I’m hoping you can attend.”
 - If no, “LTC impacts the entire family. If you haven’t experienced already you’ll really benefit from hearing about the issue. I am only inviting a few select guests so I’m hoping you can attend.”

And this is also a chance to get referrals for more prospects.

“A long term care situation can have a tremendous impact on our families. Would you be interested in having your parents/children (depending on clients age) attend? Do you have any close friends who may be facing these issues and would interested in attending with you?” *Be sure to get all the guests’ contact information.*

Keep your enthusiasm and energy levels up. Your seminar is special—it’s better than any other event in the area.



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LTCI Seminar Follow-up phone script

After RSVP

Even if someone sends an RSVP or calls to register for a seminar, it is important to contact them two business days before the meeting date, as a reminder. For some people, an RSVP reply doesn't mean: "You can absolutely count on me to be there." It means, "I'll try to remember to be there, unless something else comes up." Therefore, the goals of your follow up call include:

- Remind prospective attendee of the meeting time, date and place
- Offer information, such as directions or where to park
- Strengthen commitment to attend
- Uncover reluctance to attend and address it with benefits. Be careful here not to sell too hard, though. Under no circumstances should you get into any product details on the reminder call.

The goal of the reminder call is not to sell. Remember, this is an informational seminar around planning. It is not a seminar to sell long term care insurance or any other product. Sometimes it is a good idea to have an assistant make the calls. That way, if the prospect asks product-related questions or specific questions about the seminar, the response can be "Today, I am calling to confirm your attendance; the licensed representative who conducts the seminar will be happy to answer your specific questions."

The basic script should include some of the following:

Hello Mr./ Mrs. _____. This is [Name] from [Company Name]. I'm calling to follow up on your RSVP to attend our Berkshire Life Insurance Company of America long term care planning seminar. We are looking forward to seeing you _____ at _____.

Are you familiar with the location? I can fax you a map and driving instructions.

We have only invited a few select individuals, and we do have a waiting list. If anything should prevent you from attending, please give me a call at this number _____.
Thanks, see you then.



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Post-LTCI Seminar Follow-up phone script

Thank You for Attending

Hello Mr./Mrs._____. This is [Name] from [Company Name]. I am calling to thank you for taking the time to attend our Berkshire Life Insurance Company long term care seminar on/last_____. I hope you found it informative.

We talked about a lot of options, but it is impossible to know which option is best for you without knowing a little bit more about your personal objectives. And as we also discussed the most important step anyone can take is to develop a plan.

(Listen)

Of course, as we discussed in the meeting, there are some health qualifications for this type of coverage. Are you/your spouse in generally good health? Are you taking any medications on a regular basis? Have you had any recent hospitalizations or do you have any pending surgeries?

It sounds to me like it might make sense for us to take the next step and look at personalized options for you. Are mornings or afternoons better for you (are afternoons or evenings better for you, etc.)?

Set the appointment, and confirm the address. Get driving directions if possible, even if you know how to get there. This helps solidify the appointment.



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Post-LTCI Seminar Follow-up phone script

Sorry You Missed It

Hello Mr./Mrs._____. This is [Name] from [Company Name], I'm sorry you were unable to make our seminar on/last _____.

At the seminar, we talked about what long term care is, and what some of the funding options are. Of course, it is impossible to know which option is best for you without knowing a little bit more and about your personal objectives.

Long Term Care Insurance from Berkshire Life Insurance Company of America is one option. It usually fits best for people who are homeowners and have assets to protect. Long term care can be very expensive to self fund, but the more you have at risk, the more this type of protection might make sense. Most of my clients who look into this protection tell me they could afford to pay for long term care on their own if they needed to, but they'd rather transfer the risk if they could. Would you say you fall into that general category?

(if yes):

Now I understand why you would want to protect yourselves.

Is there a particular event that happened in your life that caused you to want to know more about the planning options for long term care?

(Listen)

Of course, there are some health qualifications for this type of coverage. Are you/your spouse in generally good health? Do you take any medications on a regular basis? Have you had any recent hospitalizations or do you have any pending surgeries?

It sounds to me like it might make sense for us to take a look at the options for you. Are mornings or afternoons better for you (are afternoons or evenings better for you, etc.)?

Set the appointment, and confirm the address. Get driving directions if possible, even if you know how to get there. This helps solidify the appointment.



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Now is the **right time** to think long term.

Today, an important part of planning for the future includes preparing for the possibility that you, your spouse or a parent may require long term care.

Long term care needs can affect you in a variety of ways. If your parent or spouse someday needs long term care, your family may face the possibility of spending a great deal of time or money providing it. And if you someday require care, you want to make sure money is available to allow you and your family to enjoy the best quality of life possible.

Please join us for an informative discussion on the consequences of living a longer life [and enjoy a complimentary [{hors d'oeuvres reception} {lunch} {dinner}].

[Call us today to reserve a seat {Response Phone Number}.]

Presented to you by:

[Producer's Name] of [Company Name]

[Featured Speaker: Featured Speaker Name and Title]

[Day, Month Date, Year] • [Time]

[Location Name]

[Street Address]

[City/Town, State, Zip Code]

A licensed agent/representative may contact you.



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<Date>

<Name>

<Address>

<City State Zip>

Dear <Family Member>:

Odds are, at some point in your life, either you or someone you love—a parent, your spouse, your spouse’s parent—will need assistance with daily activities such as dressing, bathing, eating or moving from place to place. Whether it’s delivered at home or in a dedicated facility, long term care may represent the greatest out-of-pocket expense faced by many older Americans, but it doesn’t affect just our elders.

Even working-age adults may need long term care due to accident or illness. Or, they may find themselves in the position of having to subsidize their parents’ care—or even provide it themselves. The point is, no matter how the specifics of the situation may vary, one thing never changes:

**The need for long term care does not just impact
an individual. It affects the entire family.**

Unfortunately, most families don’t plan for long term care until it’s too late. And, since it’s a major health expense that private health insurance, Medicare, Medicare supplements and HMOs either have limited or no coverage for, the results of neglecting to plan can be devastating —both to your assets and to your dignity.

