



## 2022 SPBA TPA License Survey

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*Society of Professional Benefit Administrators*

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[www.spbatpa.org](http://www.spbatpa.org)

*The information contained in this publication is designed to provide accurate and authoritative information regarding the subject matter covered. It is provided with the understanding that the Society of Professional Benefit Administrators is not engaged in rendering legal or other professional service. If legal advice or other expert assistance is required, SPBA recommends you enlist the services of a competent professional with full knowledge of the facts and circumstances. In all circumstances, we encourage you to contact the State official listed as a contact in this report if you have any questions about the State requirements.*

**SPBA 2022**

**\$2,500**

*Complimentary copies are provided to all SPBA Members  
and all State Departments of Insurance*

## ALABAMA

Department of Insurance, Producer Licensing Division  
P.O. Box 303351  
Montgomery, AL 36130-3351

Contact: Antwionne Dunklin  
Telephone: 334-241-4196 FAX: 334-240-3282  
Email: [Antwionne.Dunklin@insurance.alabama.gov](mailto:Antwionne.Dunklin@insurance.alabama.gov)

Alabama does not have a licensing requirement for TPAs at this time, but if TPAs receive commissions or do any soliciting, they must apply for a producer's license. (See Title 27, Chapter 7 of the Code of Alabama)

NOTE: The Insurance Commissioner issued an Information Memorandum which states as follows: "The State of Alabama does not license third party administrators. Any person who shares directly or indirectly in commissions generated by insurance business written in Alabama must be licensed as either a resident or non-resident producer. Any person who is directly involved, by personal contact with prospect or insured, in quoting or soliciting insurance business in Alabama must be licensed as either a resident or non-resident producer." Assignment of commissions is no longer permitted in Alabama.

**Net Worth Requirement:** None

**Stop-Loss Statute:** None

**Utilization Review Statute:** Alabama requires annual licensing of any entity providing Utilization Review services. Contact: Kristin Norman, 334-206-5140  
[Kristin.Norman@adph.state.al.us](mailto:Kristin.Norman@adph.state.al.us), Provider Services, Bureau of Health Provider Standards, Alabama Dept. of Public Health, Suite 700, The RSA Tower, Montgomery, AL 36130. Fees are \$1000.

## ALASKA

Alaska Division of Commerce, Community and Economic Development  
P.O. Box 110805  
333 Willoughby Ave., 9th Floor  
Juneau, Alaska 99811-0805

Contact: Kayla Erickson, Program Coordinator 2  
Division of Insurance  
P.O. Box 110805  
Juneau, AK 99811-0805  
Telephone: (907) 465-2545 FAX: (907) 465-3422 or (907) 465-2816  
Email: [kayla.erickson@alaska.gov](mailto:kayla.erickson@alaska.gov)

Legal Citation: Alaska Statute (AS) AS 21.27.630-660.

For a copy of the statute:

<http://www.legis.state.ak.us/basis/statutes.asp#21.27.630>

TPAs are required to be registered as a TPA in Alaska.

In determining those situations where TPAs acting on behalf of admitted insurers need to be registered, refer to AS 21.27.630-AS 21.27.660.

The registration is subject to a biennial fee payable two years from the initial date of issuance.

- Resident Fees: Individual \$300 Firm \$300
- Nonresident Fees: Individual \$300 Firm \$300
- Life, Health, and Variable Lines

Registration as a TPA is required if the person acts as an independent contractor, performs contractual functions normally associated with an insurer such as activities involving the effectuation of coverage, premium accounting, and billing, claims settlement, underwriting authority, marketing administration in connection with life insurance, annuities, health insurance, or the provision of coverage for the cost of medical care is compensated for such contractual services. Perform any duties that fall under the purview of the TPA definition. 21.97.900 (434)

**Bond:** There is no bonding requirement.

#### **Documents or financial reports required from TPAs:**

All basic organizational documents of the TPA, including Articles of Incorporation, Articles of Association, Partnership Agreement, Trade Name Certificate, Trust Agreement, Shareholder Agreement, Bylaws, Rules, Regulations, and similar documents regulating the internal affairs of the TPA. Certified financial statements for the prior two years prepared by an independent certified public accountant that establishes that the applicant is solvent, a statement describing the business plan, including information on staffing levels and activities proposed in this state and in other jurisdictions and provide details establishing the TPA's capability for providing a sufficient number of experienced and qualified personnel in the areas of claims handling, underwriting and record keeping.

Names, mailing addresses, physical addresses, official positions, and professional qualifications of persons who are responsible for the conduct of the affairs of the TPA, including the members of the board of directors, board of trustees, executive committee, or other governing board or committee, the principal officers in the case of a corporation or the partners or members in the case of a partnership or association, shareholders holding directly or indirectly 10 percent or more of the voting securities of the TPA and any other person who exercises control or influence over the affairs of the TPA.

**Net Worth Requirement:** Positive Net Worth

**Stop-Loss Statute:** No statute

**Utilization Review Statute:** Alaska does not regulate utilization review organizations. Insurers offering a managed care plan must provide for an external review process. (AS 21.07.250)

NOTE: Registration of a TPA is not required but the TPA must file a certification with the Director when the TPA is operating only for a foreign insurer; AND is registered as a TPA by the TPA's resident state; AND the TPA's resident insurance regulator has enacted provisions substantially similar to Alaska; AND whose resident state is accredited by the National Association of Insurance Commissioners; OR a person who only provides services to bona fide employee benefit plans that are established by an employer or an employee organization, or both for which the insurance laws of the state are preempted under ERISA is not required to be additionally, registered as a third-party administrator if the person certifies to the director on or before February 1 of each year its exempt status; OR an insurer that holds a certificate of authority issued by the director and is in good standing with Alaska insurance laws, or any other exception under AS 21.27.630.

## ARIZONA

Arizona Department of Insurance and Financial Institutions (DIFI)  
100 N 15th Avenue, Suite 261  
Phoenix, AZ 85007-2630

Contact: Erica A. Bowsher, Insurance Analyst  
Email: [erica.bowsher@difi.az.gov](mailto:erica.bowsher@difi.az.gov)  
Financial Affairs Division  
Telephone: 602-364-3450 FAX: 602-364-3989  
E-mail: TPAInformation@difi.az.gov

Website:  
<https://insurance.az.gov>

**Legal Citation:** Arizona Revised Statute Section 20-485 through 20-485.12 (Statute available on the web at:

[www.azleg.state.az.us/ArizonaRevisedStatues.asp](http://www.azleg.state.az.us/ArizonaRevisedStatues.asp)

Fees:

- Original application fee is \$195;
- Annual filing fee, \$195;
- Letter of Certification fee, \$3;
- TPA licensure name change fee, \$3.

The fee for a new application or a renewal application is not refundable if the application is denied. ARS 20-485.12 It is highly advisable to check with the DOI prior to submitting your application or document request. Applicants are strongly encouraged to check the website prior to submitting their application. Fees are payable by check or money order, and made payable to the Arizona Department of Insurance. Fees may also be paid via the TPA Portal for new and renewal submissions using Visa, Mastercard, or Discover or via ACH from a bank account.

**Administrator's Certificate of Registration:** For initial application: Administrator's Certificate of Registration Application consisting of Form E-100 (v. 20181217); Arizona Biographical Affidavit (NAIC Form 11) for each partner or officer and director, and on any individual owning ten (10) percent or more of the company; Applicant's Financial Statement, that includes a balance sheet; and income statement including disclosure of total Arizona monies projected to be handled for the next calendar year for separate entity applicant (i.e. consolidated financial documents are not acceptable), current financial information within 90 days of application filing date and certified to be true and correct by two notarized signature of officers of the administrator or partner of the firm; Audited financial statements are not required. Notice of Administrator's Capacity for each insurer (original samples of materials as issued to insured individuals that identifies the administrator and administrator's relationship with the insurer); Executed Agreement(s) with Insurer(s); Organization Structure including a statement and/or organization chart which identifies and describes the Applicant's relationship with all affiliated entities, direct and indirect, including parent and all subsidiary entities.

The application for new registration is Form E-100 and the renewal application is Form E-111. Change requests are submitted on Form E-115. Applications should be filled out using Adobe Acrobat –the forms will prompt the user what forms to include in the submission based on the way questions are answered.

The surety bond form is now Form E157. Officer/manager lists are submitted on Form E-100-B and multiple location addresses are submitted on Form E-100-A. Forms may be submitted electronically via the TPA Portal at <https://azinsurance.online/Upload/tpa>. You can upload all forms required to apply for new registration, update existing registration or renew existing registration.

## **ARKANSAS**

Arkansas Department of Commerce  
Arkansas Insurance Department 1 Commerce Way Building 4, Suite 104  
Little Rock, AR 72201

Contact: Peggy Dunlap, Manager/License Division  
Telephone: 501-371-2760 FAX: 501-683-2604  
Email: [peggy.dunlap@arkansas.gov](mailto:peggy.dunlap@arkansas.gov)

Legal Citation: Arkansas Code Annotated Section 23-92-201 to 23-92-208

Registration fee and annual renewal fee is \$100, renews on January 1 of each year. A \$25,000 surety bond must be filed with the Department of Insurance; issued by an authorized insurer, using the bond form provided by the Dept. of Insurance.

