EssentialLTC

Agent Guide





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This is a generic product guide. Your state may require a state specific contract. The contract, ICC16NG100P and/or the optional benefits listed may not be available in all states. The individual contract is your ultimate authority for any questions you may have regarding this product.

Product underwritten by National Guardian Life Insurance Company (NGL). National Guardian Life Insurance Company is not affiliated with The Guardian Life Insurance Company of America a.k.a. The Guardian or Guardian Life.



Product Summary (policy features & benefits may vary by state)

EssentialLTC

EssentialLTC			
Policy Type	Individually-Underwritten, Tax-Qualified, Reimbursement		
Available Coverages	Comprehensive (Home and Community Care Services & Facility Care Services) or Facility Care Services Only		
Rates	Gender-distinct premium rates. Joint premium rates are available.		
	Gender-neutral (unisex) premium rates are available via the Employer Group rate class.		
Available Issue Ages	40-79 (age nearest)		
	Individual or Joint		
Individual or Joint Policy	Joint policies and premium rates are available for two individuals who reside in the same household. If related, policyholders must be of the same generation (i.e. siblings).		
Daily Benefit Amount	\$50 to \$300 (\$10 increments)		
Premium Payment Options	Single, 10-Year, or Lifetime Premium Payment		
Elimination Period	0*, 30, 90, or 180 days of service (cumulative and one-time)		
	2 Year and 3 Year – Benefit Period Extension Riders are available with the 3 Year Benefit Period.		
Benefit Period	A 1 year extension extends the Benefit Period to 4 years, a 2 year extension extends the Benefit Period to 5 years, a 3 year extension extends the Benefit Period to 6 years, or a lifetime extension extends the Benefit Period to a Lifetime Benefit Period.		
	In most states: Premier or Employer Group		
Underwriting Rate Classes	In select states: Preferred Plus, Preferred, Standard, or Employer Group		
	See state variation listing for availability.		
Eligibility for Payment of Benefits	Chronically ill as defined in the policy with certification from a Licensed Health Care Practitioner.		
Employer/Association Group	 Employer Group rate class priced on a unisex basis or 5% Employer Group premium discount on gender-specific pricing – see state variation listing for availability. 5% Association Group premium discount 		
	In most states, Waiver of Premium is included in the base contract for Facility Care Services and for Home and Community Care Services if Comprehensive coverage is selected.		
Waiver of Premium / Joint Waiver of Premium	In select states, Waiver of Premium is included in the base contract for Facility Care Services and is available as a rider for Home and Community Care Services.		
	See state variation listing for availability.		
Additional Policy Benefits (benefits paid will be subtracted from the Benefit Amount)	 Respite Care - Maximum of 30 days per calendar year Facility Bed Reservation - Maximum of 30 days per calendar year Emergency Response System - Reimburse charges up to \$50 per month Caregiver Training - Maximum Lifetime Benefit of 5 times the Daily Benefit Amount Coverage Outside of the U.S., U.S. Territories, and Canada - up to 30 days per calendar year 		
	EssentialLTC is available as a Partnership policy in many states: • with the purchase of an Inflation Protection Rider for ages 75 and below • with or without the purchase of an Inflation Protection Rider for ages 76+		
LTC Partnership	LTC Partnership policies may entitle the insured to an asset disregard. This generally allows a person to keep assets equal to the insurance benefits received under a qualified Partnership policy without affecting the person's eligibility for Medicaid. See state variation listing for availability.		
Contingent Benefit Upon Lapse	If premium rates are increased resulting in a cumulative increase of the annual premium equal to or exceeding the percentage of the initial annual premium as set forth in the table in the policy, and the policy lapses within the grace period, then the following options become available: 1. the Daily Benefit Amount and Benefit Period may be reduced (subject to availability), or 2. the policy may be converted to a paid-up status with a Benefit Amount equal to the total of premiums paid and no less than 30 times the Daily Benefit Amount in effect on the date of lapse		

*Only available in select states. <u>See state variation listing</u> for availability.

Riders

Shared Benefit Amount Rider	If either or both insureds exhaust their own Benefit Amount, a joint Shared Benefit Amount will become accessible which may be accessed by either or both insureds. The joint Shared Benefit Amount will also increase due to an Inflation Protection Rider, if
Shared benefit Amount Maei	attached to the policy.
	This option is available on joint policies with a Benefit Period other than the Lifetime Benefit Period.
Compound 3% Inflation Protection Rider	On each policy anniversary, the Daily Benefit Amount will increase by 3% of the previous year's Daily Benefit Amount, with a corresponding increase in the Benefit Amount.
Compound 5% Inflation Protection Rider	On each policy anniversary, the Daily Benefit Amount will increase by 5% of the previous year's Daily Benefit Amount, with a corresponding increase in the Benefit Amount.
Step-Rated Compound Inflation Protection Rider	Choose between a 3% or 5% Step-Rated Compound Inflation Protection Rider. The Daily Benefit Amount, Benefit Amount, and premium will increase by the percentage shown on the policy schedule on each policy anniversary date.
	This option is only available with the Lifetime Premium Payment Option, and it is only available in select states. <u>See state variation listing</u> for availability.
First Day HCCS Rider	When Home and Community Care Services (HCCS) coverage is included, benefits will be payable on the first day the insured(s) is/are qualified to receive benefits for HCCS only.
Benefit Period Extension Rider	Extends base 3 Year Benefit Period to either 4 years, 5 years, 6 years, or to a Lifetime Benefit Period.
Limited Return of Premium Rider	Upon the death of the insured(s) while the policy is in force (last to die under joint coverage), the total of premiums paid, reduced by the total of benefits received, will be paid to the beneficiary.
	This option is not available with the Shortened Benefit Period Nonforfeiture Rider.
Limited Return of Premium	Upon the death of the insured(s) while the policy is in force (last to die under joint coverage), the total of premiums paid, reduced by the total of benefits received, will be paid to the beneficiary.
with Optional Policy Surrender Rider	This rider includes an option to surrender the policy for a lump sum payment to the policyowner of up to 80% of total premiums paid, reduced by the total of benefits received.
	This option is not available with the Shortened Benefit Period Nonforfeiture Rider.
Full Return of Premium Rider	Upon the death of the insured(s) while the policy is in force (last to die under joint coverage), the total of premiums paid will be paid to the beneficiary.
- In retain of Fremium rader	This option is not available with the Shortened Benefit Period Nonforfeiture Rider, and it is only available in select states. <u>See state variation listing</u> for availability.
Full Return of Premium with	Upon the death of the insured(s) while the policy is in force (last to die under joint coverage), the total of premiums paid will be paid to the beneficiary.
Optional Policy Surrender Rider	This rider includes an option to surrender the policy for a lump sum payment to the policyowner of up to 80% of total premiums paid, reduced by the total of benefits received.
Titud!	This option is not available with the Shortened Benefit Period Nonforfeiture Rider, and it is only available in select states. <u>See state variation listing</u> for availability.
Shortened Benefit Period Nonforfeiture Rider	If the policy lapses for nonpayment of premium after it has been in force for 3 years, coverage will continue, and benefits are payable equal to the greater of total of premiums paid, or 30 times the Daily Benefit Amount in effect at the time of lapse.

