

SERFF Tracking Number: LFCR-126069244 State: Arkansas  
Filing Company: Berkshire Life Insurance Company of America State Tracking Number: 41780  
Company Tracking Number: PA189 ET AL 3-09  
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.	SERFF Tr Num: LFCR-126069244	State: ArkansasLH
TOI: LTC03I Individual Long Term Care	SERFF Status: Closed	State Tr Num: 41780
Sub-TOI: LTC03I.001 Qualified	Co Tr Num: PA189 ET AL 3-09	State Status: Filed-Closed
Filing Type: Advertisement	Co Status:	Reviewer(s): Marie Bennett
	Author: Smith Darlene	Disposition Date: 03/25/2009
	Date Submitted: 03/12/2009	Disposition Status: Filed-Closed
Implementation Date Requested: On Approval		Implementation Date:

State Filing Description:

## General Information

Project Name:	Status of Filing in Domicile: Not Filed
Project Number:	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: 03/25/2009	Explanation for Other Group Market Type:
	State Status Changed: 03/25/2009
Deemer Date:	Corresponding Filing Tracking Number:
Filing Description:	
LTC Advertising Filing	

## Company and Contact

### Filing Contact Information

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

Karina Amaral, Compliance Analyst 1 - karina.amaral@lifecareassurance.com  
Advertising

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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: \$250.00  
Retaliatory? No  
Fee Explanation: \$25.00 x 10 forms = \$250.00  
Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Berkshire Life Insurance Company of America	\$250.00	03/12/2009	26372834

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## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Filed-Closed	Marie Bennett	03/25/2009	03/25/2009

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Comment:

Rate data does NOT apply to filing.

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<b>Item Type</b>	<b>Item Name</b>	<b>Item Status</b>	<b>Public Access</b>
<b>Supporting Document</b>	Cover letter		Yes
<b>Form</b>	Association Pre-Approach Letter		Yes
<b>Form</b>	Consumer Pre-Approach Letter		Yes
<b>Form</b>	Key Employee Pre-approach		Yes
<b>Form</b>	Employee Pre-Approach		Yes
<b>Form</b>	Employee Pre-Approach		Yes
<b>Form</b>	Buy Now Consumer Flyer		Yes
<b>Form</b>	Care Consumer Flyer		Yes
<b>Form</b>	Planning Consumer Flyer		Yes
<b>Form</b>	Tax Advantage Flyer		Yes
<b>Form</b>	Employer PowerPoint Presentation		Yes

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## Form Schedule

Lead Form Number: PA189

Review Status	Form Number	Form Type	Form Name	Action	Action Specific Data	Readability	Attachment
	PA189-3-2009	Advertising	Association Pre-Approach Letter	Initial		0	PA189 - Association Pre-Approach final 3-9-09.pdf
	PA190-3-2009	Advertising	Consumer Pre-Approach Letter	Initial		0	PA190 - Consumer Pre-Approach final 3-9-09.pdf
	PA191-03-2009	Advertising	Key Employee Pre-approach	Initial		0	PA191 - Key Employee Pre-approach final 3-9-09.pdf
	PA192-03-2009	Advertising	Employee Pre-Approach	Initial		0	PA192 - Employee Pre-Approach final 3-9-09.pdf
	PA193-12-2008	Advertising	Employee Pre-Approach	Initial		0	PA193 - Employer Pre-Approach final 3-9-09.pdf
	8016-01-09	Advertising	Buy Now Consumer Flyer	Initial		0	8016 Buy Now flyer final 3-9-09.pdf
	8017-01-09	Advertising	Care Consumer Flyer	Initial		0	8017 Care final 3-9-09.pdf
	8018-01-09	Advertising	Planning Consumer	Initial		0	8018

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	Flyer		Planning final 3-9-09.pdf
8019-01-09 Advertising Tax Advantage Flyer Initial		0	8019 Tax Advantage final 3-9- 09.pdf
8555-01-09 Advertising Employer PowerPoint Presentation	Initial	0	8555-01-09 Employer PowerPoint final 3-9- 09.pdf



<Date>

<Name>

<Address>

<Address>

Dear <Name>:

You can help your members address their goals of productivity, staff loyalty and retention with the addition of a valuable new benefit—individual LTC Choice ProVider™ Long Term Care Insurance from **Berkshire Life Insurance Company**.