Note: Any applicant operating only pursuant to an Administrative Services Agreement who does not collect, receive or remit funds on behalf of the insured is exempt from the bond requirement.

Also, any applicant performing services only on behalf of single employer self-funded plans or, collectively bargained plans, need not submit the bond which would otherwise be required. TPA administering a plan with one plan participant in the state is required to be licensed. See 23-92-101, 102.

**Resident and non-resident TPAs:** Arkansas does not license TPA's for property/casualty although it is a TPA. If they are doing business for life and health, they must acquire a TPA license in the state. TPA's which administer Worker's Comp. plans must register with the Worker's Compensation Commission, 501-682-2064, Worker's Compensation Commission, Attn: Cary Ross, P.O. Box 950, Little Rock, AR 72203.

Every administrator shall maintain at its principal administrative office for the duration of the written agreement and 5 years thereafter, adequate books and records of all transactions between it, self-insured plans, trusts and covered individuals. Any changes on the application or the list of self-insured plans/trusts must be reported to the Insurance Department. Documents or financial reports required from TPAs: A copy of all service agreements between the TPA and the plans administered, including a client list, must be included with the filing.

**Other specific requirements:** All TPAs are responsible for assuring that the plans they administer are themselves duly registered.

**Net Worth Requirement:** None Stop-Loss Statute: No Statute

**Utilization Review Statute:** Arkansas maintains a licensing requirement for entities providing Utilization Review services which applies to HMOs, Insurers and Workers Compensation firms. Contact: Robbie Reddish (501) 280-4925. The UR Certificate renewal must include a fee of \$2500. Licensing is every two years. Only those TPAs which administer single employer self-funded ERISA plans, Multiple Employer Trusts or Multiple Employer Welfare Arrangements for life and health business but register with the Arkansas Insurance Department are required to have a TPA license.

NOTE: TPAs who administer Worker's Comp. plans must register the Worker's Compensation Commission. Contact Mr. Cary Ross at 501-682-2064. TPAs that operate under an administration service agreement and do not collect, receive or remit funds on behalf of the insured are exempt from the bonding requirement.

## CALIFORNIA

Department of Insurance  
 Producer Licensing Bureau  
 320 Capitol Mall Sacramento, CA 95814

Contact: Craig Jordan, Associate Government Program Analyst  
 California Department of Insurance  
 Licensing Services Division, Policy Unit  
 Telephone: 916-492-3033 FAX: 916-327-6907  
 Email: [JordanC@insurance.ca.gov](mailto:JordanC@insurance.ca.gov)  
 For forms and information at [www.insurance.ca.gov](http://www.insurance.ca.gov)

Website: <http://www.insurance.ca.gov>  
 Email: License. [Bureau@Insurance.ca.gov](mailto:Bureau@Insurance.ca.gov) Policy Unit 916-492-3033

Mail Fees and Documents to: California Department of Insurance, Producer Licensing Bureau,  
 P.O. Box 1139, Sacramento, CA 95812-1139

Note: All fees submitted are filing fees, including renewal fees and are not refundable, whether or not the application is acted upon or the examination taken.

Legal Citation: California Insurance Code Chapter 5A, Part 2, Division 1, Section 1759-1759.10

Licensing information available at: <https://www.insurance.ca.gov/0200-industry/0050-renew-license/0200-requirements/administrator.cfm>

In California statutes, TPAs are called Administrators. Section 1759 of the California Insurance Code (CIC) defines an Administrator as an individual or entity who collects any charge or premium from, or who adjusts or settles claims on, residents of California in connection with life or health insurance coverage or annuities or coverage described in Section 740 of the CIC. License applicants must file the Application for Administrator's Certificate, form LIC 441-12. Registration fee is \$188 for a two-year license that expires on the last day of the month two years from the date that the license was originally issued or last renewed. Individual non-resident TPAs who hold a current individual non-resident license of another type(s) in California will have the TPA license term synced up with the existing license renewal cycle and fees. Fingerprint impressions are required for unlicensed applicants. Fingerprint processing fee is \$59. Fingerprint Processing: Fingerprint impressions are required for all unlicensed applicants who have not held a license issued by the California Department of Insurance (CDI) within the last 12 months. All business entities are required to submit fingerprint impressions of one officer, partner, manager, or member of the business entity. The Non-resident Applicants to File Fingerprint Impressions Web page lists the procedures on how to submit the fingerprint impressions.

For business entity applications, if no officer or partner of that entity has held a license issued by CDI within the last 12 months, one of the named officers or partners must submit fingerprint

impressions. CDI's website describes the procedures on how to submit the fingerprint impressions. <https://www.insurance.ca.gov/0200-industry/0020-apply-license/0200-indiv-non-resident/finger-print.cfm>

A copy of your Request for Live Scan Service (form 442-39A) must be submitted with your application verifying your prints were taken. Fingerprints are not required for nonresident applicants who were required to be fingerprinted in their home state as a condition to obtain an insurance producer license. California Insurance Code 1652. No bonding or financial statements required.

Documents or financial reports required: Copy of approved Articles of Incorporation; copy of partnership agreement (if none, all partners must sign statement stating such); a list, including names and residence addresses and social security numbers, of all officers, directors and those stockholders who own 10% or more of the corporation stock; copies of formal written agreements with insurers with whom you plan to do business.

If the TPA will not do business with insurers, explain who will indemnify the insured. Statement of how the TPA plans to conduct business, including the types of clients, number of insured that you anticipate will be handled by the organization. Statements to bank facility, including complete address and account number, that has been selected to maintain fiduciary bank account and claims payment bank account. If corporation, notify CDI of any changes in officers, directors or those stockholders that own 10% or more of the corporate stock. If partnership, notify CDI of any changes in membership of partnership within 30 days. California Insurance Code 707, 708, 1759.6

**Net Worth Requirement:** No statute. This is not applicable in the State of California.

**Stop-Loss Statute:** No statute. However, if there is a stop-loss insurance policy, and the administrator collects premium or adjusts claims with respect to that policy, then the registration certificate requirement in 1759 et seq. applies.

**Utilization Review Statute:** No statute.

NOTE: Exempts plan administrators of self-funded insurer health plans from registration. The plan administrator would be regulated by the U.S Department of Labor, Employee Benefits Security Administration.

*The California Department of Insurance (CDI) moved its online licensing services to Sircon, powered by Vertafore. The enhanced online services available through Sircon provide individuals and business entities the ability to submit license applications, license renewals, address changes, business entity endorsements, and terminations electronically. License applications are to be filed electronically or online as required by California state insurance law and regulation. New license applying business entities must first submit a Business Entity Name Approval Request by electronic or online submission also at Sircon, powered by Vertafore prior to filing the actual new license application.*



## COLORADO

Division of Insurance  
1560 Broadway, Suite #850  
Denver, CO 80202

Contacts: Cindy Hathaway or Peg Brown  
Telephone: 303-894-7499; 800-886-7675 toll free  
FAX: 303-894-7455  
Email: [Cindy.hathaway@state.co.us](mailto:Cindy.hathaway@state.co.us) [Peg.brown@state.co.us](mailto:Peg.brown@state.co.us)  
General email: [DORA\\_CustomerCare@state.co.us](mailto:DORA_CustomerCare@state.co.us)  
Websites: [www.dora.state.co.us](http://www.dora.state.co.us)  
<https://dpo.colorado.gov/>

Colorado does not have a TPA licensing statute at this time. As long as the TPA is not conducting the business of insurance, no license is required. To the extent, the TPA would be contracting with a licensed carrier to provide insurance services to covered lives, we would regulate activities through the licensed carrier.

**Net Worth Requirement:** None

**Stop-Loss Statute:** In force see 10-16-119 and 119.5

NOTE: Utilization Review statutes include both CRS 10-16-113 (internal appeal) and 10-16-113.5 (independent external appeal). While Colorado does not require external review organizations to be licensed, as TPA or otherwise, they must submit an application and be approved before they are placed on the panel of independent external review entities. See Ins. Reg. 4-2-21, Sections 11, 12, and 13 and Bulletin B 4.19. Contact Kate Harris at [kate.harris@state.co.us](mailto:kate.harris@state.co.us) or Dayle Axman at [dayle.axman@state.co.us](mailto:dayle.axman@state.co.us).

