



445 East Capitol Avenue  
Pierre, South Dakota 57501-3185  
Phone: 605-773-3563  
Fax: 605-773-5369

## Bulletin 09-02

DATE: May 4, 2009  
TO: Life & Health Insurance agents  
FROM: Merle Scheiber, Director  
RE: Life & Health Insurance Lead Cards

It has come to the attention to the Division that certain lead cards are being sent to South Dakota citizens inviting the recipients to get more information on the South Dakota long term care partnership program. While lead cards can be used to solicit leads for health insurance in South Dakota, such advertisements/solicitations must follow all applicable statutes and rules.

### Examples of impermissible lead cards

1. Use of the seal of the State of South Dakota in the lead card or otherwise creating an impression directly or indirectly that the insurance plan is approved, endorsed, or accredited by the state or another governmental entity.
2. Failure to disclose that the lead is an insurance solicitation.
3. Failure to disclose in the lead card that an insurance agent may contact the recipient.
4. Misrepresenting the purpose of the lead card.

The following is a lead card that clearly does not comply and would subject any agent using the lead card to contact potential applicants to potential penalties, especially if the use is subsequent to the effective date of this Bulletin.



445 East Capitol Avenue  
Pierre, South Dakota 57501-3185  
Phone: 605-773-3563  
Fax: 605-773-5369



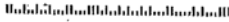
**The South Dakota State Partnership  
for Long Term Care**  
Important information is now available...

NO. SD 180401-2  
**THE SOUTH DAKOTA STATE PARTNERSHIP**  
The State of South Dakota has created a program to help residents protect their assets from the costs of long term care. This program helps pay for needed care (either at home, in an assisted living facility, or in a nursing home) while helping you preserve your dignity and independence.  
Request information about the South Dakota State Partnership and help you protect your assets and quality of life.  
**Get the information you should know before considering long term care insurance today!**  
Name (Please print or type) \_\_\_\_\_  
Date of Birth (MM/DD/YYYY) \_\_\_\_\_  
Phone number (\_\_\_\_\_) \_\_\_\_\_  
E-Mail address \_\_\_\_\_  
You will receive information from a licensed representative who is familiar with the details of the special program.  
EIN 4-888-822-8747 (8-2017) 6482209  
REGISTRATION DTG 11 248 3706

**BUSINESS REPLY MAIL**  
FIRST-CLASS MAIL PERMIT NO. 10077 SALT LAKE CITY UT  
POSTAGE WILL BE PAID BY ADDRESSEE

NATIONAL RESPONSE CENTER  
1847 WEST 2300 SOUTH  
SALT LAKE CITY UT 84119-9962

NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES



**Administrative penalties on agents for impermissible use**

**Insurance agents who use lead cards that do not comply with applicable advertising and solicitation statutes and rules subject themselves to possible administrative penalties.**

**Applicability**

This bulletin only applies to solicitations of life and health insurance. This bulletin applies to any lead cards used by insurance agents whether the lead card is generated by the agent or agency or whether the lead cards are purchased from an outside source.

Anyone who has questions or concerns can contact the Division of Insurance for assistance by calling 605.773.3563, by letter to the South Dakota Division of Insurance, 445 East Capitol Avenue, Pierre, SD 57501, or by visiting the division’s website at [www.state.sd.us/insurance](http://www.state.sd.us/insurance).