<At [Agency Name], we’ve seen it happen to our clients and to our friends.> <I’ve seen it happen to my clients and to my friends.> So, <we/I> would like to invite you to a special workshop “Planning for Long Term Care,” presented by **Berkshire Life Insurance Company of America**. In this workshop, we’ll explore the questions that many people are asking today about whether long term care insurance is right for them, how the need to fund long term care can impact retirement savings, and the ways a good long term care plan may provide peace of mind and minimize the impact on the family.

I urge you to attend in order to learn more about this widely misunderstood topic. **The seminar is scheduled for <date> and will be held at <location> from <start time> to <end time>**. There is no cost to attend, but seating is limited, so call [phone number] as soon as possible to reserve a seat.

Sincerely,

<Name>

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<Date>

<Name>

<Address>

<City State Zip>

I have hopes and dreams for my family that go well beyond my lifetime. I want my spouse to be taken care of and not have to worry, my children to feel secure, and my grandchildren to achieve their goals. Because my long term care needs could affect all of us – financially, physically, emotionally – I want a plan that can help meet all of our needs.

Dear <Family Member>:

At <Agency Name>, we've successfully helped our clients enjoy increased access, flexibility, and control over their wealth throughout their lifetime. But more and more, we're recognizing that most families don't plan for long term care until it's too late. And, since it's a major health expense that private health insurance, Medicare, Medicare supplements and HMOs either have limited or no coverage for, the results of neglecting to plan can be devastating—both to your assets and to your dignity.

I'm sponsoring an informative session that addresses the changing dynamics of planning for a successful retirement when we live a long life. We'll explore the questions that many people are asking today about whether long term care insurance is right for them, how the need to fund long term care can impact retirement savings, and the ways a good long term care plan may provide peace of mind and minimize the impact on the family. Specifically, we'll look into long term care insurance from **Berkshire Life Insurance Company of America**.

I urge you to attend in order to learn more about this commonly misunderstood topic. **The seminar is scheduled for <date> and will be held at <location> from <start time> to <end time>.** <We'll be serving {light refreshments} {lunch/dinner} {dessert} {before/after} as well.> There is no cost to attend, but seating is limited, so call <phone number> as soon as possible to reserve a seat.

Sincerely,

<Name>

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Planning for Long Term Care

Help Protect the Quality of Life
for You and the People You Love

LTC Choice ProVider™

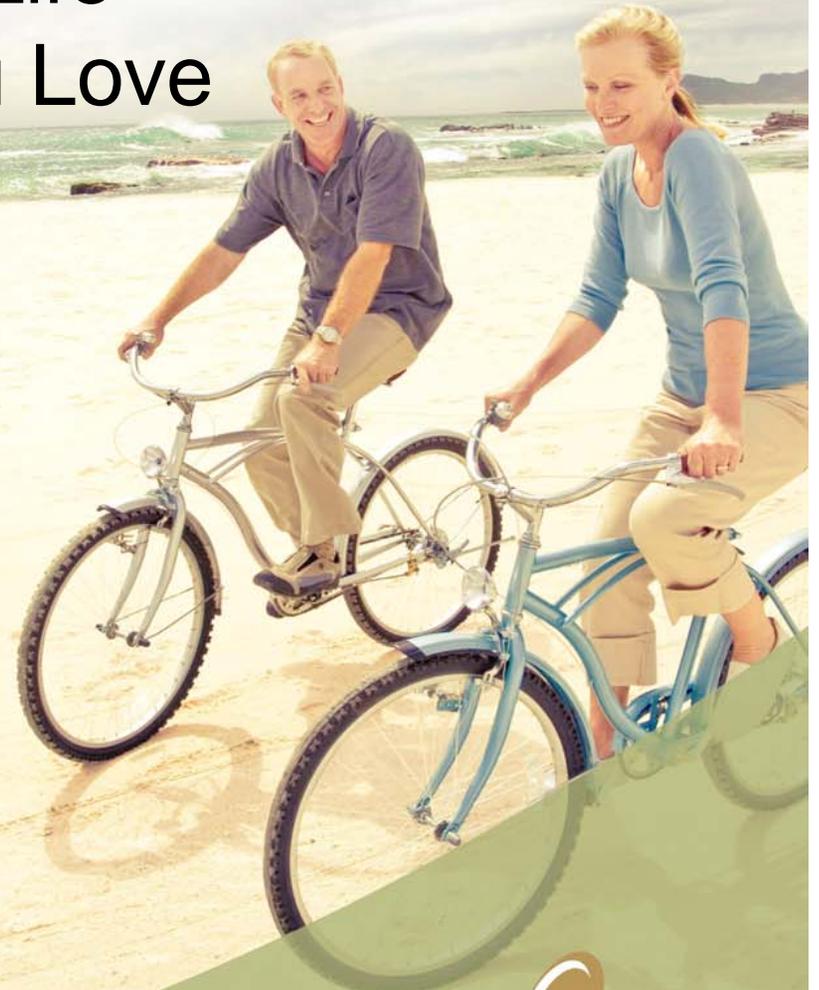
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Comprehensive Coverage

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Agenda

- Understanding Long Term Care
- Why Plan for Long Term Care
- The Effects on your Family
- Cost and Funding Options
- Next Steps

