

APPLICANT'S EXHIBIT 11

Hearings Unit Case No. 16-0002

Office of the Insurance Commissioner

Leo J. Driscoll's April 27, 2016 Declaration

I, Leo J. Driscoll, declare and state under penalty of perjury of the laws of the state of Washington that the following statements are true and correct:

1. I am of adult age and a resident of 4511 E. North Glenngrae Ln., Spokane, WA 99223. Mary T. Driscoll and I lawfully intermarried in Spokane, WA on November 24, 1972 and at all times since we have been married and residents of Spokane County, WA.
2. All matters stated in this declaration are based and made on my own personal knowledge.
3. Attached hereto is a List of Applicant's Exhibits which are to be submitted with Applicant's Motions for Partial Summary Judgment in Case No. 16-0002 pending in the Hearings Unit of the Office of the Insurance Commissioner of the State of Washington. Each of those listed exhibits is an authentic, true, and complete depiction of what it is represented to be in that listing, which listing was prepared by me.
4. In 2002, TIAA-CREF Life Insurance Company ("T-C Life") issued long-term care (LTCI) policy No. 09852450 to me, Leo J. Driscoll, and LTCI policy No. 09852468 to my spouse, Mary T. Driscoll. All premiums paid on such policies have been paid with community-owned funds from our joint bank account owned by us as a marital community. All property rights and interests in such policies have been and are recognized by each of us to be our community-owned property.
5. T-C Life has remained as the insurer of such LTCI policies at all times since they were issued. My spouse and I declined to agree to have MetLife assume such policies. We did not sign or return the novation agreement forms which MetLife submitted to us.
6. The Application for Adjudicative Proceeding and Demand for Hearing filed herein was filed by me on behalf of the marital community composed of Mary T. Driscoll and myself in keeping with RCW 4.08.030.
7. The premiums paid for coverage on policy 09852450 issued to Leo J. Driscoll were \$298.90 per month for the period August 1, 2002 to July 31, 2012 (a sub-total of \$35,868) and are \$421.45 per month for the 48 month period August 1, 2012 to July 31, 2016 (\$20,229.60), a total of \$ 56,097.60 for those combined periods.

8. The premiums paid for coverage on policy 09852468 issued to Mary T. Driscoll are \$209.32 per month for the period August 1, 2002 to July 31, 2012 (a sub-total of \$25,118.40) and are \$295.14 per month for the 48 month period August 1, 2012 to July 31, 2016 (\$25,188.40), a total of \$39,355.12 for those combined periods.
9. Applicant's Exhibit 17 is a true and complete photocopy of pages 6 and 7 of "OIC STAFF's MOTION FOR SUMMARY JUDGMENT" dated November 7, 2014 served, and filed in OIC Hearings Unit Docket No. 14-0187 by Ms. Mandy Weeks, attorney of record in such proceedings. The segment thereof appearing at Line 20, page 6, to Line 7, page 7, includes statements regarding OIC's concerns about premium-rate increases and regarding the applicability of RCW 48.19.030 and RCW 48.19.040 to long-term care insurance premium rate increases.

Signed by me in Spokane County, Washington this 27th day of April, 2016.


Leo J. Driscoll

APPLICANT'S EXHIBIT **12**

Hearings Unit Case No. 16-0002

Office of the Insurance Commissioner

Mary T. Driscoll's April 27, 2016 Declaration

Mary T. Driscoll declares and states under penalty of perjury of the laws of the state of Washington that the following statements are true and correct:

1. I am of adult age and a resident of 4511 E. North Glenngrae Ln., Spokane, WA 99223. Leo J. Driscoll and I lawfully intermarried in Spokane, WA on November 24, 1972 and at all times since we have been married and residents of Spokane County, WA.
2. All matters stated in this declaration are based and made on my own personal knowledge.
3. In 2002, TIAA-CREF Life Insurance Company ("T-C Life") issued long-term care (LTCI) policy No. 09852450 to my spouse Leo J. Driscoll, and LTCI policy No. 09852468 to me, Mary T. Driscoll. All premiums paid on such policies have been paid with community-owned funds from our joint bank account owned by us as a marital community. All property rights and interests in such policies have been and are recognized by each of us to be our community-owned property.

Signed by me in Spokane County, Washington on April 27, 2016.

Mary T. Driscoll

Mary T. Driscoll