

By Mr. Tarr of Gloucester, petition of Bruce E. Tarr and Thomas G. Palumbo for legislation to establish a personal income tax credit for the purchase of long-term health care insurance policies. Taxation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Three.

AN ACT TO ESTABLISH A PERSONAL INCOME TAX CREDIT FOR THE PURCHASE OF LONG-TERM HEALTH CARE INSURANCE POLICIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Definitions. For the purpose of this Act,
2 definitions of adjusted gross income, income tax, and tax credit
3 shall be those listed in applicable sections of MGLA chapter 62
4 and in 830 CMR 62.0.

5 For purposes of this act, "Individual" is any resident of the
6 commonwealth who has reached the age of 20 prior to the
7 purchase of a long-term care policy.

8 Long-term health care facilities are defined in 105 CMR
9 150.000-159.000 and in 211 CMR 65.00

1 SECTION 2. Section six of chapter 62 of the Massachusetts
2 General Laws is hereby amended by adding the following
3 subsection: —

4 Section 6 (g). (1) Individuals purchasing private insurance
5 policies approved for sale in the commonwealth and which
6 provide benefits for care at long-term health care facilities licensed
7 by the commonwealth may claim a personal adjusted gross income
8 tax credit of up to seventy-five dollars per taxable year, or for
9 a lesser sum equal to the actual cost of the policy if the policy's
10 annual cost is less than seventy-five dollars.

11 (2) Notwithstanding any other provisions of the General Laws,
12 the commonwealth is prohibited from seizing, attempting to seize,

13 foreclosing, or in any other way moving against the primary
14 residence of any individual who purchases a private long-term
15 nursing care insurance policy licensed by the commonwealth. This
16 prohibition applies only to actions of the commonwealth when
17 such actions are undertaken for the purpose of securing complete
18 or partial restitution for expenditures made by the commonwealth
19 on behalf of an individual confined to a long-term nursing care
20 facility.

21 (3) Long-term care insurance policies subject to the provisions
22 of this section shall be approved by the Commissioner of
23 Insurance providing that benefits provided by the policies are not
24 less than the minimums currently required for the sale of long-
25 term care insurance policies in the commonwealth.