## CONNECTICUT

State of Connecticut Insurance Department  
P.O. Box 816  
Hartford, CT 06142-0816

Physical Address:  
State of Connecticut Insurance Department  
153 Market St, FL 7  
Hartford, CT 06103

Contact: Peter Nakano  
Associate Examiner Fraud Unit  
Telephone: 860-297-3921  
Email: [CID.TPA@CT.GOV](mailto:CID.TPA@CT.GOV)

Amy Stegall, Program Manager, Fraud & Investigations  
Telephone: 860-297-3933 Telephone: 860-297-3955 FAX: 860-297-3978  
Voice Mail: 860-297-3845  
Website: [www.ct.gov/cid](http://www.ct.gov/cid)

For additional information, go to the following website:

[http://www.cga.ct.gov/current/pub/chap\\_701a.htm](http://www.cga.ct.gov/current/pub/chap_701a.htm)

Legal Citation: Conn. Gen. Statute Chapter 701a Title 38a-720 Subsection 11

Please be advised that as of July 1, 2016, TPA annual reports are no longer required to be filed in Connecticut.

For TPAs: Please visit for information and updates:

<http://www.ct.gov/cid/cwp/view.asp?Q=493424>

**Important Note:** The Annual Report is now due at renewal on September 30 and the fee has been reflected in the renewal license fee.

Effective Oct. 1, 2011, all Third-Party Administrators are subject to the licensing requirement. Limited exceptions in statute for insurance company acting as TPA. Must apply for a license through NIPR License: \$500; Annual filing due Sept. 30 Renewal \$450 by Sept. 30 File TPA annual report, \$100 fee. Deadline is July 1.

**Bond:** Surety \$500,000 or filing of the two of the most recent financial audit reports showing positive net worth. Additional Surety bond \$100,000 if TPA self-insures governmental or church group members.

**Minimum Net Worth:** \$500,000 or two years of positive net worth.

**Stop Loss Statute:** None

## DELAWARE

Department of Insurance  
1351 West North Street, Suite 101  
Dover, DE 19901

Contact: Alisa Pritchard  
Office Manager-Company Regulation  
Bureau of Examination, Rehabilitation, and Guaranty (BERG)  
Telephone: 302-674-7334; FAX: 302-739-2709

Email: [berg@delaware.gov](mailto:berg@delaware.gov)

Website: <https://insurance.delaware.gov/divisions/berg>

Requests should be directed to [berg@delaware.gov](mailto:berg@delaware.gov).

Legal Citation: 18 Del. Admin. C. § 1406 provides details regarding TPAs

Regulation 1406 establishes the regulations for the supervision of third-party administrators in Delaware. TPAs can go to 18 Del. Admin. C. § 1406 and find Regulation 1406 which provides the requirements, fees and other pertinent information of licensing for Third Party Administrators in Delaware. Initial application fee \$500 pursuant to 18 Del. C. § 1406-17.1.

**Annual Filing Requirements:** Resident TPA—Annual Renewal Form, filing fee of \$100.00, Audited Financial Report (if consolidated it must be in columnar format to show each entity separately) Non-Resident TPA—Annual Renewal Form, filing fee of \$100.00, Certificate of Good Standing from its Home State.

**Registration Requirement:** Benefits covered provided by a self-funded plan other than a governmental or church plan shall register with the Commissioner annually. TPAs administering only single employer self-funded ERISA plans, COBRA plans and are not required to acquire a TPA license.

Surety Bond required by law for TPAs engaging in any Self-Funded business. Registration is due on or before July 1st yearly. Certified Formal Letter on company's Letterhead requesting to remain in Exempt Status, signed by an Officer and Notarized. An Administrator who directly or indirectly underwrites, collects or charges premiums from, or adjusts or settles claims on residents of this state, in connection with health and/or pharmacy must file an Annual Renewal: Filing on or before July 1st yearly. Nonresident Administrator Certificate of Authority: Unless an administrator has obtained a home state certificate of authority or license in the State, any administrator who performs administrator duties shall obtain a nonresident administrator certificate of authority. A nonresident administrator is not required to hold a nonresident administrator certificate of authority or license in the State if the administrator's duties in the state are limited to the administration of a group policy or plan of insurance and no more than a total of 100 lives for all plan residents in the state. The Plan must be Health and Pharmacy.

**Fees and Expenses:** Administrators must file an annual report for the preceding calendar year on or before July 1 of each year. The annual report shall include an audited financial statement performed by an independent certified public accountant.

**Stop-Loss Statute:** None

**Utilization Review Statute:** Delaware does not have a Utilization Review statute; however, managed care legislation is pending which may include a utilization review component.

## DISTRICT OF COLUMBIA

D.C. Department of Insurance  
810 First St., N.E., Suite 701 Washington, D.C. 20002  
Telephone: 202-442-7762; FAX: 202-535-1198

The District of Columbia does not have a TPA statute.

**Net Worth Requirement:** None

**Stop-Loss Statute:** None

**Utilization Review Statute:** The District of Columbia does not have a Utilization Review statute at this time.

## FLORIDA

Florida Office of Insurance Regulation  
Life and Health Financial Oversight  
Larson Bldg., 200 East Gaines St., 3rd Floor  
Tallahassee, FL 32317

Contact: Deanna Bryant  
Email: [Deanna.bryant@FLOIR.com](mailto:Deanna.bryant@FLOIR.com)  
Florida Office of Insurance Regulation  
Telephone 850-413-2484 FAX 850-488-7061

Legal Citation Florida Statutes Chapter 626, Part VII.

Florida Statutes can be accessed on-line: [www.FLOIR.com](http://www.FLOIR.com)

TPA Administrators administering a plan that has one or more plan participants in the state are required to maintain a license. (Certain exceptions may apply, e.g., non-resident entities licensed as an administrator in its state of domicile with no more than a total of 100 lives residing in Florida for all plans; see section 626.88(1)(a), Florida Statutes for additional exemptions).

Initial applications must include audited financial statements for the two most recent fiscal years which prove that the applicant has a positive net worth. Unaudited financial statements may be submitted if the company has been in existence for less than 2 fiscal years. If licensed thereafter, an annual report with a full and true statement of its financial condition, transactions, and affairs for the preceding fiscal year, is due within 3 months after the end of the administrator's fiscal year.

Audited financial statements covering the preceding fiscal year shall be filed with the Office within 5 months after the end of the administrator's fiscal year and be for the preceding fiscal year.

**Fees:** \$100 fee due at the time of the initial application. Annual Report Filing Fee, \$250 at the time of filing. Basic organizational documents plus a biographical questionnaire, background reports and fingerprint cards must be filed for individuals employed or retained who are responsible for the affairs of the administrator.

**Bonds:** Yes, Section 626.8809 requires a Fidelity Bond. Section 626.8809, Florida Statute, states an administrator shall have and keep in full force and effect, a fidelity bond equal to at least 10 percent of the amount of the funds handled or managed annually by the administrator. However, the office may not require a bond greater than \$500,000 unless the office, after due notice to all interested parties and opportunity for hearing and after consideration of the record, requires an amount in excess of \$500,000 but not more than 10 percent of the amount of the funds handled or managed annually by the administrator.

**Other Specific Requirements:** Section 626.8805 Florida Statutes requires in part that the administrator shall file with the office an application for a certificate of authority upon a form to be adopted by the commission and furnished by the office, which application shall include or have attached the following information and documents:

All basic organizational documents of the administrator, such as the articles of incorporation, articles of association, partnership agreement, trade name certificate, trust agreement, shareholder agreement, and other applicable documents and all amendments to those documents.

The bylaws, rules and regulations or similar documents regulating the conduct or the internal affairs of the administrator.

The names, addresses, official positions, and professional qualifications of the individuals employed or retained by the administrator who are responsible for the conduct of the affairs of the administrator, including all members of the board of directors, board of trustees, executive committee, or other governing board or committee, and the principal officers in the case of a corporation, the partners or members in the case of a partnership or association,

Audited annual financial statements for the 2 most recent fiscal years which prove that the applicant has a positive net worth.

If the applicant has been in existence for less than 2 fiscal years, the application must include financial statements or reports, certified by an officer of the applicant and prepared in accordance with GAAP, for any completed fiscal years and for any month during the current fiscal year for which such financial statements or reports have been completed.

An audited financial statement or report prepared on a consolidated basis must include a columnar consolidating or combining worksheet that shall be filed with the report and must comply with the following:

Amounts shown on the consolidated audited financial report must be shown on the worksheet;

Amounts for each entity shall be stated separately; and

Explanations of consolidating and eliminating entries. The applicant shall also include such other information as the office requires in order to review the current financial condition of the applicant.

A statement describing the business plan, including information on staffing levels and activities proposed in this state and nationwide. The plan must provide details setting forth the applicant's capability for providing a sufficient number of experienced and qualified personnel in the areas of claims processing, recordkeeping and underwriting. The Applicant will also need to provide copies of existing Administrative Agreements and/or a template administrative agreement which complies with Florida Statutes (as outlined in Section 626.882 through 626.888)

**Minimum Net Worth:** TPA Administrator must have a positive net worth. TPA Administrators are also required to maintain a positive net worth at all times while licensed.

**Minimum Level of Stop Loss for Self-Funded Plans:** No Statute

**Resident and Non-Resident TPA Administrators:** Refer to Florida Section 626.88(1) for definition of "administrator" in Florida.