You already know that long term care insurance is important. But did you know that LTC Choice ProVider Long Term Care Insurance can help your members address a range of important business objectives?

- The business can deduct the full premium paid\* for long term care coverage on behalf of its employees and their spouses or dependents. This includes shareholder-employees of C Corporations.
- Owners of LLCs, sole proprietorships, partnerships or those with more than two percent ownership of an S Corporation also enjoy significant tax benefits on company-paid premiums for their own policies.
- Long term care insurance is an outstanding solution for companies that need to provide a valuable executive-level benefit to help retain key employees.
- Alternately, providing long term care insurance to *all* employees at company expense can help the company build loyalty, enhance productivity and retain staff.
- Simply making long term care insurance available to employees, allowing them to pay premiums at the lower group rate, shows that employers care about their lifetime security.
- Qualified businesses and associations enjoy a 5% discount on all years' premiums for LTC Choice ProVider Long Term Care Insurance.

Please call me today to learn more about the advantages LTC Choice ProVider can offer your members.

Sincerely,

<Name>

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\*In New York, employer may only pay up to 50 percent.

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**The purpose of this material is the solicitation of insurance. Contact will be made by an insurance agent or insurance company**

<Date>

<Name>

<Address>

<Address>

Dear <Name>:

Whether you're at the mid point or latter part of your career, you're working hard for an enjoyable retirement. Now, you can protect your assets by preparing to fund the long-term care you may someday need. Here's why you should consider long term care insurance now:

- According to the U.S. Department of Health and Human Services in its 2008 study *What Does Long Term Care Cost*, a year in a nursing home is estimated to cost a national average of \$68,000, and just three visits a week by a home care aide can add up to \$18,000 a year.
- Medicare pays only about 20% of all nursing home costs, and just for short-term skilled nursing home stays after hospitalization. It covers home care for short-term unstable conditions, not for longer-term assistance.
- 70% of people over age 65 will need long term care services.

Fortunately, you can prepare. LTC Choice ProVider™ Long-Term Care insurance lets you choose care coverage not only for nursing homes and assisted living, but also for home and community services. Its options let you create a joint policy, keep up with inflation and leave a benefit to your heirs.

I can help you determine whether **Berkshire Life Insurance Company of America's** LTC Choice ProVider Long-Term Care Insurance policy is right for you. Please call me for an appointment today.

Sincerely,

<Name>

<Agent License Number>

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*U.S. Department of Health and Human Services, "Paying for Long Term Care – Overview," retrieved March 5, 2009 from [www.longtermcare.gov/ltc/main-site/paying-ltc/costs-of-care](http://www.longtermcare.gov/ltc/main-site/paying-ltc/costs-of-care).*

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<Date>

<Name>

<Address>

<Address>

Dear <Name>:

As you know, planning a secure future is vitally important, yet incredibly time-consuming. We've done some research and have selected a new benefit that will help you address a situation you or a family member may encounter.

We chose LTC Choice ProVider™ Long Term Care Insurance—an individual long term care insurance policy from **Berkshire Life Insurance Company** that enables you to easily customize coverage to meet your personal needs.

Our research revealed that 70 % of people over age 65 will need long term care services.\* We want to enhance your long-term financial security by helping you prepare for the possibility that you or a loved one may someday require long-term care—and may want to select the setting and the types of care you receive.

We're proud to offer this benefit to selected senior executives—at the company's expense.\*\*

We'll invite you to an informational meeting to be held during the next few weeks to learn more about LTC Choice ProVider Long Term Insurance and how this policy can be of great value to you and your family.

Best regards,

<Name>

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*\*U.S. Department of Health and Human Services, "Paying for Long Term Care – Overview," retrieved March 5, 2009 from [www.longtermcare.gov/ltc/main-site/paying-ltc/costs-of-care](http://www.longtermcare.gov/ltc/main-site/paying-ltc/costs-of-care).*

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<Date>

<Mr. Employee>

<Company Name>

<Address>

<Address>

Dear <Employee>:

We know you're concerned about planning for a financially secure future. That's why we've done some research and have selected a new benefit to enhance your long-term financial security.