Underwriting

Note: For Premium Rate Classes, Field Selection, Prescription Drug Guide and Impairment Guide, please refer to the Underwriting Guide (NLTC-0503).

Underwriting Philosophy

The underwriting philosophy at NGL is to conduct a prudent review of each applicant's medical history and current physical and cognitive state of being to the extent possible. NGL management believes that Long Term Care insurance is a product line where careful underwriting is an essential element in providing consumeroriented benefits at competitive prices. The development of a risk pool that has predictable results over many decades is the objective.

Underwriting Process

You should expect the underwriting process to take, on average, 30 days. NGL obtains medical records in virtually every case. For applicants age nearest 65 and under, telephone interviews are performed to evaluate the applicant's medical history and to ascertain the applicant's ability to live and function independently. Functional assessments or paramedical exams are used to further test or confirm an applicant's health or ability to live and function independently. For applicants age nearest 66 and over, a face-to-face assessment/exam is automatically required. Lab tests for urine and blood are ordered only if the applicant's current condition must be established due to significant past medical history. A Prescription Drug check, which obtains information on prescribed medications from a pharmacy database, is also ordered for each applicant. All functional assessments, exams, and lab tests are ordered only by NGL's Underwriting Department.

Age Nearest	Medical Records	Prescription Drug Checks	Phone Interviews	Face-to-Face Exams	Medical Testing
40-65	Χ	X	Χ		Underwriter's Discretion
66-79	Χ	Χ	-	Χ	Underwriter's Discretion

For joint applicants where one applicant is age nearest age 66 or older and the younger applicant is age 65 or younger, NGL may choose to order a face-to-face assessment/exam for both applicants.

Previously Declined Cases

In general, individuals who have been previously declined for Long Term Care insurance coverage are unlikely to qualify for coverage. Should an application be submitted for an individual who has been declined previously, it is required that a copy of the declination letter providing the specific reason or reasons for the decline decision be submitted with the application.

Prequalification Reviews

We are available to assist with any questions that may arise regarding a potential applicant's insurability or potential rate class. Please contact us at 888.505.2332 or send an email to status@ngl-essentialltc.com.

To assist with the Prequalification process, an "Underwriting Prequalification" form is available via the EssentialLTC Agent Resource Center website, www.ngl-essentialltc.com. This form allows the agent to collect information on the potential applicant, which can then be submitted to the LTC Administrative Office for consideration.

Please be aware that due to HIPAA requirements any specific information that identifies the potential applicant must be omitted from your communication. This includes the individual's name and Social Security number.

Policy Dating

Once NGL has concluded that your client qualifies for coverage, the policy is issued with an effective date that can range from 30 days prior to the application date (back-dating to save age) to 30 days after the underwriting approval date (dating to match the renewal date of a policy being replaced). NGL will only back-date and post-date if specifically requested to do so on the application and if there are no reservations regarding the applicant's health status. Otherwise, the policy effective date will be the date of underwriting approval.

List bill cases will receive a first of the month effective date following approval in underwriting.

Policy Billing

Payment modes are annual, semi-annual, quarterly, and monthly, however direct monthly billing is not available. Monthly mode of payment is limited to automatic bank withdrawal (PAC/EFT) and list bill. List bill is available for pre-approved employer/association groups with at least three (3) policies on the list billing.

Privacy of Protected Health Information ("PHI")

Federal laws and regulations require issuers of Long Term Care insurance (LTCi) policies to safeguard PHI. While underwriting applications for LTCi, NGL gathers as much medical information as possible prior to reaching a final decision on insurability. In some cases, coverage is issued with an increase in premium, a limitation of benefits, or applicants may be declined. This medical information is protected under the Health Insurance Portability and Accountability Act Regulations ("HIPAA"). As a result, NGL underwriters are prohibited from disclosing the details of an applicant's medical history to agents or agency employees without that applicant's explicit written permission or authorization. NGL underwriters will provide a written explanation for any adverse underwriting decision to the applicant or the applicant's physician upon request.

Authorization for Disclosure, Receipt and Use of PHI

This authorization form must accompany every application in order for NGL to initiate our underwriting. In addition, each applicant is also provided a copy of NGL's Notice of Privacy Practices at the point of application completion. Please familiarize yourself with these important documents.

Authorization for Disclosure of Protected Health Information related to an Adverse Underwriting Decision

This optional form, when completed and signed by the applicant, provides the applicant's authorization to disclose the specific reasons for an adverse underwriting decision to his/her agent and/or to the agent's marketing organization. This form can be completed at time of application, or at the time the adverse underwriting decision occurs.

Medical information that is deemed to be sensitive in nature may not be released to the agent and/or their marketing organization. This may include a history of drug abuse or dependency, alcohol abuse or overuse, serious psychological disorders, and information pertaining to HIV. In this circumstance, a written explanation may be provided to the applicant or the applicant's physician upon request.

New Business

Agent Appointment

See "Agent Licensing/Appointment" section of this Guide.

Residency Requirements

- The applicant must have a permanent residence status in the United States.
- The applicant must have a United States Social Security number or Tax ID number. This is required for 1099-LTC tax reporting of LTCi benefits paid on qualified policies, as required by HIPAA.
- Ability to Underwrite We must be able to obtain the applicant's medical records and conduct the telephone health interview or in-person health interview in an expedient and cost effective manner, and we must have the confidence that the information we obtain is complete and accurate.
- All medical requirements must be completed in the United States. For applicants age 66 or older, a face-to-face LTC exam is required and must be done in the United States.
- All medical records must be in English.
- **Premium Billing** The applicant must provide a United States billing address and must make premium payments in United States dollars.

