

58055 Issuer's Liability

Issuers of Partnership Policies or Certificates approved by the California Partnership for Long-Term Care shall be held liable for intentional or fraudulent material misrepresentation made by any agent, broker, solicitor, or Issuer representative regarding any feature or benefit of a Partnership Policy or Certificate that causes financial harm to the Policy or Certificate holder. In addition to any other applicable requirements of California Insurance Code, the Issuer shall be liable for the difference between the benefit promised by the agent, broker, solicitor, or other Issuer representative and the actual benefit provided under the Policy or Certificate. The liability of Issuers shall not diminish or otherwise mitigate the statutory obligations and liabilities of licensed agents and brokers, solicitors, or other Issuer representatives.