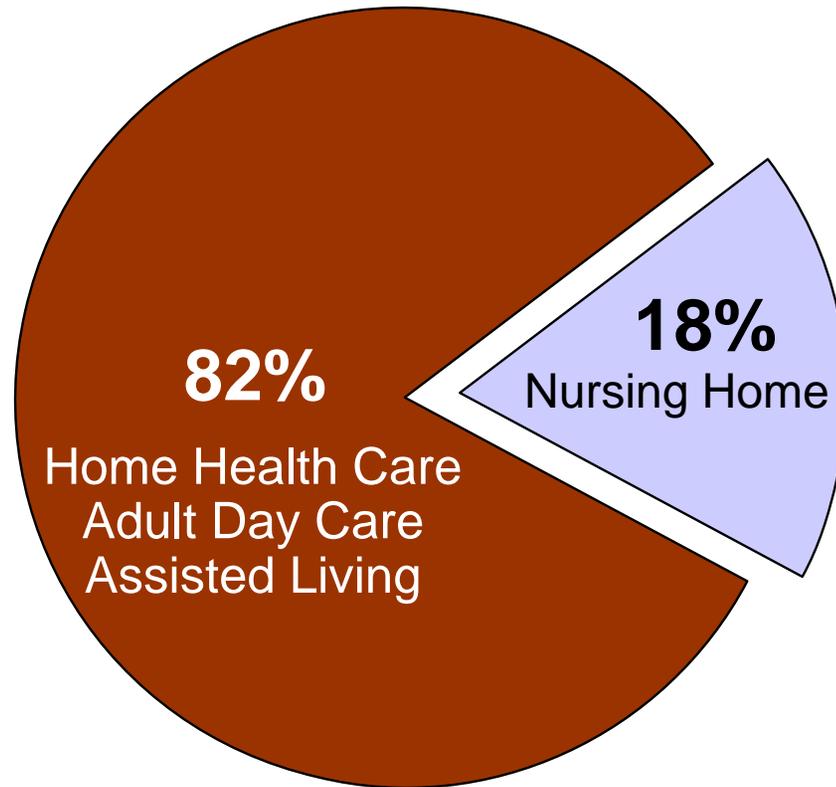


What is Long Term Care?

- Custodial or maintenance care
 - Assistance with activities of daily living
- Wide range of services for those with...
 - Chronic illness
 - Permanent disability
 - Severe cognitive impairment



Where is Care Provided?



Source: Centers for Medicare & Medicaid Services, National Health Accounts, 2005



Why is it Important to Discuss Long Term Care Planning?

- We are living longer... this increases our chances of someday needing care
- Medicare and Health Insurance either do not cover or have very limited coverage of long term care
- Medicaid doesn't pay until most of our savings are gone
- Families will provide care, but at what cost?
- Cost of long term care presents an unlimited liability. Failure to address this risk could derail your best plans



Questions to Consider

- Do you know how a long-term illness affects a family?
- Do you really understand the cost of care?
- What are the options for financing care?
- Does your family have a long term care plan?



Long term care is not only about you

It's about your family



Long Term Care is a Family Issue

- Caregiving: difficult decisions & economic consequences
- Geographically dispersed families
- Smaller families
- Baby Boomers: The “sandwich” generation
- Two income families (the caregiver works)
- Divorce and/or single parent families



Long Term Care and The Family

Emotional Impact

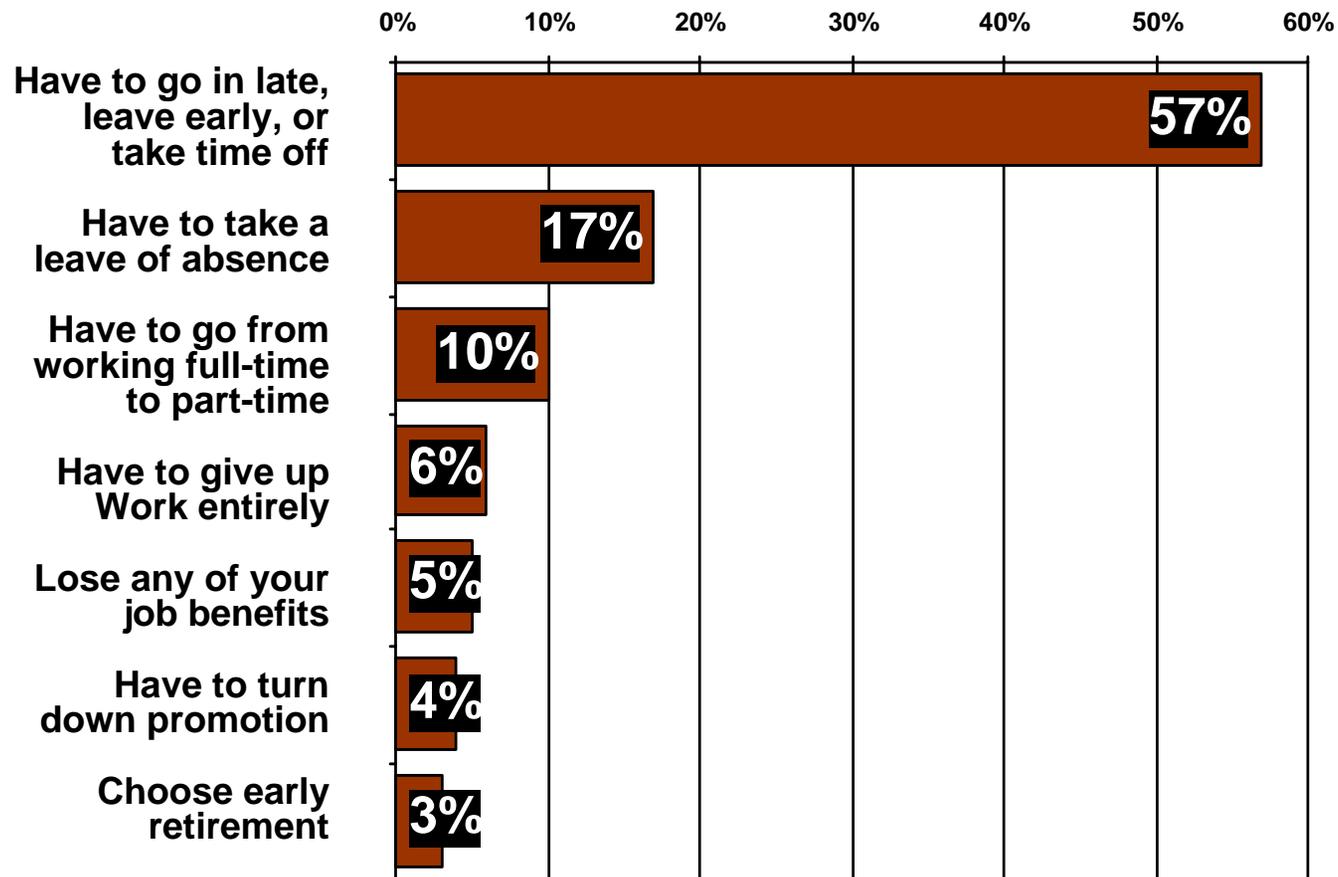
- Burden of care
- Depression
- Family conflicts

