

2023 Tax Summary

Tax-Qualified Long-Term Care Insurance (LTCI)

Type of Taxpayer	Premium Deduction (Traditional or Hybrid Life + TQ LTCI Policies)												
Individual Taxpayer Who Does NOT Itemize	No deduction.												
Individual Taxpayer Who Itemizes Deductions (Schedule A)	<p>Treated as accident and health insurance. IRC §7702B(a)(1)</p> <p>Limited to lesser of actual premium paid or eligible LTCI premium. IRC §§213(d)(1)(D), 213(d)(10)</p> <p>Eligible LTCI premium in 2023 (indexed):</p> <table border="1"> <thead> <tr> <th>Attained age in tax year</th> <th>Deductible premium limit</th> </tr> </thead> <tbody> <tr> <td>Age 40 or less</td> <td>\$480</td> </tr> <tr> <td>Age 41 - 50</td> <td>\$890</td> </tr> <tr> <td>Age 51 - 60</td> <td>\$1,790</td> </tr> <tr> <td>Age 61 - 70</td> <td>\$4,770</td> </tr> <tr> <td>Age 71 and older</td> <td>\$5,960</td> </tr> </tbody> </table> <p>Medical expense deduction is allowable to extent that such expenses (including payment of Eligible LTCI premium) exceed 7.5% of AGI. IRC §§213(a), 213(f)</p>	Attained age in tax year	Deductible premium limit	Age 40 or less	\$480	Age 41 - 50	\$890	Age 51 - 60	\$1,790	Age 61 - 70	\$4,770	Age 71 and older	\$5,960
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HSA, HRA & MSA	Eligible LTCI premium is a qualified medical expense. IRC §213(d)(1)(O)												
Employee (W-2) (NON-owner)	<p>Premium paid by employee (e.g., “voluntary” or payroll deduction):</p> <ul style="list-style-type: none"> • May NOT be paid through pre-tax cafeteria plan. IRC §125(f) • May NOT be paid through FSA or similar arrangement. IRC §106(c) • Deductible by employee who itemizes (subject to limitations above). <p>Premium paid by employer (ANY business type):</p> <ul style="list-style-type: none"> • Employer provided LTCI treated as accident and health plan. IRC §7702B(a)(3) • Deductible by employer - NOT limited to eligible premium (subject to reasonable compensation). May also include spouse and other eligible tax dependents. IRC §162(a) • Total premium excluded from employee’s income (NOT limited to eligible premium). Not subject to FICA, etc. IRC §106(a) 												

Type of Taxpayer	Premium Deduction (Traditional or Hybrid Life + TQ LTCI Policies)
<p>C-Corporation Shareholder/Employee (with W-2):</p> <p>Includes PCs and LLCs taxed as a C-corporation.</p>	<p>HSA treated as employee (see above).</p> <p>(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>
<p>"Self-Employed" Business Owners:</p> <p>Includes sole proprietor, partner, s-corporation >2% shareholder/employee (W-2) and member of an LLC or PC taxed as any of above.</p> <p>NOTE: Limited Liability Corporation (LLC) is a legal, not tax, entity — based on how the entity files.</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 2023 see above chart; Deduction is NOT limited to 7.5% of AGI threshold.</p>

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 either:

- \$420 per day (2023 indexed),
- 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)

HYBRID LIFE + LTC INSURANCE

LTC benefits paid from a Tax-Qualified (7702B) annuity or life insurance "Hybrid Life + LTC or 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 "Hybrid Life + LTC or Linked-Benefit" LTCI plans are NOT deductible. (Separate TQ LTCI continuation rider premiums may be deductible.)

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