

SERFF Tracking Number: NWLT-127197401 State: Arkansas
Filing Company: New York Life Insurance Company State Tracking Number: 48976
Company Tracking Number: 421980CV-A (0611)
TOI: LTC05I Individual Long Term Care - Nursing Sub-TOI: LTC05I.001 Qualified
Home & Home Health Care
Product Name: 5.0 Select Premier
Project Name/Number: Revised 1035 Exchange/421980CV-A (0611)

Filing at a Glance

Company: New York Life Insurance Company

Product Name: 5.0 Select Premier

TOI: LTC05I Individual Long Term Care -
Nursing Home & Home Health Care

Sub-TOI: LTC05I.001 Qualified

Filing Type: Advertisement

SERFF Tr Num: NWLT-127197401 State: Arkansas

SERFF Status: Closed-Filed- State Tr Num: 48976
Closed

Co Tr Num: 421980CV-A (0611) State Status: Filed-Closed

Reviewer(s): Harris Shearer,
Stephanie Fowler

Author: Cindy Rutty

Disposition Date: 06/06/2011

Date Submitted: 06/03/2011

Disposition Status: Filed-Closed

Implementation Date Requested: On Approval

Implementation Date:

State Filing Description:

General Information

Project Name: Revised 1035 Exchange

Project Number: 421980CV-A (0611)

Requested Filing Mode: File & Use

Explanation for Combination/Other:

Submission Type: New Submission

Overall Rate Impact:

Status of Filing in Domicile: Not Filed

Date Approved in Domicile:

Domicile Status Comments:

Market Type: Individual

Individual Market Type:

Filing Status Changed: 06/06/2011

State Status Changed: 06/06/2011

Created By: Cindy Rutty

Corresponding Filing Tracking Number:
421980CV-A (0611)

Deemer Date:

Submitted By: Cindy Rutty

Filing Description:

Re: New York Life Insurance Company

NAIC # 0826-66915 FEIN # 13-5582869

Long-Term Care Advertising Form Number 421980CV-A (0611)

Dear Sir or Madam,

The above-captioned form is being submitted for your review. This form is new and does not replace any other form; however, it is substantially similar to form number 421980CV-A, which was filed by your department on 9/27/10 under

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SERFF Filing Number NWLT-126790572. We have added "variable deferred" as variable text in the first and last paragraphs.

Form #421980CV-A (0611) is a letter with an optional detachable business reply section. The optional detachable business reply section is form #421980CV-B, which was also approved under SERFF Filing Number NWLT-126790572 and remains unchanged from the approved form on file with your department. Form 421980CV-A is considered an Invitation to Inquire advertisement and will be distributed by our agents or the Company directly as an informational mailer or handout to prospects, clients, and the general public.

Bracketed information is considered variable. We have included a Statement of Variability to support allowable variations.

We want to have the right to use this form in other formats or media, including New York Life Insurance Company websites, New York Life agents' websites, or other websites advertising New York Life Insurance Company's long-term care insurance policies, such as a sponsoring organization (employer or association) website.

To the best of our knowledge, this filing is complete and intended to comply with the insurance laws and regulations of your state.

If you have any questions or need additional information, please contact me at 512-703-5501 or crutty@newyorklifeltc.com.

Sincerely,

Cindy Rutty
Contracts and Compliance Associate III
New York Life Insurance Company, Long-Term Care Division

Company and Contact

Filing Contact Information

Cindy Rutty, Contract & Compliance Associate crutty@newyorklifeltc.com
III

6200 Bridge Point Parkway 800-723-5555 [Phone] 5501 [Ext]
Suite 400 512-703-5564 [FAX]
Austin, TX 78730-5006

Filing Company Information

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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Filed-Closed	Stephanie Fowler	06/06/2011	06/06/2011

[Agent Name]
New York Life Insurance Company
[ADDRESS 1]
[ADDRESS 2]
[CITY, ST ZIP]

[DATE]

[PROSPECT NAME]
[ADDRESS 1]
[ADDRESS 2]
[CITY, ST ZIP]

Dear [Prospect Name]:

Preparing for your financial future is a strategic decision that can help you maintain and support a lifestyle that you and your family deserve. As you have already made a smart decision by purchasing [a] [an] [fixed deferred] [and] [or] [a] [variable deferred] annuity¹, now is a great time to realize retirement plans by including protection with a long-term care insurance (LTCi) policy.