We chose LTC Choice ProVider™ Long Term Care Insurance—an individual long term care insurance policy from **Berkshire Life Insurance Company** that you can customize to meet your personal needs.

Our research revealed that 70 % of people over age 65 will need long term care services.\* To help you to prepare for the possibility that you or a loved one may someday require long term care, we're proud to offer you, your spouse or partner and your parents the opportunity to purchase LTC Choice ProVider Long Term Care Insurance at a discount.

We look forward to providing you with a comprehensive presentation of this important new benefit offering. At this meeting, a representative of the insurance company will explain LTC Choice ProVider Long Term Insurance and describe how the policy can benefit you and your family. You'll learn how the policy will be funded and the costs and benefits to you. The representative will also explain the advantages of obtaining your long term care insurance through the new company program rather than on your own. We'll notify you of the date and time of the meeting in the very near future.

In the meantime, talk to your family members about their long-term plans. Compile a list of concerns and questions; I'm sure the insurance representative conducting the meeting will be happy to address them.

Best regards,

<Name>

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\* U.S. Department of Health and Human Services, "Paying for Long Term Care – Overview," retrieved March 5, 2009 from [www.longtermcare.gov/ltc/main-site/paying-ltc/costs-of-care](http://www.longtermcare.gov/ltc/main-site/paying-ltc/costs-of-care).

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<Date>

<Name>

<Address>

<Address>

Dear <Name>:

If you're one of the many business owners whose employees are providing care for a family member, you've probably experienced the effects it can have on your business in terms of absenteeism and lost productivity. Fortunately there's a solution that's right for your business—and right for your employees.

Today, you can help address your goals of productivity, staff loyalty and retention with the addition of a valuable new benefit—individual LTC Choice ProVider™ Long Term Care Insurance from **Berkshire Life Insurance Company**.

You already know that long term care insurance is important. But did you know that LTC Choice ProVider Long Term Care Insurance can help address a range of important business objectives?

- Your business can deduct the full premium paid\* for long term care coverage on behalf of its employees and their spouses or dependents. This includes shareholder-employees of C Corporations.
- Owners of LLCs, sole proprietorships, partnerships or those with more than two percent ownership of an S Corporation also enjoy significant tax benefits on company-paid premiums for their own policies.
- Long term care insurance is an outstanding solution for companies that need to provide a valuable executive-level benefit to help retain key employees.
- Alternately, providing long term care insurance to *all* employees at company expense can help your company build loyalty, enhance productivity and retain staff.
- Simply making long term care insurance available to employees, allowing them to pay premiums at the lower group rate, shows that you care about their lifetime security.
- Qualified businesses and associations enjoy a 5% discount on all years' premiums for LTC Choice ProVider Long Term Care Insurance.

Isn't it time you added a long term benefit that also makes real sense in the short term?  
| Please call me for an appointment today.

Sincerely,

<Name>

---

\*In New York, employer may only pay up to 50 percent.

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# Pay Now, Or Pay *More* Later for Long Term Care Insurance

*Have you been considering buying long term care insurance but can't decide whether to buy now or wait until later? Your hesitation could come at a cost.*

## **First...**

Long term care insurance is generally less expensive for younger, healthier buyers; so the longer you wait to purchase coverage, the more you'll probably pay.

Many think of long term care as something they may need in their senior years, but individuals can also require long term care as the result of a debilitating illness or accident.

## **Second...**

If your health declines, you may be ineligible to buy long term care insurance at any price.

## **Finally—and most importantly...**

The cost of coverage is small compared to the price of paying for long term care out of your own pocket. Just consider these statistics:

- National Monthly Average for Home Care: \$1,500 (\$18,000 annually)<sup>1</sup>
- National Monthly Average for Nursing Home Facility: \$5,667 (\$68,000 annually)<sup>1</sup>

Remember: These costs don't account for inflation. If you were to need home care<sup>2</sup> 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 **\$190,000** in today's dollars. Is this a price tag you would be able to subsidize from your retirement fund or assets? Why would you want to?

We'll be glad to help you explore your options for coverage that fits your budget today to help protect your financial stability in the future. Call us today to find out more.