Application Submission methods

EssentialLTC Applications can be submitted via the following methods:

- Mail Completed/signed paper applications can be mailed to the EssentialLTC Long Term Care Administrative Office (see page 11 for mailing address).
- Uploading the completed application Completed/signed paper applications can be scanned and the image uploaded directly through the "New Business" tab of the EssentialLTC Agent Resource Center.
- Submitting via E-Application E-Application is available through the "New Business" tab of the EssentialLTC Agent Resource Center website. Utilizing the E-Application, the entire application process can occur electronically, from the creation of the illustration, data entry of the application documents, e-payment (if desired) of initial deposit, and the E-signature of the application by the applicant(s) and the writing agent.

Initial Deposit with Application

An initial premium deposit may be submitted with EssentialLTC applications. The options available for submission of the initial deposit vary and depend upon the method by which the application is being submitted:

- Mailing the application Check to be mailed with the application.
- Uploading the completed application The initial premium deposit of \$200 can be made at time of upload via payee's credit card, or by mailing check to the EssentialLTC Administrative Office.
- Submitting via E-Application Initial deposit can be made during the E-Application process via a one-time ACH transaction, or by mailing check to the EssentialLTC Administrative Office.

When submitting the initial deposit by check, the check should be made payable to National Guardian Life Insurance Company (NGL). Agent/agency checks or post-dated checks are not accepted.

New Business Application Process

Step 1	Check the Application Instructions for the state of sale. Please be sure you have all the correct forms and are aware of any specific product variations. Application forms and illustration software are available on NGL's Agent Resource Center at www.ngl-essentialltc.com/agent .		
	A complete application package should be submitted, including:		
	1. A completed New Business Transmittal form.		
	2. Fully completed Application for Long Term Care insurance. The Protection Against Unintentional Lapse section of the application is required in all cases. Note: If the applicant does not want to designate anyone, the section must be marked accordingly.		
	3. Fully completed Authorization for Disclosure, Receipt, and Use of Protected Health Information.		
	4. An illustration demonstrating the coverage applied for.		
	 Cash with application - If desired, an initial deposit may be submitted with EssentialLTC applications. Agent/agency checks or post-dated checks are not accepted. 		
	See "Initial Deposit with Application" section above for additional information on payment options for the initial deposit.		
	6. State-specific application forms as required. Refer to the Application Instructions for the state of sale.		
Step 2	7. Other possible forms:		
	 a. Automatic Payment Authorization Form - If the reoccurring premiums are to be paid from your client's bank account, include a voided check. 		
	b. Replacement Form - If your client will be replacing another LTCi, medical, or health insurance policy. Please refer to the "What Constitutes a Replacement" section for clarification.		
	 c. Certification for Eligibility of Employer Group Rate or Discount - This form is required when applying under an approved Employer Group. 		
	d. Certification for Eligibility of Association Group Discount - This form is required when an Association Group Discount is to be applied to the policy.		
	e. Supplemental Application for Policy Ownership - This form should be completed if Owner is other than the Insured.		
	f. Single Premium Payment Option Disclosure Statement - This form must be completed when the Single Premium Payment Option is selected.		
	g. 10 Year Premium Payment Option Disclosure Statement - This form must be completed when the 10 Year Premium Payment Option is selected.		

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Issue Turnaround

On average, underwriting is completed within 30 days of the date the complete application documents are received. Difficulties receiving the medical records or completing the interviews are primary causes for slower turnaround. You can speed up the processes with these tips:

TID #3

	TIP # I	TIP #Z
with them. Many	elephone interview will be conducted clients are uncomfortable or decline to they aren't told in advance they will be	Indicate the best time to call your client and provide the appropriate telephone number.

Replacement Business

Many states have regulations concerning policy replacement and some limit commissions in replacement situations. NGL will allow a replacement as long as the replacement is in the client's best interest, and NGL will routinely notify the original company of the intended replacement. NGL will not allow a replacement if the new policy would not provide the client with either increased benefits or lower premiums for similar benefits.

What Constitutes a Replacement

TID #4

The replacement questions on the LTCi application must be answered "Yes" in any of the following situations if, on the date of application:

- The applicant has existing in force LTCi, medical or health insurance coverage, which the applicant will not keep if we issue a policy.
- The applicant has existing in force LTCi, medical or health insurance coverage with a paid-to date that is within 65 days of the application date.
- With respect to joint coverage: 1) one applicant has no existing in force LTCi, medical or health insurance coverage with a paid-to date that is within 65 days of the application date, but the second applicant does; or 2) both applications have existing in force LTCi, medical or health insurance coverage with a paid-to date that is within 65 days of the application date.
- The applicant is applying for a new LTCi policy with NGL (internal replacement) and will not keep the original policy if the new one is issued.

In each of the above scenarios, a completed Replacement Form must be submitted along with the LTCi application.

It is important to note when an applicant has an existing LTCi policy that is not being replaced, the total Daily Benefit Amount of the existing policy and the new insurance applied for may not exceed a combined maximum daily benefit of \$400.

Commission Limitations on Internal Replacements

Commissions will be paid in accordance with any applicable state regulations. However, if you replace a NGL policy, commissions will be paid as follows:

- The portion of the premium for the new policy that is less than or equal to the premium for the policy being replaced will be paid at the renewal commission rate.
- The portion of the premium for the new policy that is greater than the policy being replaced will be paid at the first-year commission rate.

Partnership Eligible in Select States

EssentialLTC may be available as a Partnership policy in states that have adopted Partnership programs.

To determine whether the EssentialLTC product is available as a partnership policy, please see the Application instructions for the state in question, which is available via the Forms tab of NGL's Agent Resource Center (www.ngl-essentialltc.com/agent).

Requirements for Partnership include:

- The state must allow for Partnership policies.
- EssentialLTC must be approved in the state as being partnership eligible.
- Applicant(s) must be a resident of the state the Partnership policy being applied for.
- When applying for a Long Term Care insurance policy, the appropriate level of inflation protection must be selected based upon the age at time of application. In general, the guidelines to be considered a partnership are:
 - If the applicant is age 75 or younger, an inflation protection option must be selected.
 - For ages 76-79, no inflation protection is required.

Note: Under a joint application, the inflation protection requirements for a Partnership qualified policy will be based upon the younger applicant's age.

