

CLTC® 2022 Tax Summary

Tax-Qualified Long-Term Care Insurance (LTCI)

Type of Taxpayer	Premium Deduction (Traditional Policies)												
Individual taxpayer who does NOT itemize	No deduction.												
Individual taxpayer who itemizes deductions (Schedule A)	<p style="text-align: center;">Treated as accident and health insurance. <i>IRC §7702B(a)(1)</i></p> <p style="text-align: center;">Limited to <u>lesser of</u> actual premium paid <u>or</u> eligible LTCI premium. <i>IRC §§213(d)(1)(D), 213(d)(10)</i></p> <p style="text-align: center;">Eligible LTC premium in 2022 (indexed):</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="background-color: #1a3d54; color: white;">Attained age in tax year</th> <th style="background-color: #1a3d54; color: white;">Deductible premium limit</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Age 40 or less</td> <td style="text-align: center;">\$ 450</td> </tr> <tr> <td style="text-align: center;">Age 41 – 50</td> <td style="text-align: center;">\$ 850</td> </tr> <tr> <td style="text-align: center;">Age 51 – 60</td> <td style="text-align: center;">\$1,690</td> </tr> <tr> <td style="text-align: center;">Age 61 – 70</td> <td style="text-align: center;">\$4,510</td> </tr> <tr> <td style="text-align: center;">Age 71 and older</td> <td style="text-align: center;">\$5,640</td> </tr> </tbody> </table> <p style="text-align: center;">Medical expense deduction is allowable to extent that such expenses (including payment of Eligible LTCI premium) exceed 7.5% of AGI <i>IRC §§213(a), 213(f)</i></p>	Attained age in tax year	Deductible premium limit	Age 40 or less	\$ 450	Age 41 – 50	\$ 850	Age 51 – 60	\$1,690	Age 61 – 70	\$4,510	Age 71 and older	\$5,640
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HSA, HRA & MSA	Eligible LTCI premium is a qualified medical expense. <i>IRC §213(d)(1)(D)</i>												
Employee (W-2) (NON-owner)	<p>Premium paid by <u>employee</u> (e.g., “voluntary” or payroll deduction):</p> <ul style="list-style-type: none"> May NOT be paid through pre-tax cafeteria plan. <i>IRC §125(f)</i> May NOT be paid through FSA or similar arrangement. <i>IRC §106(c)</i> Deductible by employee who itemizes (subject to limitations above) <p>Premium paid by <u>employer</u> (ANY business type):</p> <ul style="list-style-type: none"> Employer provided LTCI treated as accident and health plan. <i>IRC §7702B(a)(3)</i> Deductible by employer - NOT limited to Eligible premium (subject to reasonable compensation). May also include spouse and other eligible tax dependents. <i>IRC §162(a)</i> Total premium excluded from employee’s income (NOT limited to Eligible premium). Not subject to FICA, etc. <i>IRC §106(a)</i> 												
C-Corporation Shareholder / Employee (with W-2) Including PCs and LLCs taxed as a C-corporation.	Treated as employee. (See above) (NOTE that premiums may NOT reduce or be allocated against any individual’s compensation in any form; the premiums must be a true corporate expense.)												

<p>“Self-employed” business owners:</p> <p>Sole Proprietor, Partner, S-Corporation >2% Shareholder / employee (W-2). Member of an LLC or PC taxed as any of above.</p> <p><i>NOTE: Limited Liability Corporation (LLC) is a legal, not tax, entity – based on how the entity files.</i></p>	<p>Eligible for Self-Employed Health Insurance Deduction, which is taken “above-the-line” on Line 16 of IRS Form 1040 Schedule 1 (2020). May also include spouse or other eligible tax dependents. IRC §162(l)</p> <p>Limited to lesser of actual premium paid or Eligible LTCI premium. IRC §§213(d)(1)(D), 213(d)(10)</p> <p>For eligible LTCI premium in 2022 see above chart; Deduction is NOT limited to 7.5% of AGI threshold.</p>
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Taxation of Benefits

Reimbursement benefits are not included in income.

IRC §§104(a)(3), 7702B(a)(2)

Per diem (or indemnity) benefits are not included in income except amounts that exceed the greater of:

- \$390 per day (2022 indexed), or
- Total qualified LTC expenses.

IRC §§104(a)(3), 7702B(a)(2), 7702B(d)

Return of premium (non-forfeiture) benefits:

- Available only upon total surrender or death.
- May not be borrowed or pledged.
- Included in gross income to extent of any deduction or exclusion allowed with respect to premium.

IRC §7702B(b)(2)(C)

Linked-Benefit LTCI

LTC benefits paid from a Tax-Qualified (7702B) annuity or life insurance “linked benefit” plan are tax-free as noted above. *IRC §7702B(e)*

Cash surrenders from a LTCI linked-benefit plan that paid LTCI benefits may have a reduced cost-basis. *IRC §72(e)(11)*

Premium payments for annuity or life insurance benefits in linked-benefit LTCI plans are NOT deductible. (Separate TQ LTCI continuation rider premiums may be deductible.)

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