<sup>1</sup> *What Does Long-Term Care Cost?* US Dept. of Health & Human Services, retrieved on December 4, 2008 from [http://www.longtermcare.gov/LTC/Main\\_Site/Understanding\\_Long\\_Term\\_Care/Costs\\_Paying](http://www.longtermcare.gov/LTC/Main_Site/Understanding_Long_Term_Care/Costs_Paying). Calculation is based on assistance from a home health aid 3 days per week.

<sup>2</sup> Home care benefit available for additional premium.

## **[AGENCY NAME]**

[License number:]

### **A licensed representative**

[Agent]

[Address]

[City, State, ZIP]

[Phone] [Fax]

[Email]



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.

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# With Long Term Care, There's No Place Like Home

Perhaps Dorothy, in "The Wizard of Oz," said it best: There's no place like home! That's why many people who need long term care prefer to receive it in their own homes.

Of course, sometimes care in a nursing or assisted living facility makes the most sense for both patients and their families. Either way, such services can be expensive, and often come at great financial and emotional cost to people who have worked hard all their lives to achieve a comfortable lifestyle.

## Coverage Gives You the Freedom of Choice

Fortunately, there's a way to protect yourself and your family from the risk of depleting your assets to pay for long term care if you should ever need it. An affordable LTC Choice ProVider™ policy from Berkshire Life Insurance Company of America will cover up to 100% of charges incurred, up to the Daily Benefit Amount you select, for long term care in either your home\* or in a nursing facility. You'll also receive valuable extras, such as benefits for caregiver training and respite care to relieve the primary caregiver in your home. With the optional support of an experienced Personal Care Advisor and a Nurse Care Coordinate (both at no additional cost), you and your loved ones can decide on the best course of action.

And with Berkshire Life's comprehensive coverage, you'll be protected by one of the best in the business, with a track record of stability and success.

## You Decide!

We'll be glad to help you explore your options for coverage that suits you best, so that if you ever need it, you'll have the freedom to choose the care setting—whether in your home or in a facility—that is most appropriate for your circumstances.

Call us today to learn more.

\* Home care available for an additional premium.

### [AGENCY NAME]

[License number:]

**A licensed representative**

[Agent]

[Address]

[City, State, ZIP]

[Phone] [Fax]

[Email]



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# Do Your Best-Laid Plans Include Long Term Care Insurance?

As a successful professional, you already know that careful planning lays the foundation for future rewards. But did you also know that even the best-laid plans for financial security are incomplete without considering the risk of requiring long term care?

You see, the longer you live, the greater the potential for needing long term care at some time in your future. Long term care provides help if you have a chronic illness, cognitive impairment, disability or injury that prevents you from independently performing everyday tasks, such as dressing, eating or getting in and out of bed. It is *care* oriented, not *cure* oriented, and because it's long lasting—not temporary—it's also expensive. In fact, today the national monthly average for a nursing home facility is \$68,000\* a year, a cost that is expected to grow.

## Here's the good news:

Careful planning *today* can help ensure a more enjoyable life later on by helping to protect your assets and providing peace of mind that the cost of such care is covered if you ever need it. We can help you design an affordable plan that will fit your financial situation today *and* in the future.

And with flexible coverage from **Berkshire Life Insurance Company of America**, you'll be protected by one of the best in the business, with a track record of stability and success.

***Call us today to start laying your plans for financial security!***

\*What Does Long-Term Care Cost? US Dept. of Health & Human Services, retrieved on March 5, 2009 from [http://www.longtermcare.gov/LTC/Main\\_Site/Understanding\\_Long\\_Term\\_Care/Costs\\_Paying](http://www.longtermcare.gov/LTC/Main_Site/Understanding_Long_Term_Care/Costs_Paying).

## [AGENCY NAME]

[License number:]

### **A licensed representative**

[Agent]

[Address]

[City, State, ZIP]

[Phone] [Fax]

[Email]



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# Tax Advantages for Long Term Care Insurance? *Absolutely!*

**LTC Choice ProVider™** long term care insurance from Berkshire Life Insurance Company of America offers many advantages:

- Comprehensive coverage to help cover the high costs of care. Medical and nursing home costs are expensive now, and have been increasing annually far faster than the consumer price index.
- Flexible options to fit your budget and personal needs
- Coverage from a company that prudently manages risk, with a long track record of strength and stability

## **For Yourself**

**LTC Choice ProVider also offers valuable tax advantages.** For example, benefit payments are generally tax-free, so the full amount you receive from your policy can go to paying your long term care expenses.