Florida Statute defines an "Administrator" as any person who directly or indirectly solicits or effects coverage of, collects charges or premiums from, or adjusts or settles claims on residents of this state in connection with authorized commercial self-insurance funds or with insured or self-insured programs which provide life or health insurance coverage or coverage of any other expenses described in S.624.33(1), FS or any person who, through a health care risk contract as defined in s.641.234, FS with an insurer or health maintenance organization, provides billing and collection services to health insurers and health maintenance organizations on behalf of health care providers (with certain exemptions). The key phrase is residents of this state. If the TPA administrator is not providing administrative services related to Florida resident insured individuals, but are located in Florida, they would not be required to be licensed as a TPA Administrator in Florida.

Clarification effective 12/13/17: In 2015, the Florida Office of Insurance Regulation Department of Insurance issued an interpretation that a true ERISA plan does not require a Florida license. For clarification, contact the Florida Department Office of Insurance Regulation for an interpretation.

## GEORGIA

Department of Insurance  
 Commissioner of Insurance John F. King  
 Insurance Financial Oversight Division  
 2 Martin Luther King, Jr. Drive SE, Suite 908  
 West Tower Atlanta, GA 30334

Contact: Tammy L. Brewster  
 Licensing Supervisor  
 Insurance and Financial Oversight Division  
 Telephone: 404-656-7556  
 Email: [Tbrewster@oci.ga.gov](mailto:Tbrewster@oci.ga.gov)

Legal Citation: O.C.G.A. 33-23-100 et seq.; Georgia Regulation Chapter 120-2-49

**Fees:** Original TPA Filing fee is \$500; Annual TPA Filing fee is \$400 due March 1 of every year; Processing Filing fee is \$5.

All resident and non-resident TPAs must apply for a license or seek an exemption.

Application for license must include the following documents: basic organizational documents of the administrator, the articles of incorporation certified by Secretary of State, articles of association, partnership agreement, Certificate of Good Standing/Certificate of Existence from the Georgia Secretary of State, trade name certificate, trust agreement, shareholder agreement, audited financial statements for the three most recent years. Make available for inspection copies of all contracts with insurers, self-insurers or other persons utilizing the services of the administrator.

Note: Documents must be original or certified copies. Copy of bylaws, rules and regulations regulating the affairs of the Administrator, certified by the partners or the president and secretary and containing a corporate seal. Names, addresses and official titles of positions held by individuals responsible for the conduct of the affairs of the Administrator.

Biographical statement and affidavit. Investigative background report on each individual listed including a credit check, check of all courts and verification of residency for a 10-year period including a list of all accounts administered. Show a separate amount for premiums collected and claims paid.

Errors and Omissions policy or other appropriate liability policy written by an insurer authorized to transact insurance in Georgia in an amount of at least \$100,000. Policy must include a 60-day notice of cancellation to the Georgia Department of Insurance. Administrator Bond Requirement.

Submit a copy of a bond issued by a licensed carrier in the State of Georgia and provided on Departments Bond Form. Bond is for 10% of annualized funds handled or managed in Georgia

for a minimum of \$100,000 and up to a maximum of \$500,000; executed by a corporate surety insurer authorized to transact insurance in this state. If applicant collects premiums and pays claims, the 10% should be calculated on the greater amount. Bond must include a 30-day notice of cancellation to the Georgia Department of Insurance for at least \$100,000 but not more than \$500,000.

Copies of financial statements for the two most recent calendar years. Licenses: Provide a list of officers or employees who sell or solicit coverage or adjust claims (including claims processors) indicating whether such person has a license issued by the Department, what type of license and social security account number. Provide information whether an insurance license of any type or application for license has been denied, suspended or revoked in any state.

**Net Worth Requirement:** \$200,000 in total net worth is required.

**Stop-Loss Statute:** No

Utilization Review Statute: Georgia has a Utilization Review Statute applicable to HMOs, Insurers, UR firms and entities that perform UR services for employer, claims administrators or third-party payors.

Workers' Compensation firms and federal health programs are exempt.

**Utilization Review:** Life and Health Division 404-656-2085. Certification is required every two years for a fee of between \$500- \$1000.

Please review O.C.G.A. Section 33-23-100 (b) for possible exemptions, but you must register as an exempted TPA according to the statute. Annual TPA Exemption Filing fee is \$50 due December 31 of every year; Processing Filing fee is \$5.

## GUAM

Government of Guam  
P.O. Box 23607  
GMF Main Facility, Guam 96921  
Contact: Alice Cruz, Acting, Regulatory Program Supervisor  
Email: [alice.cruz@revtax.guan.gov](mailto:alice.cruz@revtax.guan.gov)  
Telephone: 671-635-1844; FAX: 671- 472-2643

The Territory of Guam has not adopted a statute for the licensing of Third-Party Administrators at this time.

**Net Worth Requirement:** Guam does not have a net worth requirement at this time.

**Stop-Loss Statute:** Guam does not have a stop-loss statute at this time.

Utilization Review Statute: Guam does not have a utilization review statute at this time.



## HAWAII

Ai-Chun (Emily) Rakieta  
 State of Hawaii  
 Insurance Licensing Supervisor  
 Insurance Division – Licensing Branch  
 Department of Commerce and Consumer Affairs  
 P.O. Box 3614  
 Honolulu, Hawaii 96811

Phone: 808-586-2788; FAX: 808-566-2790

Email: [insurance@dcca.hawaii.gov](mailto:insurance@dcca.hawaii.gov)

Health Insurance Branch: [ihealth@dcca.hawaii.gov](mailto:ihealth@dcca.hawaii.gov)

Licensing Branch: [inslic@dcca.hawaii.gov](mailto:inslic@dcca.hawaii.gov)

Website: [Insurance | Insurance Company Licensing – Application for Certificate of Authority \(hawaii.gov\)](http://insurance|insurancecompanylicensing-applicationforcertificateofauthority.hawaii.gov)

Effective January 1, 2020, any person that acts as or holds out to be a TPA or Administrator in the State of Hawaii must be licensed with the Commissioner.

A TPA license may be obtained by submitting a Third-Party Administrator Checklist/Application Packet (“TPA Checklist/Application Packet”) to the Insurance Division’s Licensing Branch. The TPA Checklist/Application Packet may be found and downloaded at the following web address: <http://cca.hawaii.gov/ins/producers/forms/>.

The TPA license is renewable every two years (See Title 24, Chapter 431, Article 9J)

For information regarding the licensing requirements, go to:

[http://cca.hawaii.gov/ins/producers/instructions\\_insurance\\_license/third-party-administrator/](http://cca.hawaii.gov/ins/producers/instructions_insurance_license/third-party-administrator/) Hawaii is currently working with NIPR to allow online submission. Check NIPR or Insurance Division website for future announcement.

**Net Worth Requirement:** Submit annual financial statements for the two most recent years that prove the applicant has a positive net worth and information the commissioner may require to review the current financial condition of the applicant; and any other pertinent information the commissioner may require.

**Stop-Loss Statute:** None

TPAs serving as PBMs: The 2017 passed law requiring Pharmacy Benefit Managers to register with the Insurance Commissioner. Any TPAs that are Pharmacy Benefit Managers must comply with registration requirements.

### **Utilization Review:**

Every managed care plan shall establish procedures for continuous review of quality of care, performance of providers, utilization of health services, facilities, and costs.

Notwithstanding any other provision of law, there shall be no monetary liability on the part of, and no cause of action for damages shall arise against, any person who participates in quality of care or utilization reviews by peer review committees for any act performed during the reviews if the person acts without malice, makes a reasonable effort to obtain the facts, and believes that the action taken is warranted by the facts.

No peer review committee under this section shall be subject to discovery, and no person in attendance at the reviews shall be required to testify as to what transpired at the reviews. The utilization review requirements and administrative treatment guidelines of the health maintenance organization shall not fall below the appropriate standard of care and shall not impinge upon the independent medical judgment of the treating health care provider.

Nothing in this section shall be construed to prevent a health maintenance organization from conducting a utilization review and quality assurance program. (See Title 24, Chapter 432E, Article 9, Hawaii Revised Statutes).

## **IDAHO**

Idaho Department of Insurance  
P.O. Box 83720  
Boise, ID 83720-0043

Physical Address:  
700 W. State Street, 3rd Floor  
Boise, ID 83720-0043

Telephone: 208-334-4250

Contact: Michele Muñoz  
Email: [Michele.munoz@doi.idaho.gov](mailto:Michele.munoz@doi.idaho.gov)  
Telephone: 208-334-4311; FAX: 208-334-4398  
Email: [DOI.TPA@doi.idaho.gov](mailto:DOI.TPA@doi.idaho.gov)

Website: <https://doi.idaho.gov/industry/tpa-pbms-other-entities/>

TPA Licenses cover a two-year period.