For states that have approved EssentialLTC as a Partnership policy, NGL will automatically issue a Partnership Qualified policy if inflation protection requirements are met for the applicants issue age. Under a joint application, the inflation protection requirement for a Partnership-Qualified policies will be based upon the younger applicant's issue age.

The EssentialLTC product is not expected to be filed as a Partnership policy in the original four (4) Partnership states (CA, CT, IN and NY).

Delivery Requirements

When underwriting approval is obtained and a policy issued, all associated delivery requirements will be indicated on the Delivery Transmittal that accompanies the policy. Please note: Any premium indicated as being due as a delivery requirement must be paid via check.

You have 30 days from the mailing date of the policy to deliver the policy and obtain any outstanding delivery requirements. It is important NGL receives all outstanding delivery requirements on or before the Final Delivery Date indicated on the Delivery Transmittal.

Should the delivery requirements not be received and the case closed, any premium received will be refunded directly to the payor or applicant, and the policy will be "null and void." This policy is intended to be federally tax-qualified. Your client should consult with their attorney, accountant, or tax advisor regarding the tax implications of purchasing this long term care policy.

Application Preparation and Procedures

General Instructions

- You must be licensed and appointed by NGL in the state of sale. Your license and appointment must permit you to solicit Long Term Care insurance and you must have completed any LTC continuing education requirements of the state.
- You must comply with all relevant state regulations. NGL cannot accept an application that does not comply with state regulations.
- For written applications, answers to questions must be printed clearly in blue or black ink. No white out on applications is permitted. Any corrections must be crossed out and initialed by the applicant. All questions must be completed.
- Use only full names to indicate insureds, policyowners and beneficiaries.
- The application must be dated, and the city and state of signing must be given.
- Complete the Agent's Statement in its entirety.

State Regulation

As a result of state regulations of Long Term Care insurance, policy forms and application materials may vary from state to state. It is extremely important to use the correct application and disclosure materials for the state in which the application is solicited. Please refer to the Application Instructions for the state of sale to determine the appropriate forms. Application forms are available on NGL's Agent Resource Center (www.ngl-essentialltc.com/agent).

Since NGL may issue a policy specific to the state in which the application is solicited, the application should be solicited in the applicant's state of residence. If the application is taken in another state, the agent must submit a written explanation as to why the application was not submitted in the applicant's resident state. Applications may not be submitted in states other than the applicant's state of residence state for the purposes of avoiding state regulations.

Please note: State regulations in Minnesota, New York and Texas require residents of their state may only receive a policy specific to their state.

Application

"Applicant Information" Section

Complete the requested information for the primary applicant (if joint applicants are applying, use the older applicant of the two). If two individuals are applying for a joint policy, enter the joint applicant's information in the "Joint Applicant" section beginning on page 4.

"Health Questions" Section

Complete the health related questions for the applicant. Information for a joint applicant should be entered in the "Joint Applicant" section beginning on page 4.

If you would like to provide additional information regarding the response to any questions pertaining to the health of the applicant, this can be noted in the "Additional Information" section of the application.

"Additional Questions" Section

Mark the appropriate response for these additional questions relating to the applicant(s).

"Information about Your Insurance Coverage" Section

Complete the requested information, noting any information regarding insurance coverage the applicant may already have or benefits currently being received. If applicable, this is where replacement information would be indicated.

"Coverage Applied For" Section

Complete this section indicating the coverage being applied for. The following information must be completed:

Facility Care Services Only or Comprehensive Coverage - Indicate whether Facility Care Services Only or Comprehensive Coverage is being applied for. Comprehensive Coverage includes Home and Community Care Services (HCCS).

Elimination Period - Choose the number of days the applicant wants as a pre-selected waiting period before claim benefits are payable - 0*, 30, 90 or 180 days.

Benefit Period - Select the Benefit Period - 2 years or 3 years.

Daily Benefit Being Applied For - Specify the Daily Benefit in \$10 increments, from \$50 to \$300 per day.

Optional Coverages - Availability of additional coverage options may vary by state. These options may include:

- Inflation Protection Riders
- Benefit Period Extension Rider
- Full Return of Premium Rider (with or without Optional Policy Surrender Rider)*
- Limited Return of Premium Rider (with or without Optional Policy Surrender Rider)
- Shortened Benefit Nonforfeiture Rider
- Shared Benefit Amount Rider
- Waiver of Premium Rider (may be included in select states see state variation listing for availability)
- First Day HCCS Rider

If there is more than one available selection for each rider, the client may select only one option with each rider.

"Required Benefit Rejection" Section

Complete if the applicant(s) are rejecting either the benefit increase riders or the nonforfeiture riders. The applicant must initial the appropriate question, reaffirming that they are rejecting the rider.

"Premium Information" Section

Primary Applicant Rate Class - Complete for the Primary Applicant.

Joint Applicant Rate Class - Complete for the secondary applicant if a joint policy is being requested. Be sure to complete the Joint Coverage portion of the application.

Approved Employer/Association Group - When applicable, indicate the Group ID Code assigned by NGL or the group name.

Premium Payment Options - Indicate whether a Single Pay payment, 10 Year payment, or the Lifetime payment is being applied for.

Payment Mode - Select the appropriate payment mode. If the application is part of a pre-approved Employer/ Association Group and the payment mode is list bill, select List Billing and the appropriate payment mode.

Paid with Application - Enter the amount submitted with the application.

Special Request/Requested Effective Date - Use this area to show special requests or to request a specific issue date (see "Policy Dating" in the "Underwriting" section of this Guide).

^{*}Only available in select states. See state variation listing for availability.

"Beneficiary Designation" Section

If applying for a joint policy with Return of Premium (ROP) Rider benefits do not designate the joint insured as the beneficiary since the ROP benefits are paid on a second-to-die basis. If there is more than one beneficiary indicated, benefits will be divided equally unless otherwise shown. If the beneficiary will be a trust, write in the name and date of the trust (example: John and Jane Smith Living Trust, 01/01/95). Should LTC benefits be payable after the first death, those LTC benefits are paid to the surviving insured.

"Protection Against Unintentional Lapse" Section

Indicate whether a person other than the insured will be designated to receive notice of lapse or termination of the policy for nonpayment of premium. If a person will be designated, provide the information requested.

"Additional Information" Section

Provide additional details of any health questions that were answered "Yes" or provide additional information relevant to the application.