Financial Impact

- Income
- Savings/Retirement
- Estate



Formal Adjustments to Work Schedule Due to Caregiving



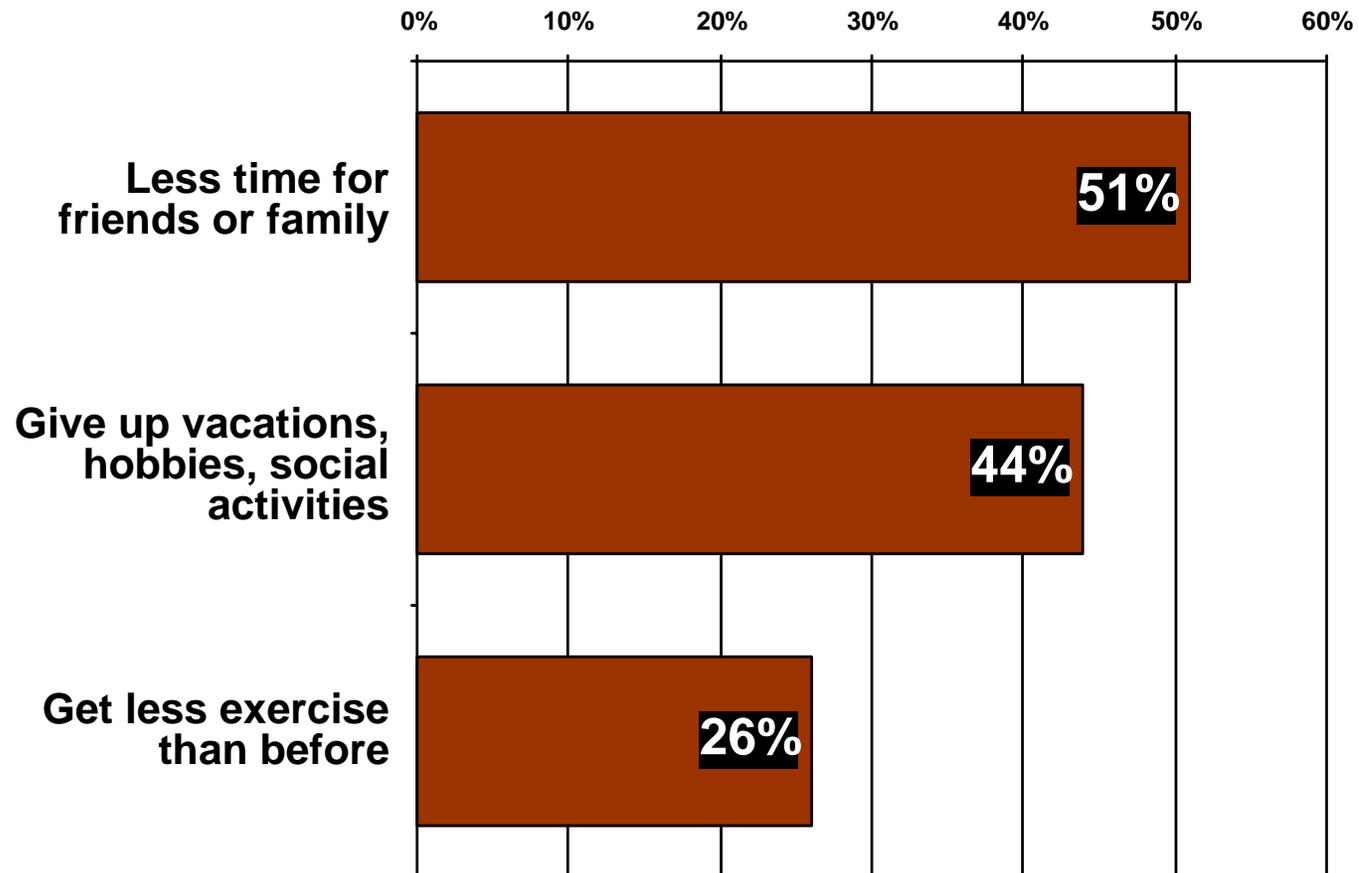
Source: Caregiving in the U.S., National Alliance for Caregiving and AARP, 2004



Alzheimer's and Caregiving

- Every 72 seconds, someone in America develops Alzheimer's Disease; by mid-century, it will be every 33 seconds
- Nearly half of persons over age 85 have Alzheimer's
- Nearly 1 in 4 caregivers of people with Alzheimer's Disease and other forms of dementia provide 40+ hours per week of care. 1/3 do so for 5 years or more
- 2/3 of working caregivers of people with Alzheimer's Disease and other forms of dementia report that they missed work because of caregiving

Impact of Caregiving on Family and Leisure Activities



Source: Caregiving in the U.S., National Alliance for Caregiving and AARP, 2004

Annual Average Cost of Care*

- Home care - \$34,800
 - Based on a national average hourly rate of \$29.00 per hour at 5 hours per visit, and 5 visits per week
- Nursing home - \$62,832
 - Based on a national average room rate of \$187.00 per day

**What Does Long-Term Care Cost? Retrieved on September 25, 2008, from http://www.longtermcare.gov/LTC/Main_Site/Paying_LTC/Costs_Of_Care/Costs_Of_Care.aspx*

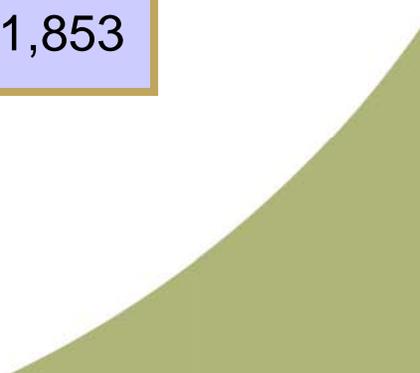


The Cost of Care

- Annual Nursing Home Costs increasing faster than overall inflation

Rate of Inflation	2006	2016	2026	2036
	\$75,190			
4%		\$111,300	\$164,751	\$243,871
5%		\$122,477	\$199,501	\$324,967
6%		\$134,654	\$241,145	\$431,853