See [www.doi.idaho.gov/producer/TPA/home.aspx](http://www.doi.idaho.gov/producer/TPA/home.aspx)

Legal Citation: Idaho Code Title 41, Chapter 9.

A “third party administrator” or “TPA” is an entity that **directly or indirectly underwrites, collects charges or premiums, or adjusts or settles claims in connection with life, annuity, or health coverage in Idaho**. There are three types of licensure available to TPA’s. Please review the options and apply for the one that best fits your operations. Fees, if any, are explained below:

**Resident and Non-Resident TPA License:** Only administrators who directly or indirectly underwrites, collects charges or premiums from or adjusts or settles claims on residents of this state in connection with life, annuity or health insurance coverage offered or provided by an insurer. (See Section 41-901).

**Idaho Home State TPA license:** A license allows a TPA to administer insurance or self-funded coverage. A TPA in any State may apply for an Idaho Home State TPA license under Idaho Code § 41-911.

**Non-Resident TPA license:**

A TPA licensed in a recognized State may apply for an Idaho Non-Resident TPA license. Recognized States under Idaho Code § 41-912 include the following. If not licensed in a recognized State, apply for an Idaho Home State TPA license: Delaware, Indiana, Kansas, West Virginia, Florida, Missouri, New Hampshire

**TPA Registration:** registration allows a TPA to administer coverage provided **only** by self-funded plans not regulated by title 41, Idaho Code. To administer insurance coverage requires a TPA license.

**Third Party Administrators (TPA) reference information:**

[Idaho Code, Title 41, Chapter 9](#)

[TPA License Types](#)

[Important TPA Dates, Links & Fees](#)

**Important Dates:** TPA’s must file the following reports by the corresponding due dates and/or deadlines:

**Required For Licensed TPA’s:**

**July 1: Annual Report** pursuant to Idaho Code § 41-914.

**Required for All TPA's, Licensed or Registered:****March 15:** [Immunization Assessment](#)**April 1: PBM Annual Registration** (if applicable, it is required to license as a TPA and PBM, see below)**May 1:** [Health Plan Survey](#)**November 1 – December 31: TPA Renewal** of License or Registration (every 2-years, see below)**January 1 – 31: TPA Reinstatement** (if failed to renew. Includes fee, see below)

**Fees Applicable to TPA's:** Application fees are due at the time of application. All other fees are due upon assessment. **Fees are non-refundable.** Fees are payable **by check** to the following address. Include the applicant's identifying information with the check to:

Idaho Department of Insurance  
700 W. State St., 3rd Floor  
P.O. Box 83720  
Boise, Idaho 83720-0043

**Fees:**

Idaho Home State Application Fee	\$300
Idaho Non-Resident Application Fee	\$300
Idaho Registration Fee	None
TPA Renewal	\$80
TPA Reinstatement	\$160
Late Filing Fee – Per Day	\$25/day

**Bonds:** Home State Licensees that administer self-funded health plans subject to regulation under Chapter 40 or 41, Title 41, Idaho Code, shall maintain a surety bond for the use and benefit of the director.

Bonds shall be in the greater of the following amounts:

One hundred thousand dollars (\$100,000); or

An amount equal to the greater of ten percent (10%) of the contributions collected by the administrator from self-funded plans subject to regulation under Chapter 40 and 41, Title 41, Idaho Code, or ten percent (10%) of the benefits paid by such self-funded plans administered during the preceding calendar year.

In lieu of submitting audited financial statements, and upon written application by an applicant and good cause shown, the Director may grant a hardship exemption from filing audited financial statements and allow the submission of unaudited financial statements. If unaudited financial statements are submitted, the applicant must also secure and maintain a surety bond in a form prescribed by the director for the use and benefit of the director to be held in trust for the

benefit and protection of covered persons and any insurer or self-funded plan against loss by reason of acts of fraud or dishonesty, for the greater of ten percent (10%) of funds handled for the benefit of the Idaho residents or twenty thousand dollars (\$20,000).

**Disclosure:** This guidance is not all-inclusive. Please review Idaho Code, Title 41, Chapter 9, or contact us. **It is the responsibility of the TPA to maintain compliance.**

### **TPA Application Forms:**

[TPA Home State Application](#)

[Non-Resident TPA License Application](#)

[TPA Registration Application](#)

### **All other TPA Forms:**

[Address/Contact Information Update](#)

[TPA Annual Report](#)

[TPA Annual Report Extension Application](#)

[TPA Audited Financial Statement Exception Application](#)

[Bond of Administrator](#)

[TPA Business Entity Name Change](#)

[TPA Change of Officer](#)

must include a [biographical affidavit for each new officer](#)

[TPA Termination of Agreement](#)

[TPA Voluntary Surrender of License](#)

[TPA Reinstatement](#)

### **Third Party Administrators (TPA) Renewals:**

[Idaho Code, Title 41, Chapter 9](#)

[Renewal Information](#)

Third Party Administrators must be renewed every 2 years (24 months).

Renewals for TPA's opens November 2nd and ends December 31st.

Licensed TPA's may renew online, click [here](#).

You may also renew via the [printable form](#). The non-refundable renewal fee of \$80 is payable by check to the Idaho Department of Insurance.

[Registered TPA](#) renewals are only processed by paper. There is no fee for Registered TPA renewal.

All paper renewals and checks should be mailed to:

Idaho Department of Insurance  
700 W State Street, Fl 3  
PO Box 83720  
Boise ID 83720-0043

Reinstatement period begins January 1st and ends January 31st. After January 31st, you must reapply with application, all applicable forms and \$300, non-refundable application fee.

To reinstate a license, you will need to submit the following:

Completed [TPA Reinstatement Form](#)  
[Reinstatement Information](#)

**Non-Refundable Reinstatement Fee: \$160.00.** Checks should be made payable to the Idaho Department of Insurance.

The completed application and attachments should be mailed to:

Idaho Department of Insurance  
700 W State Street, 3rd Floor  
PO Box 83720  
Boise ID 83720-0043

After January 31st, you must reapply with application, all applicable forms and \$300, non-refundable application fee.

**Financial requirements for licensing: See:** Section 41-911(2)(d) Net Worth Requirements set out at Section 41-911 (2)(d)

**Minimum Net Worth:** None, as long as the administrator is solvent.

### **Important Links and Fees: Idaho Code Section 41-349**

PBM Registration Form available on the website.

“Pharmacy benefit manager” or “PBM” means a person or entity doing business in this state that contracts with pharmacies on behalf of an insurer, third-party administrator, or managed care organization to administer prescription drug benefits to residents of this state.

PBM Registration: Idaho added a PBM registration which took effect July 01, 2020. More information is available online. <https://doi.idaho.gov/licensing/PBM/>

**A PBM is require to register annually before April 1, utilizing the [PBM Registration Form](#)**

**There is no fee for registering a PBM.**

**Do I require a PBM registration if I maintain other licenses through the Department (e.g. Certificate of Authority, TPA license)?**

Yes. There are no exclusions for PBM Registration. Multiple licenses may be required.

**When do I register my PBM each year?**

Registration occurs between January 1 and March 31, annually.

**Is there a fee for registering a PBM?**

No. There is no fee for registering a PBM.

### **Other Specific Requirements:**

**Stop Loss Requirements:** Each plan is evaluated individually at the time of registration for minimum level.

## **ILLINOIS**

Department of Insurance  
320 W. Washington St.  
Springfield, IL 62767

Contact: David Murphy  
Telephone: 217-782-8418; Fax: 217-557-8455  
E-mail: [david.murphy@illinois.gov](mailto:david.murphy@illinois.gov)

**Legal Citation:** 215 Illinois Insurance Code 5/500.100

**License fee and annual renewal fee:** \$200.

Applicant must provide the names, home addresses and official positions of the individuals who are responsible for the conduct of the affairs of the administrator, including but not limited to all members of the board of directors, board of trustees, executive committee, or other governing board or committee, the principal officers in the case of a corporation or the partners in the case of a partnership.

**Bond requirement:** Unless the administrator is contracted with the insurer as an administrator and the plan is fully insured by the insurer on whose behalf the funds are held, each applicant for an administrator license must file with the application and maintain in force a surety bond in favor of the State of Illinois executed by a surety company.

The bond shall be in the following amounts:

For an administrator which maintains an Administrator Trust Fund (ATF) but does not maintain a Claims Administration Service Account (CASA), the greater of \$50,000 or 5% of contributions and premiums projected to be received or collected in the ATF for the forthcoming plan year from Illinois residents, but not to exceed \$1,000,000. For an administrator which

maintains a CASA but does not maintain an ATF, the greater of \$50,000 or 5% of the claims and claim expenses projected to be held in the CASA for the forthcoming year to pay claims and claim expenses for Illinois residents, but not to exceed \$1,000,000.