"Signature" Section

Indicate the city and state where the application is taken. If it is a different state from the applicant's resident state, please submit a written statement as to why the application was not solicited in the applicant's resident state.

The applicant(s) must always sign and current date the application. NGL does not accept applications that are received more than 30 days after the signature date.

"Agent Statement" Section

Complete all questions, which address your relationship with the applicant, policy replacement, and the manner in which the application was obtained. Also, confirm the Outline of Coverage, all required disclosures including the Notice of Insurance Information Practices, the Notice of Privacy Practices, and the appropriate state Shopper's Guide were provided to the applicant(s).

Mailing Address:

When not using the E-application or Upload functionality, submit all necessary application documents to:

Overnight Address:

National Guardian Life Insurance Company (NGL) Long Term Care Administrative Office Attn: New Business Department 21600 Oxnard Street, Suite 1500 Woodland Hills, CA 91367

Regular Mail:

National Guardian Life Insurance Company (NGL) Long Term Care Administrative Office Attn: New Business Department P.O. Box 4243 Woodland Hills, CA 91365-4243

Guidelines for 1035 Exchanges

NGL will allow 1035 Exchanges from non-qualified deferred annuities and non-qualified life policies under the quidelines listed below.

1025 Evahangas san	 Non-qualified tax deferred annuities (NGL will accept either a partial or a full exchange of the deferred annuity).
1035 Exchanges can occur from:	 Non-qualified life policies (The exchange must be for the full value of the life policy. Partial exchanges are not accepted. Any outstanding loans on the life policy must be repaid prior to the 1035 Exchange).
1035 Exchanges will	Immediate annuities, including a Single Premium Immediate Annuity (SPIA).
not be accepted from:	A partial withdrawal from a life policy.
	 Lifetime or 10 Year Payment Periods: The amount being exchanged must be applied toward an annual premium payment.
Amounts that can be	Single Premium Payment policies: The exchange will be applied toward the single premium payment.
exchanged are:	 The amount being exchanged may not exceed the amount of the premium payment that is due. If the amount being exchanged is less than the premium that is due, the policyowner will be responsible for submitting the balance in order for the premium to be applied.
Ownership Requirements:	The owner and insured of the annuity or life policy must match the owner and insured of the long term care policy. This applies to both individual policies and joint policies.*
Outstanding Life Policy Balance Requirements:	In regards to full 1035 Exchanges from Life policies, any outstanding loan on the life policy must be fully repaid prior to the exchange occurring, so that no amount of the life policy's cash value is applied to satisfy any loan amount after this exchange has been requested.

^{*} The exchange to a joint policy may give rise to issues that could have an effect on the validity of the exchange. Please consult with a tax or investment advisor for additional information.

Additional 1035 Exchange Guidelines for New Applications

When utilizing a 1035 Exchange to pay the premium on a new long term care applicant, please note the following:

- The Request for a 1035 Exchange form should be submitted once underwriting is complete, underwriting approval is received, and the appropriate premiums amounts are known.
- Upon underwriting approval of the insureds, complete and submit the request for 1035 Exchange form.
 - If the full annual premium is requested when the equal amount of the exchange funds has been received, NGL will reverse and return to the payor any funds that were originally received with the application. Such a reversal would treat the funds as if they were never in the long term care policy.
 - If the balance of the annual premium is requested when the exchange funds are received, NGL will
 combine the cash with application and the exchanged funds to apply an annual premium payment.

Additional 1035 Exchanges for Renewal Premiums

1035 Exchanges may be requested to pay premium for renewal premiums. In order to ensure that adequate time is allowed for the transferring company to direct the funds to NGL, the exchange should be initiated at least 45 days prior to the payment becoming due.

Requesting a 1035 Exchange

To initiate the process of requesting a 1035 Exchange, please complete and submit the Request for 1035 Exchange form to NGL. If it is an acceptable exchange, NGL will indicate it's acceptance of the exchange and will direct the completed form and other required documents to the transferring company.

Note: Pursuant to California Revenue and Taxation Code section 24950.5, the provisions of the federal tax law that make 1035 Exchanges to fund LTCi nontaxable do not apply. Consult with your attorney, accountant, or tax advisor regarding the tax implications, if any, of this exchange.

This policy is intended to be federally tax-qualified. Your client should consult with their attorney, accountant, or tax advisor regarding the tax implications of purchasing this long term care policy.

1035 Exchanges Eligibility Checklist

The following checklist has been developed to assist in determining eligibility for a 1035 Exchange. A "No" answer to any of the questions indicates that this would not be considered an eligible 1035 Exchange into the Essential LTC product.

		Yes	No	N/A
1	. Is the 1035 Exchange to come from an existing Non-Qualified Tax Deferred Annuity or Non-Qualified Life Policy?	0	0	
2	. If the 1035 Exchange is coming from a life policy, is the full value (with no loans) of the life policy being exchanged?	0	0	0
3	. For policies with either a 10 Year or Lifetime premium payment:			
	a. Is the amount of the exchange to be applied to an annual premium payment?	0	0	0
	b. Is the amount of the exchange less than or equal to the annual premium payment that is due?	0	0	0
4	. For policies with a Single Premium payment, is the amount of the exchange less than or equal to the amount of the single premium payment that is due?	0	0	0
5	Does the owner and insured of the annuity or life policy match the owner and insured of the Long Term Care insurance policy (applies to both individual and joint policies)?	0	0	

Agent Licensing/Appointment

Licenses and Appointments

Licensing and appointment requirements differ from state-to-state. An agent needs to be properly licensed and credentialed before soliciting an application. Most states allow just-in-time appointment, which means an agent can submit his appointment application with his first business application. If you plan to do business in more than one state, familiarize yourself with the long term care appointment and continuing education requirements before soliciting applications in those states. Rules vary from state-to-state, so if you are in doubt please check that you are appointed with NGL to sell Long Term Care insurance in the state(s) where you intend to sell in advance by either contacting your BGA, emailing NGL at agent.admin@ngl-essentialltc.com, or calling our Agent Administration Department at 888.505.2332, extension x2842.

Solicitation Prior to Appointment

Submission of an appointment application with a LTCi application is preferable. Montana, Pennsylvania, Washington and Wisconsin, however, mandate that an agent be appointed prior to solicitation. If you are submitting business solicited in any of those four states, please seek appointment prior to solicitation of business.