Perhaps you are interested in a long-term care insurance policy, but are hesitant to pay premiums out of pocket. Legislative changes that recently took effect have created a new solution! An annuity policyholder may now transfer a portion of the policy's value, including pre-tax earnings, directly from a **non-qualified** deferred annuity to pay the premiums on a long-term care insurance policy², on a tax advantaged basis. [³]

Non-qualified annuities are annuities that are funded with after-tax money. Qualified long-term care insurance policies are policies that comply with section 7702B of the Internal Revenue Code. Benefits received from qualified long-term care insurance policies may be tax free. New York Life Insurance Company's [LTCSelect Premier Policy] is a tax-qualified long-term care insurance policy. Note that using funds from your non-qualified deferred annuity to fund LTCi premiums may reduce the total value in your annuity.

New York Life Insurance Company^[4] has developed a wide variety of products to help individuals and families plan for the future. By combining our long-term care insurance, life insurance, and annuity¹ products, you can develop a retirement strategy that builds on our years of financial strength and our commitment to you and your family. For more than [165] years, New York Life Insurance Company has kept our promises to our policyholders. It's that commitment to keeping our promises that makes us *The Company You Keep*.[®]

For more information about using your [fixed deferred] [and] [or] [variable deferred] annuity¹ to fund your long-term care insurance needs, please [complete and return the reply card] [or] [reply to this e-mail] [or] contact me at [AGENT PHONE].
Sincerely,

[Signature Here]

[AGENT NAME]
[Agent], New York Life Insurance Company
[CA License # - CA only]
[PHONE NUMBER]

[[The purpose of this letter is solicitation of insurance. An insurance agent may contact you. You should consult your own tax advisor. Long-Term Care Insurance is issued on policy form series [LTC-5000] [and] [INH-5000] with a state identifier [XX], where applicable and edition date. These policies may have exclusions and limitations.]] New York Life Insurance Company, 51 Madison Avenue, New York, NY 10010. © [2011] New York Life Insurance Company. All rights reserved.

¹ Issued by New York Life Insurance and Annuity Corporation (NYLIAC), a wholly owned subsidiary of New York Life Insurance Company (NYLIC). NYLIC is solely responsible for paying benefits under its LTCi policy and NYLIAC is solely responsible for paying benefits under its Annuity contract.

² Funds must be transferred directly via a partial Section 1035 exchange; policyholders may not withdraw funds and then write a check for premiums.

³ California law S.401 states that annuities used to pay for long-term care insurance premiums may be subject to state tax, even though they are tax-free for federal tax purposes.]

⁴ New York Life Insurance agents and their employees are not tax advisors. Please consult with your own tax advisor before making any financial decisions.

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Supporting Document Schedules

	Item Status:	Status
Satisfied - Item: Statement of Variability	Filed-Closed	06/06/2011
Comments:		
Attachment:		
421980CV-A SOV.pdf		

Statement of Variability – 421980CV-A (0611)

Form Number	Form Title	Bracketed	Reason
421980CV-A (0611)	1035 Exchange Letter	Agent Name	Varies based on agent/insurance producer using the form
		ADDRESS 1	Varies based on agent/insurance producer using the form
		ADDRESS 2	Varies based on agent/insurance producer using the form
		CITY, ST ZIP	Varies based on agent/insurance producer using the form
		DATE	Varied based on date sent.
		PROSPECT NAME	Varies based on client receiving the form
		ADDRESS 1	Varies based on client receiving the form
		ADDRESS 2	Varies based on client receiving the form
		CITY, ST ZIP	Varies based on client receiving the form
		PROSPECT NAME	Varies based on client receiving the form
		a an fixed deferred and or a variable deferred	Varies based on type of annuity client owns
		3	In the event California law changes. For use in California only.
		LTC <i>Select</i> Premier Policy	To allow for use with future filed and approved policy series.
		4	If footnote #3 is not used, #4 will become #3.
		165	To update the number of years in the future.
		fixed deferred and or variable deferred	Varies based on type of annuity client owns
		complete and return the reply card or reply to this e-mail or	Varies based on distribution method: mail, handout, or email
		AGENT PHONE	Varies based on agent/insurance producer using the form
		Signature Here	Varies based on agent/insurance producer using the form
		AGENT NAME	Varies based on agent/insurance producer using the form
		Agent	Varies based on agent/insurance producer using the form
		CA License # - <i>CA only</i>	For use in California only.
		PHONE NUMBER	Varies based on agent/insurance producer using the form
		Disclosure	Will be removed for internal use only purpose of employee or agent training.

		ILTC-5000 and INH-5000 within Disclosure	To allow for use with future filed and approved policy series.
		State Identifier within Disclosure	Will be used only if required by state and may include a list of states.
		Copyright	To update the year in the future.
		³ California law S.401 states that annuities used to pay for long-term care insurance premiums may be subject to state tax, even though they are tax-free for federal tax purposes.	In the event California law changes. For use in California only.
		⁴	If footnote #3 is not used, #4 will become #3.