Source: Health Spending Projections Through 2013, Office of the Actuary, Centers for Medicare and Medicaid Services, February 2004



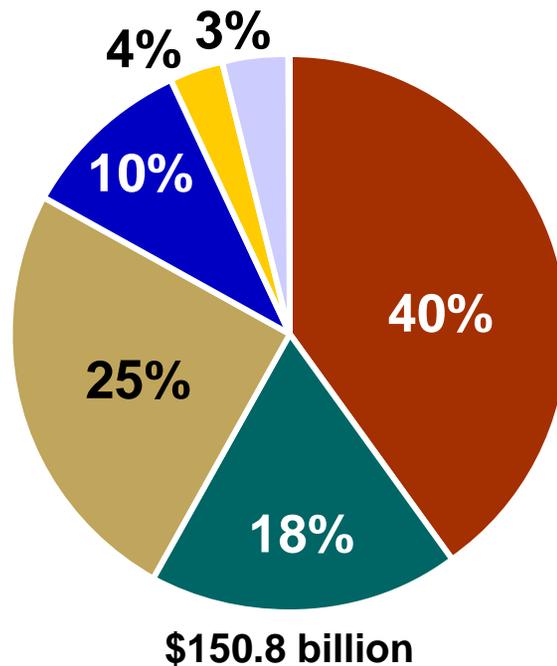
Common Ways to Pay for Long Term Care

- Private Health Insurance
- Medicare
- Medicaid
- You or your family

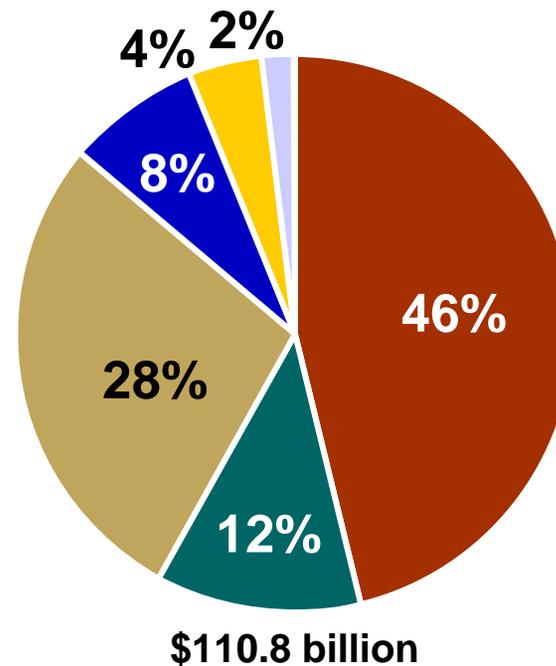


A Closer Look at Medicare and Medicaid

Total Long-Term Care Expenditures



Nursing Home Expenditures



- Medicaid
- Medicare
- Out of Pocket
- Private Insurance
- Other Private
- Other Public

Source: Centers for Medicare & Medical Services, National Health Accounts, 2005, www.cms.hhs.gov

What do Medicare and Private Health Insurance pay?

- Medicare generally only pays for “skilled” care
 - designed to get you better
 - most long term care is non-skilled care
- Examples of non-skilled care:
 - oxygen therapy or respiratory therapy for emphysema patients
 - catheter maintenance
 - help with bathing, dressing or other activities of daily living



What about Medicaid?

- Medicaid is Welfare: provides health services to those who meet their state's poverty guidelines
- Medicaid is welfare: stringent income and asset requirements to qualify
- **Limits your choices**



Medicaid* Qualification

- Generally below \$2,500 in assets
- Generally a spousal monthly income allowance of \$1603
- Look Back Period
 - 3 or 5 years
- Unlimited penalty period

Medicaid rules vary by state. Refer to your state's Medicaid rules. Please visit www.medicare.gov for consumer information regarding both Medicare and Medicaid programs.



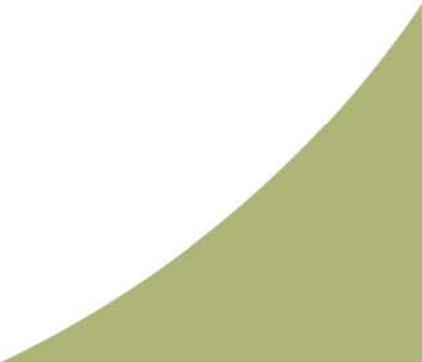
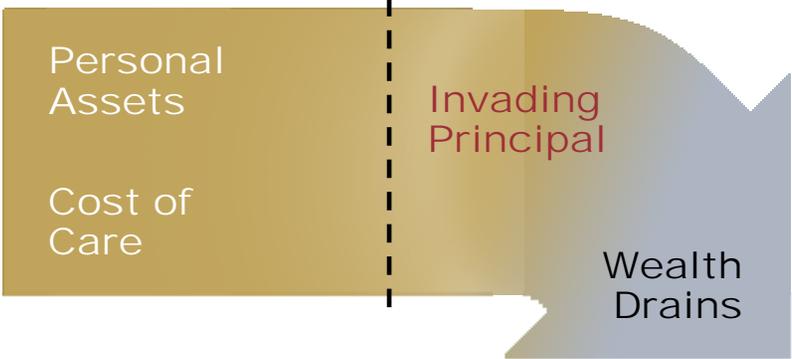
Is Medicaid “Planning” the Solution?

- Converts countable assets into inaccessible assets by giving them away or placing them in trust
- It’s a guessing game
 - impossible to judge the correct timing
 - who do you plan for?
- If not done right, assets are still subject to mandated estate recovery upon death



The Risk of Self Funding

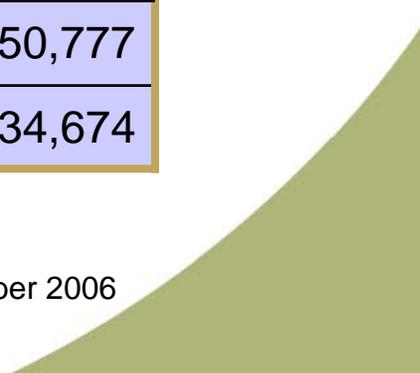
Goals



How Long Would \$1,000,000 Last?