Risk Located States

In addition to the above licensing/appointment requirements, a number of states place licensing requirements on solicitations involving an insured residing in their state, regardless of where the application is signed. The states adhering to this rule are referred to as "Risk Located States" and are listed below.

Alaska

• Idaho

Maine

Arizona

Kansas

New Mexico

Colorado

Louisiana

West Virginia

If the applicant resides in one of these states, all agents who participate in a solicitation must be licensed in the application state in addition to the state where the applicant resides.

Long Term Care Continuing Education

Most states have additional licensing, pre-sale and continuing education requirements that must be satisfied prior to selling Long Term Care insurance products. According to the National Association of Insurance Commissioners (NAIC) Long Term Care Insurance Model ACT (Model 640, last amended in 2009), many states require completion of long term care continuing education before applications may be solicited. You must complete a long term care continuing education prior to applying for appointment. These requirements are applicable to both resident and non-resident agents in most states. Vermont, however, has state-specific training for both resident and non-resident agents.

Massachusetts Carrier Training

In addition to continuing education, Massachusetts law requires all agents selling Long Term Care insurance to receive a one-time carrier product training course. NGL provides that required self-administered training to agents about its Long Term Care insurance product, maintains records regarding agents who have satisfactorily completed such training, and files with the commissioner a list of those agents who have completed NGL's Long Term Care insurance training program. For information on how to access NGL's Massachusetts Carrier Training Course, please contact our Agent Administration department at agent.admin@ngl-essentialltc.com.

Appointment of Sub-agents

NGL requires that you be appointed in the following states before you can receive overrides on business written in those states. Please ensure you are appointed by NGL in the following states if you plan to appoint sub-agents:

FL, GA, MA, MS MT, NM, ND, PA, SC, SD, VA and WV.

Splits

We will allow up to three agent splits on a submitted application.

Annualization and Advancing

Annualization or advancing of commissions will not be allowed. Advance commissions for the first year equivalent of paid premiums will not be allowed unless an annual premium mode is chosen and one year's worth of premium is received.

Netting

Netting of commissions against premiums collected from applicants will not be allowed.

Commissions

Please refer to your Commission Schedule for commission rates.

Business Commissions

Writing-agent new business commissions are paid daily. If the policy is issued and no further premium or additional delivery requirements are due, the commission check and statement will be mailed the next business day, unless commissions are assigned. If there is a counteroffer, premium due, or outstanding delivery requirements (other than the delivery receipt), the commission check will be mailed the day after we receive all premiums and delivery requirements, unless commissions are assigned.

Renewal Commissions

Renewal commissions are paid weekly. Checks and commission statements are mailed on Tuesday of each week.

Guidelines for Submission and Approval of Consumer Advertising and Sales Materials

National Guardian Life Insurance Company (NGL) provides written and approved materials that should be used by agents when meeting with potential clients. NGL requires the use of these materials as they meet the company's standards regarding appropriate language and regulatory requirements.

In order to ensure accuracy in the advertising and solicitation of the EssentialLTC product, NGL developed a set of guidelines to assist you in preparing standalone educational materials, such as an introductory piece describing long term care or any online or magazine advertisement for your business. Advertising includes any material which is designed to create public interest in NGL and the EssentialLTC product. This includes consumer material designed to induce the public to purchase, modify, retain or reinstate a policy. Please use the following information to submit your advertisement for consumer-facing materials only. Following the process and guidelines will help to provide a smooth, guick review and approval of your materials.

Process:

- 1. Please review the guidelines below and ensure the artwork follows the guidelines listed prior to submission.
- 2. Fill out Advertising Submission Form available on the Marketing Tools page of the EssentialLTC Agent Resource Center (www.ngl-essentialltc.com/agent). When you click "Submit" your email will be prompted to open a new message with the Advertising Submission Form attached. Attach a PDF of the final artwork for submission and click Send.
- 3. NGL's Compliance Department will:
 - assign a Form Tracking Number to your material
 - review for adherence to state regulations; and
 - as a result, may require revisions to your material.
- 4. Once approved, any changes in the content or stated use of the material must be resubmitted for approval.
- 5. Upon approval, a final copy must be emailed to <u>advertising@ngl-essentialltc.com</u> within 30 days of the approval date. **Note:** If final copies are not received within this time, approval of the material will be withdrawn and any further use of the material will not be permitted.
- 6. In most states, long term care advertising may not be used until approval is received from the state. You will be notified by email if state filing is required. NGL will file the material with the state and notify you when approval is received. If changes to the advertising are required by the state, you will be notified by email, request the change(s) be made, and request a revised final version be submitted.
- 7. The advertising material will be approved for use for a one (1) year time period and will have an assigned expiration date. If you desire to use this material beyond the stated expiration date, it must be resubmitted for re-approval.

Guidelines:

- All materials referencing National Guardian Life Insurance Company (NGL) or its long term care products must include the full company name and product form number. This is true even for material that makes indirect references or even no reference at all when the ultimate goal of the piece is the sale of NGL product. For example, reference to the product could be footnoted at the bottom of the ad as:
 - * Coverage provided by [XXXX], underwritten by National Guardian Life Insurance Company (NGL), Madison, WI.
- The National Guardian Life Insurance Company (NGL) and EssentialLTC names and logos are standardized and must be used in accordance with the company's policy on corporate identity. High resolution logos for use in creating your materials are available upon request at advertising@ngl-essentialltc.com.

• Use of National Guardian Life Insurance Company (NGL) name or logo must include the NGL disclaimer on any advertising or marketing product. All marketing materials must be submitted for approval at advertising@ngl-essentialltc.com.

Disclaimer: National Guardian Life Insurance Company is not affiliated with The Guardian Life Insurance Company of America a.k.a. The Guardian or Guardian Life.