For an administrator which maintains both an ATF and a CASA, the greater of the amounts above, but not to exceed \$1,000,000. (a) The surety bond shall remain in force and effect until the surety is released from liability by the Director or until the bond is canceled by the surety. The license shall automatically terminate if the bond required by this Section is not in force. Within 30 days thereafter, the administrator shall return the license to the Director for cancellation. (b) Such bond shall remain in force and effect until the surety is released from liability by the Director or until the bond is canceled by the surety. The surety may cancel the bond and be released from further liability thereunder upon 30 days' written notice in advance to the Director. Such cancellation shall not affect any liability incurred or accrued thereunder before the termination of the 30-day period. Upon receipt of any notice of cancellation, the Director shall immediately notify the licensee. (c) The license required by Section 511.102 shall automatically terminate if the bond required by this Section is not in force. Within 30 days thereafter, the administrator shall return the license to the Director for cancellation. (Source: P.A. 84-1431.) Applicant must provide a list of plan sponsors or insurers with which they have a signed executed contract and their addresses and the execution and termination date of each.

An administrator that does not maintain an Administrative Trust Fund (ATD) or a Claims Administration Services Account (CASA) may claim exemption from the bond requirement. The administrator shall identify to the Director any ownership interest or affiliation of any kind with any plan sponsor or insurer responsible directly or through reinsurance for providing benefits to any plan for which it provides services as an administrator. An administrator shall provide services as an administrator pursuant to a written agreement. The written agreement shall be between the administrator and the plan sponsor or insurer and shall be retained as part of the official records of the administrator for the duration of the agreement and for 5 years thereafter.

The law, including the bonding rule, applies to non-resident TPAs which produce contributions and premiums during a calendar year from the residents of this state.

**Net Worth Requirement:** No

**Stop-Loss Statute:** No

**Utilization Review Statute:** Illinois does have a utilization review statute enacted in July 2000. Contact the Division of Insurance for additional information. Exempts TPAs administering only single employer self-funded plans from licensing.



## IOWA

Iowa Insurance Division  
Product & Producer Regulation  
1963 Bell Ave Suite 100  
Des Moines, IA 50315

Iowa Insurance Division  
Telephone: 515-654-6600; Fax 515-654-6500

**Inquiries to:** [Producer.Licensing@iid.iowa.gov](mailto:Producer.Licensing@iid.iowa.gov) or call 515- 654-6565 if you need immediate assistance and you will be directed to someone who can assist you.

**Website:** <http://www.iid.state.ia.us>

**Legal Citation:** Iowa Code Chapter 510.11 et. seq.,

Managing General Agents and Administrators and Iowa Administrative Code  
<https://www.legis.iowa.gov/docs/code/510.pdf> Chapter 191.58, TPA Regulations  
<https://www.legis.iowa.gov/docs/iac/chapter/191.58.pdf>

**NOTE:** The TPA annual report is processed at OPTins.org. The verification form, audited financial statements and \$50 fee must be submitted online via OPTins. For additional information see Iowa Bulletin published February 14, 2017.

Easy to follow instructions are available at [www.optins.org](http://www.optins.org)

All resident and non-resident TPAs must apply for a certification of registration as an administrator with the Insurance Division. The application must be accompanied with a filing fee, required information regarding the owners, principals, officers, partners, trustees or directors of TPA firm; articles of incorporation; list of insurance companies or other entities for which TPA acts as administrator; Surety Bond form; and other written documents as required by the Commissioner of Insurance.

In lieu of requiring a TPA to file a certification, the division may verify the nonresident TPA's home state status through an electronic database. A TPA will not be eligible for a non-registration third-party administrator if the TPA does not hold a certificate of registration in a home state that has adopted a law governing TPAs substantially similar to Iowa Code Chapter 510. A TPA may designate a state other than the resident state as its home state. If a TPA is not eligible under 58.3(2)(c) it must meet the requirements for resident TPA registration.

**Fees:** The fee to accompany the filing of an annual report is \$50. The fee for late filing of an annual report is \$100. Registration fee is \$100. Renewal fee is \$100. Registration is renewable every three years.

Copies of Articles of Incorporation are required of all corporations operating as TPAs.

**Annual Reports:** Please be advised that all annual reports filed after the due date of July 1 will automatically be assessed a \$100 late fee. All annual reports must be filed under the company name. If you are submitting a report for more than one company, they must be filed individually with a verification form completed for each company. All registered Third-Party Administrators are required to submit an annual report. The report is to include an audited financial statement

and verification signed by at least 2 officers of the TPA. The annual report and a \$50 fee are due by July 1. There is no required reporting form for the annual statement. See regulations 191-58.11 and 191-58.18 for the requirements. Contact the Iowa Insurance Division for a copy of the verification form.

**Bond:** A Surety Bond must be in place. A Surety bond issued by an insurance company licensed to do business in Iowa in an amount equivalent to 10% of administrator's average daily client account balance during the preceding calendar year. The minimum bond is \$50,000 and the maximum amount is \$1 million. An administrator unable to obtain a bond may post another security including, but not limited to, cash or negotiable securities in an equal amount under terms agreeable to the commissioner. The surety bond must be on their specific form, information is sent with the TPA application.

**Net Worth Requirement:** None

**Stop-Loss Statute:** The State DOI indicates that there is no stop-loss requirement. However, a separate survey indicates that a specific set at \$10,000 and aggregate limit set at 120% of expected claims.

**Utilization Review Statute:** Iowa has a utilization review statute that applies to all third-party payors including HMOs, Insurers and Utilization Review organizations. However, there is an exception for Workers' Compensation firms and federal programs. Contact: Producer licensing (515) 654-6565. There is no fee or UR license at this time. However, the entity must indicate whether they are URAC accredited and submit certification documents to the division by clicking [https://appengine.egov.com/apps/ia/iid\\_affidavit](https://appengine.egov.com/apps/ia/iid_affidavit).

**Exemptions: TPAs administering only single employer self-funded ERISA plans do not have to acquire a TPA license, but Iowa does require an affidavit be filed.** Contact the Iowa Insurance Division for a copy of the affidavit. An administrator operating solely as a single-employer trust or Taft Hartley labor union trust as defined under ERISA shall be required to file a statement triennially, verifying the administrator's status as described herein. An example of such a statement may be found on the division's Website, [http://www.iid.state.ia.us58.3\(1\)\(f\)](http://www.iid.state.ia.us58.3(1)(f))

All companies functioning under the ERISA Taft Hartley Act are exempt from registration requirements, however, they must complete the [Third-Party Affidavit Form](http://appengine.egov.com/apps/ia/iid_affidavit) [http://appengine.egov.com/apps/ia/iid\\_affidavit](http://appengine.egov.com/apps/ia/iid_affidavit), and file it with the Iowa Insurance Division. [Iowa Administrative Code rule 191-58.3](#) lists other exemptions to the registration requirements.

A pharmacy benefits manager doing business in Iowa must obtain a certificate as a third-party administrator under Iowa Code chapter 510, and the provisions relating to a third-party administrator pursuant to Iowa Code chapter 510 shall apply to a pharmacy benefits manager.

A pharmacy benefits manager must provide to the Iowa Insurance Division a quarterly report of all complaints as defined in Iowa Administrative Code rule 191-59.2. The quarterly report must include all of the information required in Iowa Administrative Code rule 191-59.8. If further information is needed regarding a quarterly complaint report, select the Pharmacy Benefits Manager contact form from the 'category' drop down menu.

A pharmacy benefits manager must also provide an annual report and include all information in Iowa Code section 510C.2. The report is available on and must be filed through Opt-Ins by February 15th annually.

Health carriers, health benefit plans, and pharmacy benefits managers are required to create, use, and submit a single prior authorization form to the Commissioner for approval.

## INDIANA

Indiana Department of Insurance  
311 W. Washington Street, Suite 103  
Indianapolis, IN 46204-2787

Annette Gunter  
Supervisor of Financial Services Operations  
Email: [agunter@idoi.in.gov](mailto:agunter@idoi.in.gov)

Contact: Connie Wright, Admission Coordinator  
Telephone: 317-232-1994; Fax: 317-232-5252  
Email: [cwright1@idoi.in.gov](mailto:cwright1@idoi.in.gov)

Website: [www.in.gov/idoi](http://www.in.gov/idoi)

Legal Citation: Indiana Insurance Code, Section [27-1-25-1](#) et seq.

**Initial Application Requirements:** Resident and Non-Resident TPA requirements located at <https://www.in.gov/idoi/companyentity-financial-compliance/other-entities-initial-registration-requirements/third-party-administrators-tpa/> Application can be submitted electronically at [Indiana Producers Portal | Vertafore \(sircon.com\)](#).

**Renewal Requirements:** Resident and Non-Resident TPA requirements located at <https://www.in.gov/idoi/companyentity-financial-compliance/other-entities-renewal-requirements/third-party-administrators-tpa/> Renewals can be submitted electronically at [Indiana Producers Portal | Vertafore \(sircon.com\)](#).

**Fees:** Registration fee is \$50 and an annual renewal fee of \$50. The license expires on August 31st of each year and renewal application must be submitted by August 1st.