Year	Savings	With 5% Yield	Living Expenses	Cost of Care (5%)*	Balance
1	1,000,000	50,000	75,000	75,190	899,810
2	899,810	44,991	75,000	78,950	790,851
3	801,021	40,051	75,000	82,897	683,175
4	687,627	34,381	75,000	87,042	559,966
5	564,013	28,200	75,000	91,394	425,819
6	429,404	21,470	75,000	95,964	279,910
7	282,972	14,149	75,000	100,762	121,359
8	123,831	6,192	75,000	105,800	-50,777
9	48,968	2,448	75,000	111,090	-134,674

*MetLife Mature Market Institute Market survey of Nursing Home and Home Care Costs, September 2006
Chart is for illustrative purposes only.



Long Term Care Insurance Helps Restore the Balance



Planning is a Necessity

- Where will you receive care?
- Who will provide your care?
- How much care can you afford?
- Do you want to pay for care with Principal, or with Interest?



Long Term Care Planning is an Integral Part of Your Plan

- Family questions are resolved
- Funding questions are resolved
- A plan—and peace of mind—are in place



Next Steps

- Realize that today is just the start
- Plan protects your lifestyle, your choices and your legacy
- A licensed professional can help you determine the right plan
- Tell your family about the plan



Thank you

This seminar describes coverage offered through **BERKSHIRE LIFE INSURANCE COMPANY OF AMERICA'S** long term care insurance policies. Depending on state availability, coverage will be offered by policy forms BG01P(01/09) et al. In some states, coverage will be offered by the above referenced policy number followed by the state's two-letter abbreviation.

Long Term Care Insurance coverage is the financial responsibility of Berkshire Life Insurance Company of America. For costs and further details of the coverage, including exclusions, any reductions or limitations and the terms under which the long term care insurance policy may be continued in force, contact your agent/representative.

The purpose of this material is the solicitation of insurance.

An agent/representative may contact you.



Slide 1:

Text in ***bold italics*** and prefaced by this icon  indicate items to be spoken by the presenter.

 ***First of all, I want to congratulate you for taking the time to attend this session to learn more about Planning for Long Term Care. This is an important issue, and one that many people often don't want to think about.***

More and more, we are realizing that long term care is a reality, and that it is every bit as important to plan for the possibility of needing long term care as it is to plan for retirement.

Slide 2:

 ***What we will do <today/tonight> is talk about what long term care actually is (and a little bit about what it is not). We will also talk about why it is important to plan for long term care.***

&A lot of people just think about what long term care could mean to them, but sometimes we forget what the effects could be on your family or other loved ones. Some of you may know what I mean, if you've been on the other side of this issue and provided care for a family member or a friend.

&We will talk about some of the ways people pay for long term care, and also what government programs (like Medicare and Medicaid) do and do not pay for.

&We will also talk about the next steps you can take, to make sure you have a plan that you are comfortable with. I am not here to sell you anything, and our discussion will not be based around "why you need to buy long term care insurance". That is a personal decision you should make with the help of a licensed professional. Instead, I will encourage you to look at the options, and to understand what they really are.

Slide 3:

Long Term Care is assistance provided to people who have a prolonged condition or illness that limits their ability to perform normal daily activities.

Long term care is not the same as traditional medical care.

It is assistance with activities of daily living which include those specific activities that someone must be able to perform in order to care for themselves: Bathing, eating, dressing, toileting, transferring, and continence.

Long term care is not acute or sub-acute care in a hospital. Long term care follows a plan of care by a licensed health care professional. And can include anything from skilled medical care to help with basic life functions and can include household chores and transportation. This type of care is called custodial or maintenance care because although it may include medical care, it may not help you to get better.

A few examples are:

Someone with Alzheimer's may need supervision or stand-by assistance with activities of daily living.

Someone who has suffered a stroke may need hands-on assistance or physical therapy.

Slide 4:

There is a prevailing myth that long term care is primarily associated with being in a nursing home. In fact, long term care insurance was originally called "nursing home insurance" which leads to this misperception.

In reality, most long term care is provided in the home simply because people want to remain in their home as long as possible.

There are other options as well, such as adult day care, or assisted living facilities. Adult day care can be a great way to receive long term care services; it helps people remain in their own home, or the home of a friend or family member. Adult day care is a planned program of care that includes a variety of health, social and supportive services in a safe, protective environment during daytime hours. It is a community-based service designed to meet each individual's needs and to help keep people at home longer.

Assisted living facilities are for people who may require more assistance with their Activities of Daily Living (ADLs) but who wish to live as independently as possible for as long as possible. Assisted living exists to bridge the gap between independent living and nursing homes. Residents in assisted living centers may need some assistance, but do not require constant care.

Slide 5:

It's a demographic reality: We are an aging population, and our projected life expectancy is much higher than our parents' generations.

Without a plan, it is likely that we will pay out of our own savings and income for care, or our family will do their best to juggle the caregiving responsibilities.

Paying for long term care represents a very significant risk to all of the plans we've put in place.

Slide 6:

Think about the situations you are familiar with. Have you seen someone who needed to provide care for a loved one, or have you provided this type of care yourself?

If you needed care, do you know how much it could cost? Have you thought about the emotional, as well as the financial costs of not having a plan?

A lot of people never really think about what the options for handling care are. We are starting to see what happens when people don't have a plan. Many of us have seen someone faced with the unfortunate realities of dealing with long term care.

Usually, our families will take care of us as long as they can, but then the options become pretty clear cut. If we need custodial care, we either spend your own money for care, or end up needing to rely on welfare.

Think about whether or not your family has a plan in place.

Slide 8:

Decision-making can lead to family conflicts.

As you think about your own family, or those you know who may already be involved in a long term care situation, certain dynamics quickly come into play.

As parents, we are always concerned about the quality of our children's lives – no matter how old they are. Yet today, many baby boomers assume financial burden of caring for both parents and children.