- Please note that depending on the state and the content of the material, a consumer ad may be considered "institutional advertising material," an "invitation to inquire," or "invitation to contract" and exclusionary language or caveats may be required. The language is as follows:
 - Institutional advertising material: This refers to advertising material having as its sole purpose the
 promotion of the reader's, viewer's or listener's interest in the concept of Long Term Care insurance, or
 the promotion of the company as a seller of Long Term Care insurance.
 - Invitation to inquire: If the advertisement is limited to a brief description of the product's benefits and features, it is considered an "invitation to inquire" and should display the following statement:
 - Product availability features and rates may vary by state. This policy may contain reductions of benefits, limitations and exclusions. For costs and complete details of the coverage, please contact your agent, NGL, or ask to review the policy for more information.
 - Invitation to contract: If the advertisement mentions cost (premium rates), it is considered an "invitation to contract" and must include a full disclosure of the product's limitations and exclusions.
- All material must identify the product as being advertised as a "Long Term Care insurance policy" early in the piece.
- When describing policy features or benefits that are optional, please refer to them as such. In addition, do not overstate or exaggerate the value of any benefit or feature beyond what it actually provides.
- Do not use absolute, subjective terms such as "the best LTC policy available," "the lowest rates," "the top commissions in the industry." Rather, describe the products, rates, commissions, etc. using terms such as "one of the best...," "among the lowest...," "excellent commissions" or "among the top commissions...," to the extent such descriptions are accurate.
- If you wish to cite NGL's financial information and ratings, please contact <u>advertising@ngl-essentialltc.com</u> for the most up-to-date information.
- Do not use terms such as "we" and "our" when referring to National Guardian Life Insurance Company (NGL) or its products. Ads should not give the impression agents are Home Office employees of National Guardian Life Insurance Company (NGL). It must be clear that the agent or marketing organization and National Guardian Life Insurance Company (NGL) are not the same entity. Agents should use a footnote or language indicating that the agent or marketing organization is separate from NGL.

Note: All "agent only" advertising, training and recruiting material must display the disclaimer FOR AGENT USE ONLY in 10-point bold capital letters. This includes, but is not limited to, recruiting ads in industry trade publications, as well as any ad, mailer, or letter that is sent to agents to describe or promote the company or its products. Training materials such as scripts, PowerPoint presentations, and videos must also display this disclaimer.

Guidelines for Employer* and Association Group

NGL's EssentialLTC allows the following for members of approved Employer or Association Groups:

Employer Group* Highlights

Minimum Group Size: Any business with at least five employees.

Minimum Participation: Two to five issued employees, varying by state - see State Variation Listing.

Census Submission: Not required for group approval. Please contact status@ngl-essentialltc.com for multilife quoting estimates.

Premium Rates: Employer Group rate class (priced on a unisex basis) OR 5% Employer Group premium discount - see State Variation Listing.

Health: Individual underwriting; prequalification by BGA or broker.

Age: 40 to 79 (age-nearest) for all applicants, including joint applicants.

Eligible Family Members: Spouse, parents, grandparents, children, siblings.

List Bill: Available if three policies are on the list bill. Common effective date allowable within limited time period.

Administrative Guidelines

Varying by state, either an Employer Group rate class (priced on a unisex basis) or a 5% Employer Group premium discount is available for approved Employer Groups. See state variation listing for more information.

Employer Group rate class (priced on a unisex basis):

- When submitting an application that is part of an approved Employer Group, the "Employer Group" rate class must be selected on the application.
- Policies issued as part of an approved Employer Group will receive the unisex "Employer Group" rate class. The Premier, Preferred Plus, Preferred, and Standard rate classes are not available.
- There is no commission reduction for the Employer Group rate class.

5% Employer Group premium discount:

- Available for policies issued under the Employer Group (select states).
- If the Employer Group discount is utilized, premiums and commissions are reduced as follows:
 - Premium Reduction: 5% premium discount.
 - Commission Reduction: Please refer to your Commission Schedule for this information.

Minimum Participation Requirement:

To receive the Employer Group rate class or the Employer Group premium discount, a minimum requirement of two to five issued employees must be met, varying by state. The state will be determined based upon the address provided for the employer. The minimum requirements by state can be found in the EssentialLTC State Variation Listing.

Employer Group Offering

^{*} Note: Employer Groups that are approved by National Guardian Life Insurance Company (NGL) are intended to be offered to employees as a voluntary plan, not an endorsement for an ERISA plan. Employers should not take any actions that may constitute an "endorsement" as identified by ERISA requirements.

Applications submitted and approved for coverage under an Employer Group where the minimum has not been met will be held for 30 days to allow additional time for the minimum to be met. If not met at the end of this period, policies approved and ready for issue will be issued without the Employer Group rate class or premium discount.

Once the minimum number of issued employees has been met, eligible family members may also apply under the Employer Group.

A 5% premium discount for members of approved Association Groups

When the Association Group premium discount is utilized, premiums and commissions are reduced as follows:

- Premium Reduction: 5% premium discount.
- Commission Reduction: Please refer to your Commission Schedule for this information.

Association Groups are expected to meet a minimum issue requirement of 10 association members. Associations that do not meet this requirement may be closed to new applications.

Contact <u>marketing@ngl-essentialltc.com</u> for details on a bonus opportunity for placed association business.

Employer and Association Group Guidelines

Association Group

Offering

	Employer Group: Any employer with five or more employees.		
	Association Group:		
Eligibility Requirements for Employer or	 Associations, labor unions, and trade or professional organizations with 10 or more members. 		
Association Groups	2. Active existence for at least two years with a constitution and bylaws.		
	Must have been formed in good faith for purposes other than obtaining insurance.		
	Bank depositors		
Examples of	Clients of professional firms		
Examples of Unacceptable Groups	Residents of Continuing Care Retirement Communities (CCRC)		
	 Association groups established for the purpose of obtaining insurance or discounts on insurance 		
	Employer Groups:		
Establishing an Employer/	 Prior to the submission of group business, the "Application for Approval of Employer Group" must be submitted to the company for review and approval. The Employer Group representative must sign the application and no alteration of language is allowed. 		
Association Group	 For Employer Groups that are to be offered in multiple states, the agent must be licensed and appointed with NGL in each of the states. 		
	 NGL will review the Application for Approval of Employer Group and request further information if needed. Approval or disapproval will be sent to the agent of record or the indicated contact, if different. 		