## **For Your Business**

In addition, if you own a business, you may be able to deduct the full premium paid on behalf of employees and their spouses or dependents, including shareholder-employees of C Corporations. You may also receive significant tax benefits on company-paid premiums for owners of LLCs, sole proprietorships, partnerships or those with more than two percent ownership in an S Corporation.

We'll be glad to help you explore your options for coverage that provides a host of advantages. Call us today to learn how this important coverage can benefit you and your business.

### **[AGENCY NAME]**

[License number:]

### **A licensed representative**

[Agent]

[Address]

[City, State, ZIP]

[Phone] [Fax]

[Email]



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# Your Business Advantage

A Key Benefit for Your Business  
and Your Employees

*LTC Choice* *ProVider*™  
LONG TERM CARE INSURANCE

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

**Berkshire Life Insurance  
Company of America**

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Insurance Company of America, New York, NY.

**THE PURPOSE OF THIS MATERIAL IS THE  
SOLICITATION OF INSURANCE. CONTACT  
WILL BE MADE BY AN INSURANCE AGENT  
OR INSURANCE COMPANY.**

8555-01-09



  
GUARDIAN®

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“An important part of planning for long term care is deciding how to pay for services. This is because long term care is very expensive, and contrary to what many people believe, their Medicare coverage will not pay for most of the long term care services they need. Consequently, if you are one of the 70% of people over the age of 65 who will need long term care services -- there's a very good chance you will have to pay for some or all of your long term care services out of your personal income and resources.”

Source: U.S. Dept of Health and Human Services, "Paying for Long Term Care - Overview," retrieved 3/5/09 from [www.longtermcare.gov/LTC/Main\\_site/Paying\\_LTC/Costs\\_Of\\_Care](http://www.longtermcare.gov/LTC/Main_site/Paying_LTC/Costs_Of_Care).



# Overview

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- Purchase during high income years
- Deductible as a business expense, including spouse
- Benefits generally tax-free
- You choose who to cover
- Premiums may be fully paid before retirement

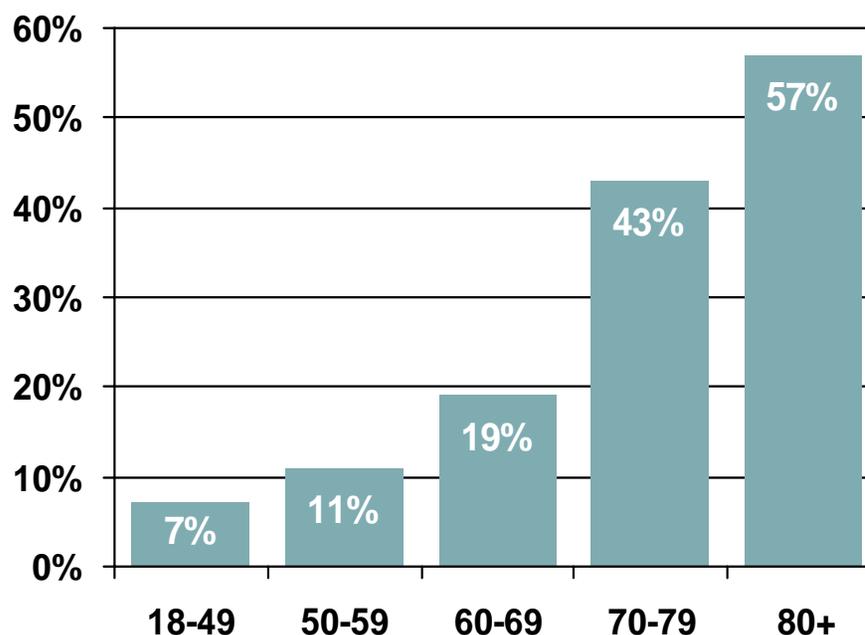
# Why Plan Now?