Also today, many families are geographically dispersed. Sometimes one child attempts to provide the care, but this can cause a lot of hurt feelings, feelings of guilt, and can really be overwhelming in some cases.

Another reason it is not as easy for our children to provide care is that families are smaller these days than they were in the past. And, if there are only one or two children, and they have their own family responsibilities, it becomes increasingly difficult.

If your children are married, perhaps both spouses work. If a designated caregiver is a single parent, who perhaps also has to work, it is probably difficult enough for them to manage their own responsibilities without adding the additional responsibility of caregiving for a parent.

Slide 9:

When long term care has not been addressed in your financial plan, there is a possibility that someone will end up having to make quick decisions, perhaps with limited information, about your care, or even about your finances.

Imagine the stress of having to make financial decisions on the fly (which accounts to liquidate, for instance). Would your spouse or children know your wishes on this? Do you think they would necessarily do what you would do?

What about providing the care, itself. Perhaps one person will try to do everything on their own. Perhaps others will try to help, or will struggle with feelings of guilt. It's easy to see how this can lead to depression and family conflicts.

Add to that, the financial impact. Even if you have enough savings or income to pay for your care, and even if your caregiver knows which funds to use, if long term care has not been factored in to the plan, there can be very substantial effects to your Income, Retirement Savings, and to your estate.

If you have plans for your savings or income, a long term care event could derail these plans.

Slide 10:

Working caregivers experience significant stress in caring for a loved one. In fact, they may also experience serious financial impact as well, even if they don't personally contribute to the cost of care.

Most caregivers currently work (48% full-time and 11% part-time) while providing care, or have worked at some time while being a caregiver (59%). More than six in ten of these working caregivers (62%) report their caregiving responsibilities have affected their work.

According to this study, "Caregiving in the U.S.", by the National Alliance for Caregiving and AARP, workers often need to use their own sick time and may end up needing to make significant adjustments to their work schedules, including early retirement or quitting their job. This impacts their current earnings as well as their ability to save for their own retirement.

Slide 11:

Since the incidence and prevalence of Alzheimer's Disease increase with advancing age, the number of persons with Alzheimer's is expected to grow as a proportion of this larger older population.

The effects of caring for someone with Alzheimer's Disease and other forms of dementia can be exceptionally demanding. This is due to the substantial number of hours necessary for care and the patient may live a long time with the illness.

(See statistics on slide).

Slide 12:

The impact of providing care goes beyond making adjustments at work. Providing care also can affect the caregiver's family and leisure activities.

Half of caregivers say they have less time for families and friends than before taking on caregiving responsibilities. A substantial proportion also say they have given up vacations, hobbies, or other social activities as a result of caregiving.

For the parent receiving care there is a conflict – they want children to enjoy their lives and not be burdened with their care. They also feel guilty that quality time (which their offspring may have little of) is being spent on their care.

Slide 13:

These figures are national averages. (provide some information on the local costs)

Home care hours of service provided vary by individual and severity of disability. Some cases (Alzheimer's) may require 24-hour care.

Based on an hourly rate of \$29 with 5 hours /visit and 5 visits/week the cost of home care could easily reach \$34,800 in one year. In some cases, and individual might need 24 hour care. In those cases, the cost of home care would be much higher.

Note: Generally, the top 10 high cost areas are: Alaska, New York metro, Connecticut, Boston, Hawaii, District of Columbia, Massachusetts (other than Boston), New Jersey, New York (other than NYC) and Maine.

Slide 14:

Nursing home costs have been increasing faster than overall inflation.

The chart shows what the annual cost of care will be years down the road if they increase at 4, 5, or 6%.

If nursing home costs were to increase by 5% annually, the national average for one year of care would be almost \$325,000 in 2036.

Slide 16:

📖 Now we turn to the question of “Who pays for long term care?”

As you can see, Medicaid also pays for long term care. Medicaid is available only to certain low-income individuals. It typically provides for benefits only after you exhaust most of your resources. Medicaid has strict asset limitations to qualify for benefits. It is a tax-funded program meant to aid people who cannot afford care.

Medicare pays only about 12% of all nursing home costs, typically just for short-term skilled nursing home stays after hospitalization. It covers home care for short-term unstable conditions, not for longer term assistance. When it comes to actual long term care, Medicare pays only about 5%.

Slide 17:

Medicare, like private health insurance, only pays for skilled care designed to get you better. Remember, LTC mostly refers to care needed for the long term, when you’re not expected to recover. Medicare does not cover most in-home care. Medicare requires that you receive in-patient hospital care for at least three nights, enter the nursing facility within 30 days of the hospital stay, and for the same reason that necessitated the hospital stay. You must also have a prognosis for improvement.

There are a lot of things that we may think of as skilled care, but they really are not.

Note to presenter: You may want to pass out the “Shopper’s Guide to Long-Term Care Insurance,” p. 5 for reference.

Slide 18:

The Medicaid program was originally intended to assist low income families; therefore the requirements for eligibility are strict. There are income and asset limitations to qualify for benefits. It is a tax-funded program meant to aid people who cannot afford care. If you become eligible for Medicaid benefits you will have limited choices of where you will receive benefits.

“Limited choices” means that you do not have a choice of where you receive care. If you apply for Medicaid you will have to go wherever there is a Medicaid bed available. This might be miles from your home or your children’s homes.

Slide 19:

These figures vary by state. But the important thing to know about Medicaid is that people must pay for care out of pocket until they “spend down” their assets enough to become eligible.

Note to presenter: You may want to refer them to “A Shopper’s Guide to Long-Term Care Insurance.”)

 *The Look Back Period refers to how far back the state can examine your records to see what you or your spouse have done with your money. In most cases the look back period is generally 3 or 5 years.*

Any transfer of ownership of assets, within the look back period, will trigger a “penalty period” or ineligibility period.

The penalty period is how long you are ineligible for Medicaid if you have transferred assets within the look back period. A simplified example of penalty period:

Transferring an asset valued at \$30,000 in a state with a monthly nursing home cost of \$3,000 would result in a 10 month period of ineligibility for Medicaid (penalty period).