**Bond:** Bond only required of Resident TPAs. A Surety Bond for administration of governmental and/or church plans is required. See [IC 27-1-25-4 \(g\)](#) for specific requirements.

**Net Worth Requirement:** TPAs are required to have a positive net worth per [IC 27-1-25-11.1\(b\)\(4\)](#). Statute does not stipulate amount. Stop-Loss Statute: No requirement at this time.

**Exemptions:** Non-resident TPAs administering only single employer self-funded qualified ERISA plans are exempt from licensure. For a non-resident TPA, the administrator is exempt if they do not cover 100 lives or more as set forth in [IC 27-1-25-12.2\(g\)](#).

NOTE: Please review Bulletin 236, March 2, 2017 available on the website at [www.in.gov/idoi/2328.htm](http://www.in.gov/idoi/2328.htm)

A non-resident is not eligible for a non-resident administrator license unless the non-resident administrator is licensed as a resident administrator in a home state that has a law or regulation that is substantially similar to Indiana's.

The Department conducted a review of third-party administrator laws in the U.S. to determine whether these laws are substantially similar to IC 27-I-25. As of March 2, 2017, the following states are determined to have substantially similar laws: Alaska, Delaware, Florida, Idaho, Missouri, New Hampshire, New Jersey, and Virginia.

## KENTUCKY

Department of Insurance  
Mayo-Underwood Building  
500 Mero Street, 2 SE 11  
Frankfort KY 40601

Lee Ellen Webb, Director  
Division of Licensing  
Division Telephone: 502-564-6004  
Direct Telephone: 502-782-5409

Agent Licensing Contact: Angela Wren  
Email: [angela.wren@ky.gov](mailto:angela.wren@ky.gov)  
Telephone: 502-782-5417; Fax: 502-564-6030  
Email: [DOI.LicensingMail@ky.gov](mailto:DOI.LicensingMail@ky.gov).

Website: <https://insurance.ky.gov>

Legal Citation: Kentucky Revised Statute: KRS 304.9-051, 304.9-052, and 304.9-371 through 304.9-377 specifically address details relating to administrator's contracts, payments, records, use of advertising, fiduciary accounts, claims payment, compensation and notice to insureds.

**Note:** Many other provisions in KRS 304 Subtitle 9, as well as other sections of the Kentucky Insurance Code, apply to administrators in general.

**Fees:** Administrator Licensing fee is \$50 per license and each renewal.

### Requirements:

- All resident TPAs must acquire a TPA license.

- Non-resident individual and business entity TPA applicants must hold an Administrator license in their home state, or provide proof from home state that they do not issue an Administrator license. TPAs administering a plan that has one plan participant in the state is required to apply for a license. KRS 304.9-051 provides that an administrator license is required of any individual or business entity who collects premiums from or who settles claims on any resident of Kentucky in connection with life with life insurance, health insurance, annuities, nonprofit hospital, medical-surgical, dental, and health service corporation contracts, health maintenance organization contracts or other life health, or annuity benefit plans.

**Business Entity Administrator:** License renews on March 31st of each even-numbered year if initially licensed in an even-numbered year, or March 31st of each odd-numbered year, if initially licensed in an odd-numbered year.

**Business Entity Administrator:** Applicant must list all officers and directors on application, and complete/submit Form 8301-TPA Administrator Applicant Certification and Attestation.

Forms can be found on DOI web site at Department of Insurance (<https://kv.gov>). All individuals acting on behalf of TPA firm must be designated on the application and must hold a Kentucky TPA license.

**Individual Administrator:** License renews on last day of birth month of each even-numbered year if born in an even-numbered year, or last day of birth month of each odd-numbered year if born in an odd-numbered year. Individual Administrator: Applicant must complete an application.

If individual is a resident applicant, they must provide an Administrative Office of the Courts (AOC) background report (obtained by applying online at <https://kycourts.gov>).

An individual applicant must be at least 21 years of age, be financially responsible, be competent, trustworthy, reliable, and of good reputation, and meet background approval, as required by the Kentucky Department of Insurance, KRS 304.9-052. TPAs can be fined up to \$2000 per violation of the law. KRS 304.99-020

**Bond:** Kentucky does not require proof of fidelity or surety bond; however, the Department requires all Business Entity Administrators to provide Form 8301-TPA Administrator Applicant Certification and Attestation. This Attestation lists requirements found in KRS 304.9-371 through KRS 304.9-377 specifically addressing details relating to administrator's contracts, payments, records, use of advertising, fiduciary accounts, claims payment, compensation and notice to insureds.

**Net Worth Requirement:** There is no specific minimum net worth or bonding requirement; however, all Business Entity applicants must provide Form 8301-TPA Administrator Applicant Certification and Attestation.

**Stop-Loss Statute:** None

**Utilization Review Statute:** Kentucky imposes registration as a requirement for any entity providing Utilization Review Services including HMOs, Insurers, Utilization Review, and Private Review Agents. Fee is \$1000 for a two-year registration. Contact: Utilization Review Branch 502-564-6088 or via email to [DOI.UtilizationReview@ky.gov](mailto:DOI.UtilizationReview@ky.gov). All forms and required documentation related to the Utilization Review Registration can be found on the Utilization Review branch's website at Department of Insurance.

## LOUISIANA

Tangela Ayo Byrd, MCM  
Insurance Manager  
Louisiana Department of Insurance  
Office of Licensing

Company Licensing Division  
1702 N. Third Street  
Baton Rouge, LA 70804  
Phone: (225) 342-5972; Fax: (225) 219-9322  
Email: [Tangela.Byrd@ldi.la.gov](mailto:Tangela.Byrd@ldi.la.gov)

General Information: 1-800-259-5300

Website: [www.LDI.LA.gov](http://www.LDI.LA.gov)

Legal Citation: L.S.A. RS 22:1641-1657

Link for TPA Laws, Louisiana Department of Insurance:

<http://www.legis.la.gov/Legis/Law.aspx?d=508645>

See also link for La. R.S. 23:1196:

<http://www.legis.la.gov/Legis/Law.aspx?d=83418>

**Requirements:** All residents and non-resident TPAs must either register with the state or acquire a TPA license in the state. Application fee is \$500 and annual report filing fee is \$300 (due March 1 of each year for the preceding calendar year).

**Bonds:** Fidelity bonds or statutory deposit required. A Surety bond must be issued by an authorized surety company doing business in Louisiana in the amount of \$100,000.

Exceptions to bond or statutory deposit requirement: No bonds required for

- Administrators providing services for a group self-insurance fund for Workers Compensation insurance required to post a surety bond in accordance with LRS 23:1192A (7);
- Administrators whose business is restricted solely to benefit plans which are fully insured;
- Administrators who qualify for an exemption as specified by the regulations. Licensure is required for TPAs that collect premiums, pay or adjust claims, contracts directly or indirectly with a group of self-insurance. See La R.S. 22:1641(1) through 1657

**Licensure exemptions and exceptions:** Exemption is available for administrators whose principal place of business is not located in Louisiana, the administrator is currently not soliciting business as an administrator in Louisiana and there are not more than one hundred certificate holders residing in Louisiana for any group policies or plan of insurance serviced by the administrator. Admitted insurers that act as an administrator are not required to hold a third-party administrator license but must file the annual report.

**Net Worth Requirement:** See La. R.S. 1641 through 1657

**Stop-Loss Statute:** Minimum Stop-Loss Requirement, See La. R.S. 23:1196

**Prescription Benefit Managers:** License requirement, see La. R.S. 22:1657

**Utilization Review Organizations:** Tangela Byrd is the contact person for what was previously known as utilization review agents. Louisiana maintains a Medical review statute that applies to all firms performing utilization review for employers, third-party payors or HMOs including Insurers and Utilization Review firms. The statute exempts in-house UR firms and Workers' Compensation activities. Contact: Tangela Byrd (225) 342-5972 or [tbyrd@ldi.la.gov](mailto:tbyrd@ldi.la.gov). The certificate fee is \$500. A license is perpetual but every URO is required to keep information current with the Department.

**NOTE:** The Louisiana Department of Insurance strongly encourages the electronic filing of all TPA Applications and Annual Reports.

## MAINE

Maine Bureau of Insurance  
Financial Analysis Division  
#34 State House Station  
Augusta, ME 04333-0034

Physical Address:  
Maine Bureau of Insurance  
Gardiner Annex  
76 Northern Ave.  
Gardiner, Maine 04345

Telephone: (207) 624-8443 FAX: 207-624-8599 Toll Free: 800-300-5000 ext. 89 (in Maine only)

Contact: Kevin C. Maroon, Assistant Insurance Analyst  
 Financial Analysis Division  
 Telephone: 207-624-8443  
 Email: [Kevin.C.Maroon@maine.gov](mailto:Kevin.C.Maroon@maine.gov)

**Legal Citation:** Title 24-A MRSA Chapter 18 Website: Application materials available from the Bureau's home page: [www.state.me.us/pfr/ins/inshome2/htm](http://www.state.me.us/pfr/ins/inshome2/htm)

**Fees:** The license fee is \$100. The renewal is due by May 1 annually, \$100 fee.

Licensure is required for all resident and non-resident TPAs. The penalty for violation of the statute is a minimum of \$100, but not more than \$1000 or by imprisonment for less than one year, or both.