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- We are living longer!
- Long Term Care (LTC) is expensive
- LTC costs increasing faster than inflation
- Health changes may make you ineligible\*

## Age When Applying

The percentage of applications denied increases with the age of the applicant.



\*LTCi Sales Strategies, March 2005.

# The Cost of Care

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- The national average cost for care in a nursing home facility is \$68,000 per year
- The national average cost for home care is \$18,000 per year\*

Source: U.W. Dept. of Health and Human Services, "What Does Long Term Care Cost?" Retrieved 12/4/08 from [http://www.longtercare.gov/LTC/Main\\_site/understanding\\_Lon\\_Term\\_Care/Costs\\_Paying](http://www.longtercare.gov/LTC/Main_site/understanding_Lon_Term_Care/Costs_Paying). Calculation is based on assistance from a home health aid 3 days per week.

# How Will You Pay?

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- Health Insurance
- Medicare
- Medicaid
- Self-insure
  - Using your own, after-tax dollars!
    - savings
    - 401k



# What impact could this have on your retirement savings?

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- Assumptions

- Current Ages 52 / 50
- Five Years of LTC, beginning age 72
- \$200/day = current cost
- 5% Compound Inflation - LTC Costs
- 6% Net Return on Investments, 0% Tax and other adjustments

Plan Year	Age	Cost of Care	Lost Investment Opportunity	Total Annual Cost	Cumulative Cost
20	72 / 70	\$184,467	\$11,068	\$195,535	\$195,535
21	73 / 71	\$193,690	\$23,353	\$217,043	\$412,578
22	74 / 72	\$203,374	\$36,957	\$240,331	\$652,909
23	75 / 73	\$213,543	\$51,987	\$265,530	\$918,439
24	76 / 74	\$224,220	\$68,560	\$292,780	\$1,211,219

# LTCL as Key Person Compensation

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- Your business deducts the full premium for employees and spouse
  - includes C Corp Owner-Employee
- You can discriminate by class
- Premiums do not count as income
- Benefits are generally tax free
- Can elect a 10-Pay

(IRC Sec. 105(b) and IRC Sec. 106(a) Exclusions) The information provided here is not intended as legal or tax advice. We recommend that you consult with an attorney or tax advisor regarding the tax implications of purchasing long-term care insurance.

# LTCI and the Self-employed Health Insurance Deduction

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2008 Eligible Premium Amounts	
Age	Limits
40 or younger	\$310
41-50	\$580
51-60	\$1,150
61-70	\$3,080
71 or older	\$3,850

2009 Eligible Premium Amounts	
Age	Limits
40 or younger	\$320
41-50	\$600
51-60	\$1,190
61-70	\$3,180
71 or older	\$3,980

# Long Term Care Insurance (LTCI) & the Self-employed Health Insurance Deduction\*

- Example:
  - Self-employed individual age 55
  - Spouse age 52
  - LTCI Premium of \$5,190

Gross Income: \$100,000

Deduction for Eligible Premium =  $\$1150 \times 2$  (\$2,300)

Gross Income  
Less Deduction  
\$97,700

\*Sole proprietorships, partnerships, S corporations and most limited liability companies (IRC Sec. 162(l) Deduction)

The image shows a 2008 U.S. Individual Income Tax Return (Form 1040). Key sections include:

- Line 7:** Wages, salaries, tips, etc. (Attach Form(s) W-2) = 100,000
- Line 17:** Self-employed health insurance deduction (see page 29) = 2,300
- Line 37:** Subtract line 38 from line 22. This is your adjusted gross income = 97,700

This publication is provided as a courtesy and does not modify the provisions of any policy. It is offered for the purpose of education and information only and is not intended to constitute tax or legal advice. For information on your specific situation, please consult your personal legal or tax advisor. Figures are for illustrative purposes only.