Association Groups: • Prior to the submission of group business, the "Application for Approval of Association Group" which includes a marketing plan must be submitted to the company for review and approval. The Association Group representative must sign the application and no alteration of language is allowed. Upon submission of an "Application for Approval of Association Group," which includes a required description of the writing agent's marketing plan, a member of our Sales Team will contact the requesting agent to discuss their marketing plan for the group and the expected target of 10 issued association members. • For Association Groups that are to be offered in multiple states, the agent must be licensed and appointed with NGL in each of the states. NGL will review the Application for Approval of Association Group and request further information if needed. Approval or disapproval will be sent to the agent of record or the indicated contact, if different. When submitting an EssentialLTC application that is to include an Employer/ Association Group: Submission of • Enter the approved group name or group number where indicated in the **Applications** Premium Information section of the application. • Submit either the Employee or Member Certification indicating eligibility under the group (found in state-specific application documents). Eligible family members of employees or association members may also apply under an approved Employer/Association Group. Eligible family members include Eligible Family Members the employee or association member's spouse, parents, grandparents, children and siblings, as well as the parents, grandparents, children and siblings of the employee or association member's spouse. • Once a group is solicited and the Employer Group rate/discount or Association Group discount is offered to its employees or members, no individual employees or members of the group may be solicited for coverage at the premium rates which are offered to the general public. • If NGL becomes aware that an agent other than the agent of record for the group has submitted an application that requests the group, NGL may: Additional Employer/ allow the group discount or, if applicable, the Employer Group rate for the **Association Group** client. Guidelines - reduce the payable commissions (if receiving a group discount). - notify the agent of record. split the writing agent commission with the agent of record 50/50, unless they mutually agree to a different split of the total available commission. - the writing agent may not submit any additional applications from the same group without prior approval in writing from the agent of record. NGL can provide a list bill for Employer groups with at least three policies on the list billing. If there are fewer than three policies on list billing mode, NGL will not offer or continue a list bill for the employer group. **Billing Methods** If the individual application is for list bill, select "List Billing" as the Payment Mode on the application. NGL can also bill individuals via standard billing methods (annual, semi-annual, quarterly, or monthly bank withdrawal).

HIPAA Privacy and Security

As a representative of National Guardian Life Insurance Company (NGL), you will collect and maintain Protected Health Information ("PHI") on behalf of and about applicants and insureds. The federal Health Insurance Portability and Accountability Act ("HIPAA") regulations on privacy and security limit how insurance companies and their representatives may use and/or disclose this information whether in paper or electronic form. You are required by federal law to abide by such limitations. In many cases, authorization from an applicant or insured must be obtained for the use or disclosure of such information. In order to protect the privacy and security of an applicant's or insured's PHI and to comply with federal law, you are required to comply with the policies and procedures as set forth below and in your NGL Agent Agreement.

Definitions

Breach – The acquisition, access, use or disclosure of PHI in a manner that compromises the security or privacy of the PHI.

Disclosure – The release, transfer, provision of access to, or divulging in any manner of PHI to persons not employed by or working on behalf of or within NGL.

Electronic PHI (EPHI) - PHI that is transmitted or maintained using electronic media.

Health Care Operations – Health Care Operations include NGL's operations.

Protected Health Information (PHI) – PHI includes information that is created or received by NGL and relates to the past, present, or future physical or mental health or condition of an applicant or insured; the provision of health care to an applicant or insured; or the past, present, or future payment for the provision of health care to an applicant or insured; and that identifies the applicant or insured or for which there is a reasonable basis to believe the information can be used to identify the applicant or insured, whether living or deceased, as well as all non-public personal information. For purposes of this policy, PHI includes all of the following:

- Names
- Street address, city, county, zip code
- Dates directly related to an applicant or insured, including birth date, health care facility admission and discharge date, dates of service, date of claim, and date of death
- Telephone numbers, fax numbers and emails

- Social Security numbers
- Medical record numbers
- Policy numbers or health plan beneficiary numbers
- Account numbers
- Certificate/license numbers
- Vehicle identifiers and serial numbers, including license plate numbers

- Web Universal Resource Locators (URLs)
- Biometric identifiers, including finger and voice prints
- Full face photographic images and any comparable images
- Any other unique identifying number, characteristic, or code

Use – The sharing, employment, application, utilization, examination, or analysis of PHI by any person working for or within NGL or by a representative of NGL.

As a condition of your NGL Agent Agreement, you are required to comply with the following regarding the PHI of applicants and insureds.

Breach of PHI

The acquisition, access, use or disclosure of PHI in a manner not permitted by the HIPAA privacy and security rules is presumed to be a breach. For example, if a fax containing PHI is sent to an unintended recipient, this is presumed to be a breach. You must contact NGL <u>immediately</u> if there is any reason to believe that there has been, may be or will be a breach of PHI. Once a breach is reported, NGL's Privacy Officer/Security Officer will conduct a full risk assessment to determine if the presumption of breach can be overcome and the appropriate action will be taken. The company is required by law to report all confirmed breaches to the U.S. Department of Human and Health Services.

Electronic Messaging That Contains EPHI

Encryption will be used when electronic messaging documents containing EPHI to and from secured domains. Documents containing EPHI are not to be electronically sent to unsecured domains (e.g. AOL, Yahoo, etc.) unless you use secure messaging. If you are unsure if a domain is secure, you are to contact NGL before transmitting any documents containing EPHI.

Mitigating Misuses of PHI

All NGL representatives must immediately notify NGL if they become aware of any possible privacy or security violations. Such representatives must cooperate fully with NGL to mitigate, to the extent practicable, any harmful or potentially harmful effect that is known to them that is the result of the use or disclosure of PHI in violation of this or any other policy of NGL.

Reporting Violations

- Any NGL representative who discovers a privacy or security violation must immediately notify NGL at 888.505.2332.
- Any representative who discovers a privacy or security violation but does not report the violation may be subject to termination of the business relationship, depending on the severity of the misconduct.

Any questions about this policy may be directed to the Security Officer or Privacy Officer at 888.505.2332.



Contact Information

How to Contact Us:

Phone: 888.505.2332 Fax: 818.887.4595

New Business/Policy-related questions: status@ngl-essentialltc.com

Agent Administration: agent.admin@ngl-essentialltc.com **Hours:** 7 a.m. to 5 p.m., Monday-Friday (Pacific Time)

Mailing Address:

National Guardian Life Insurance Company (NGL) Long Term Care Administrative Office P.O. Box 4243 Woodland Hills, CA 91365-4243

Overnight Address:

National Guardian Life Insurance Company (NGL) Long Term Care Administrative Office 21600 Oxnard St. Suite 1500 Woodland Hills, CA 91367

Website:

www.ngl-essentialltc.com

NGL's secure agent website provides access information, including:

- Policy status
- State-specific application forms and policy specimens
- Underwriting guidelines
- Policy illustrations

National Guardian Life Insurance Company (NGL) Long Term Care Administrative Office 21600 Oxnard Street, Suite 1500 Woodland Hills, CA 91367 www.ngl-essentialltc.com

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