Slide 20:

Countable assets include all monies and investments, deferred annuities, life insurance with significant cash value, second home, vehicles and every item not identified as non-countable.

Non-countable assets include your primary resident, household goods, one automobile, wedding and engagement rings, burial plots, small cash value life policies.

Inaccessible assets are those which have been given away or placed in a trust.

The Look Back Period was established to prevent intentional impoverishment in order to receive benefits.

Artificial impoverishment is not the goal of most people who have worked hard all their lives.

States are getting wise. Medicaid planning is losing popularity.

Slide 21:

You or your family may end up having to pay for the care out of your own savings.

Even if you can afford to pay for long term care with your savings, you may not want to invade your principal for this purpose. A lot of people don't consider the fact that spending your savings or liquidating assets could negatively impact the plans you have for using income from your investments to maintain your standard of living, or your spouse or family's standard of living. Obviously, that income will be diminished if the assets are spent down.

Slide 22:

Even what seems like a fairly substantial amount of money can be depleted quickly if a long term care need arises. In this example, we look at how far \$1 million will go if you started needing care at today's rates. If you are earning 5% on that money, and using \$75,000 per year to cover your living expenses, and if the cost of care goes up by 5% per year, you would have spent through that \$1 million in under 8 years.

What's more, the income you were counting on that \$1 million will be a thing of the past. If you don't have the income generating asset, you won't have the income.

And this is just if one person needs care for 8 years. In a couple, the survivor could be left with no income, no assets, and no plan for long term care other than relying on welfare

Slide 23:

Planning for long term care can bring everything back into alignment. Most people feel a lot better when they know that the issue of long term care has been addressed, and the emotional and financial consequences can be brought into balance.

Slide 24:

Make sure you are in control. Most of us would like to be able to choose where we receive care, and who will provide that care.

It is important to get a real handle on the cost of care and make sure the plan to pay for the care is in place.

We have looked at what happens if you need to pay for care by invading your principal. Most people would prefer to structure a plan that allows them to pay for a plan using only a portion of their interest instead

Slide 25:

Planning for long term care allows you to solve family and funding questions. Planning allows you and your family to enjoy peace of mind.

Slide 26:

Coming here to <today/tonight> is an important first step. You should now know a little bit more about long term care, and what it can mean to you and your family if you ever need care. Now is the best time to address this important family issue: before you need it, and while you are young and healthy enough to purchase it at optimal rates. However, in a group setting like this it is not possible to determine what is best for you and your family. The only thing we know is, you need to have some sort of plan in place.

It is important not to just leave here and decide that long term care insurance is or is not the right planning solution for you. <Today/Tonight> we have only talked about the issue and some of the solutions. The best thing you can do is to meet with a licensed professional who can help you personally navigate this issue and help you to design an appropriate plan, which may or may not include long term care insurance.

After meeting with a professional, it is important that you and your loved ones really understand what your plan is, and what the benefits of having that plan will be.

SERFF Tracking Number: LFCR-126031192 State: Arkansas
Filing Company: Berkshire Life Insurance Company of America State Tracking Number: 41566
Company Tracking Number: 4186 ET AL -- MAIN BROCHURE FILING 2-09
TOI: LTC03I Individual Long Term Care Sub-TOI: LTC03I.001 Qualified
Product Name: BG01P(01/09)-AR et al.
Project Name/Number: /

Rate Information

Rate data does NOT apply to filing.

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Supporting Document Schedules

Satisfied -Name: Cover letter

Review Status:

Filed

03/06/2009

Comments:

Attachment:

AR DOI Cover 2-11-09.pdf



Berkshire

**Berkshire Life
Insurance Company of America**

February 11, 2009

Harris Shearer
Rate and Form Analyst
Arkansas Department of Insurance
1200 West Third Street
Little Rock, AR 72201-1904

Re: BERKSHIRE LIFE INSURANCE COMPANY OF AMERICA – NAIC # 71714
Long Term Care Insurance Advertising Materials
For use with Policy form number BG01P(01/09)-AR et al.

4186	LTCI Comprehensive Brochure
4185	LTCI Needs Brochure
8923-01-09	LTC Follow-up Script 1
8924-01-09	LTC Follow-up Script 2
8925-01-09	LTC Follow-up Script 3
8926-01-09	LTC Follow-up Script 4
7324-01-09	LTC Seminar Ad
PA187-1-2009	Family Pre-Approach Letter 1
PA188-1-2009	Family Pre-Approach Letter 2
8546-01-09	Planning for LTC PowerPoint
8546-01-09-Script	PowerPoint Script

Dear Mr. Harris Shearer,

The enclosed advertising materials were previously approved on **November 13, 2008** under state tracking number **LF CR-125851227**. However, there was an error in the previously approved forms and we would like to make it clear that we are replacing these updated forms with the previously approved forms.

Furthermore, the enclosed advertising materials are being submitted for your review and approval. The LTCI Comprehensive Brochure, 4186, is intended as an “invitation to contract” and provides a general description of the provisions and benefits of Berkshire Life Insurance Company of America’s (“Berkshire Life”) Long-Term Care Insurance product. All of the other pieces in this filing are intended to be “invitations to inquire”. Form 8546-01-09-Script is the notes that accompany PowerPoint presentation 8546-01-09. This piece is not a stand alone piece and will always be presented with the 8546-01-09

Please note that we have placed descriptions of state specific requirements under some of our benefit descriptions. Because we are filing this material nationwide, we have bracketed these descriptions to indicate that they may change as the laws and regulations of different states change to indicate specific state requirements.

Long Term Care Administrative Office
Post Office Box 4243 • Woodland Hills, CA 91365-4243 • Telephone 888-505-8743 • Fax 818-887-4595

Berkshire Life Insurance Company of America, Pittsfield, MA, is a wholly owned stock subsidiary of The Guardian Life Insurance Company of America, New York, NY

Thank you very much for your assistance with this filing. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Karina Amaral". The signature is fluid and cursive, with the first name "Karina" written in a larger, more prominent script than the last name "Amaral".

Karina Amaral
Compliance Analyst
(800) 366-5463, Ext. 2307
Karina.Amaral@LifeCareAssurance.com

Attachments