# Sample Plan Design

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- \$200/day nursing home & home and community based care
- Compound benefit 5%
- 90-day elimination period
- Lifetime benefits
- Indemnity benefits
- 10-pay option\*

\* In TX, 10-year payment option available through policy forms BG02P(01/09)-TX

# A fringe benefit you can take with you!

Age	Total Annual Joint Premium	Cumulative 10 yr. Joint Premium	Individual Daily Benefit at Age 85	Annual Benefit at Age 85	Annual Joint Benefit at Age 85
40 / 40	\$12,000	\$120,000	\$1,800	\$656,270	\$1,312,540
45 / 45	\$11,000	\$110,000	\$1,408	\$513,920	\$1,027,840
50 / 50	\$10,500	\$105,000	\$1,104	\$402,960	\$805,920
55 / 55	\$12,000	\$120,000	\$864	\$315,460	\$630,920
60 / 60	\$12,500	\$125,000	\$678	\$247,470	\$494,940

## See how your benefits will grow!

Rates are for illustration purposes only.

# How to Choose a Long Term Care Insurance Carrier

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- Financials
  - Ratings
- Payment and Benefit Options
  - 10-Pay
  - Indemnity Benefit
- Consumer Value
  - Premium
  - Policy Features



# How Does LTCL Help?

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- Helps Relieve the Financial Burden
  - Business owner enjoys tax deduction during high income years
  - Helps pay for care
    - Avoid paying with personal, after-tax dollars
  - Helps protect assets
    - Living expenses
    - Retirement savings
    - Legacy

# How Does LTCL Help?

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- Relieves the Emotional Burden
  - Puts a plan in place
    - Avoids crisis planning
  - Provides an advisor to help
    - Develop a plan of care
    - Locate care and service programs in your area
    - Arrange and monitor care
  - Helps ease the burden on the family
    - Reduces caregiver stress
    - Can remove potential sibling/family conflict
    - Participate in care, rather than provide it

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Long Term Care Insurance helps your retirement plan to perform for the purpose for which it was intended.



# Your Business Advantage

## A Key Benefit for Your Business and Your Employees

*LTC ChoiceProVider™*  
LONG TERM CARE INSURANCE

Coverage provided by Policy Forms BG01P(01/09) et al. In ID, coverage provided by BG01P(01/09)-ID. Underwritten by and the financial responsibility of Berkshire Life Insurance Company of America. For costs and further details of coverage, including exclusions and reductions or limitations and the terms under which the long term care insurance policy may be continued in force, contact your representative/agent.

### Senior Insurance Counseling Information

\* For more information regarding long term care in New Hampshire, please refer to the senior insurance counseling center, ServiceLink [www.servicelink.org](http://www.servicelink.org) 1(866) 634-9412

\* For more information regarding long term care in Kansas, call the KDOA Senior Health Insurance Counseling for Kansas (SHICK) at 1-800-860-5260  
[http://www.agingkansas.org/SHICK/shick\\_index.html](http://www.agingkansas.org/SHICK/shick_index.html)



SERFF Tracking Number: LFCR-126069244 State: Arkansas  
Filing Company: Berkshire Life Insurance Company of America State Tracking Number: 41780  
Company Tracking Number: PA189 ET AL 3-09  
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.

SERFF Tracking Number: LFCR-126069244 State: Arkansas  
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Project Name/Number: /

## Supporting Document Schedules

### Review Status:

**Satisfied -Name:** Cover letter

03/10/2009

**Comments:**

**Attachment:**

AR DOI Cover 3-11-09.pdf



**Berkshire**

**Berkshire Life  
Insurance Company of America**

March 11, 2009

Harris Shearer  
Rate and Form Analyst  
Arkansas Department of Insurance  
1200 West Third Street,  
Little Rock, Arkansas 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.

PA189-3-2009	Association Pre-Approach Letter
PA190-3-2009	Consumer Pre-Approach Letter
PA191-03-2009	Key Employee Pre-approach
PA192-03-2009	Employee Pre-Approach
PA193-12-2008	Employer Pre-Approach
8016-01-09	Buy Now Consumer Flyer
8017-01-09	Care Consumer Flyer
8018-01-09	Planning Consumer Flyer
8019-01-09	Tax Advantage Flyer
8555-01-09	Employer PowerPoint Presentation

Dear Mr. Shearer,

We are submitting the above referenced advertising material for your review. The above materials are meant to be “invitations to inquire” about Berkshire Life Insurance Company of America’s long term care insurance policy.

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

Sincerely,

Michael Lewis  
Senior Compliance Analyst  
(800) 366-5463, ext. 2380  
Michael.Lewis@LifeCareAssurance.com  
Attachment

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*