Application form from all resident and non-resident TPAs must be accompanied by names, addresses and official positions of the individuals responsible for the conduct of the affairs of the administrator, including: principal officers & controlling persons; members of the board of directors, board of trustees, executive committees or other governing board or committee, the principal officers or partners; list of programs in Maine services are provided for; and, a TPA Contract Certification.

**Bond:** A state specific Surety bond is required. The bond must remain in force and effect until the surety is released from liability by the Superintendent or until the bond is canceled by the surety. The administrator's license automatically terminates if the bond is not in force. Within 30 days after the bond ceases to be in force, the administrator shall return the license to the Superintendent for cancellation.

**Other Specific Requirements:** Please upload the Statute.

For an administrator maintaining an administrator trust fund (ATF) but not a claims administration services account (CASA), the greater of \$50,000 or 5% of premiums or contributions projected to be received or collected in the ATF for the following plan year from State residents, not to exceed \$1,000,000. For administrators maintaining a CASA, but not an ATF, the greater of \$50,000 or 5% of the claims and claim expenses projected to be held in the CASA for the following year, not to exceed \$1,000,000. For an administrator that maintains an ATF and a CASA, the greater of \$50,000 or 5% of contributions and premiums projected to be received or collected in the ATF for the following plan year from residents of the State plus 5% of the claims and claim expenses projected to be held in the CASA accounts for the following year to pay claims and claim expenses for residents of the State, but not to exceed \$1,000,000.

Each administrator must identify the ownership interest or affiliation of any kind with any plan sponsor, health care service plan, health maintenance organization or insurer responsible directly



or through reinsurance for providing benefits to any plan for which the administrator provides services as an administrator. For additional information:

<http://www.mainlegislature.org/legis/statutes/24-A/title24-Asec1906.html>

An administrator must supply the names and addresses of the insurers, health care service plans, health maintenance organizations and plan sponsors with whom the administrator has entered into written agreements. If the insurer, health care service plan, HMO or plan sponsor does not assume or bear the risk, the administrator must disclose the name and address of the ultimate risk bearer. This subsection applies to the initial application for an administrator's license and any renewals of a license. An administrator shall provide services as an administrator only pursuant to a written agreement between the administrator and the plan sponsor, health care service plan, HMO or insurer. The administrator shall retain the written agreement as part of its records for the duration of the agreement and for 7 years after the agreement expires. An administrator shall maintain, in its principal office for the duration of the written agreement, and for 7 years after the agreement expires, adequate books and records of all transactions involving a plan sponsor, health care service plan, HMO or insurer and covered individuals and beneficiaries. An administrator is not required to maintain copies of books and records if the originals are returned to the plan sponsor, health care service plan, HMO or insurer before the end of the 7-year period. Depending on duties TPA is actually doing it may be necessary to obtain an agent's license, producer's license, Reinsurance Intermediary Broker or Manager license, Managing General Agent Registration, adjustor agency license, Medical Utilization Review license, and may have to register with Worker's Compensation Board.

**Minimum Net Worth Requirement:** None

**Stop-Loss Statute:** Not at this time.

**Utilization Review Statute:** Maine regulates any entity that performs Utilization Review services in the state including HMOs, Insurers. The statute excludes Workers' Compensation activities.

Contact: Sandra Giles at Sandra.Giles@maine.gov 800-300-5000.

An annual license is required. Application fee is \$400. Renewals are \$100.

Unless the TPA itself is acting as a trustee, named fiduciary or plan official of the ERISA plan within the meaning of the federal ERISA Act of 1974, TPAs administering single employer self-funded ERISA plans are required to become licensed. "Administrator" means any person who, on behalf of a plan sponsor, health care service plan, health maintenance organization or insurer, receives or collects charges, contributions or premiums for, or adjusts or settles claims on residents of this State in connection with any type of life, annuity, health or workers' compensation benefit provided in or as an alternative to insurance ...other than any of the following: A person acting as a trustee, named fiduciary or plan official of an employee benefit plan within the meaning of the federal Employee retirement Income Security Act of 1974, as amended, 29 U.S. Code, Section 1001, et seq. ..." Contact the State Department of Insurance for

verification of exemption. See 24-A M.R.S.A. Chapter 18 Section 1901(N) License requirement for TPAs that serve as Prescription Benefit Managers, go to:

<http://www.mainelegislature.org/legis/statutes/24-A/title24-Asec1913.html>

## MARYLAND

Maryland Insurance Administration  
200 Saint Paul Place Suite 2700  
Baltimore, MD 21202

Producer Licensing Section  
Contact: Shelley Taylor-Barnes, Director of Producer Licensing  
Telephone: 410-468-2411  
Email: [shelley.taylor-barnes@md.gov](mailto:shelley.taylor-barnes@md.gov)

Producer Licensing Customer Service: 1-888-204-6198  
Producer Licensing Fax: 410-468-2399  
Website: [www.mdinsurance.state.md.us](http://www.mdinsurance.state.md.us)

Legal Citation: Maryland Code Article 48A, Subtitle 54, Section 681 et seq.; Section 8-301

A Third Party Administrator (TPA) who qualifies as an “administrator” under Section 8-301(b) of the Insurance Article must be registered with the Maryland Insurance Administration.

A TPA that is not an “administrator” under Section 8-301 because it only administers plans that are subject to ERISA, and neither provides benefits through insurance nor administers a multiple employer welfare arrangements, is not required to register as a TPA but instead, must provide the MIA with written notice that the person operates in Maryland, and evidence that they are complying with any applicable bonding requirements imposed by ERISA. A NAIC uniform application must be submitted along with verification the TPA will comply with ERISA bonding requirements. There is no fee.

**Surety Bond:** Applicants for an initial TPA Registration or a renewal must submit a current, original surety bond unless:

- the Commissioner has granted a waiver;
- the applicant only administers plans under which benefits are paid only from the general assets of an employee organization or of an employer; or
- the applicant is a corporation organized and authorized under the laws of the United States or a state to do business as an insurer or to exercise trust powers, is subject to supervision or examination by a federal or State authority, and continuously maintains combined capital and surplus in excess of \$1,000,000.

The amount of the bond is determined at the time of application for registration or renewal, and is based on the average amount of money that the administrator or its predecessor handled in the prior year, and expects to handle in the current calendar year. The amount of the bond must be equal to at least 10% of the average amount of money that the administrator expects to handle at any one time for all plans administered during the year. The minimum bond amount is \$5,000 and the maximum amount is \$500,000. Refer to the Limited Lines Supplement form for guidance.

Effective October 1, 2020, pursuant to new § 8-308, a TPA registration will expire two years from the date of issuance. A renewal application shall be considered timely if received or postmarked on or before the date the registration expires. Additionally, pursuant to new § 8-308.1, a person whose TPA's registration has expired may seek reinstatement of the expired registration within one year of the expiration date by filing the appropriate reinstatement application and paying a reinstatement fee of \$100. A person who does not comply with the requirement to reinstate the expired registration within one year after the expiration date shall be required to apply for a TPA registration under § 8-305

See: [BULLETIN 20-40](#)

<https://insurance.maryland.gov/.../20-40-Term-and-Reinstatement-of-Registration-Requirements-for-Third-Party-Administrators.pdf>

**Resident and Non-Resident TPA License:** Only administrators who directly or indirectly underwrites, collects charges or premiums from or adjusts or settles claims on residents of this state in connection with life, annuity or health insurance coverage offered or provided by an insurer. (See Section 41-901)

All inquiries should be directed to the Maryland Insurance Administration at the address listed above. All resident and non-resident TPAs must apply for a license in Maryland. Assessment Systems, Inc. processes original and renewal TPA registrations.

### Initial Registration Application

To apply for a registration the applicant must:

- pay the applicable fee of \$250.00;
- complete and submit the NAIC Uniform Application;
- complete and submit the Maryland Insurance Administration Limited Lines Supplement;
- submit a current **Surety Bond** in the amount determined per the Limited Lines Supplement form. The surety bond or continuation certificate must clearly state:
  - bond company and bond amount
  - bond coverage period
  - show the State of Maryland as the obligee
  - duly executed by the principal/producer and bond company/attorney-in-fact
- Applicants for an initial TPA Registration or a renewal must submit a current, original surety bond unless: The Commissioner has granted a waiver;
- The applicant only administers plans under which benefits are paid only from the general assets of an employee organization or of an employer; or

- The applicant is a corporation organized and authorized under the laws of the United States or a state to do business as an insurer or to exercise trust powers, is subject to supervision or examination by a federal or State authority, and continuously maintains combined capital and surplus in excess of \$1,000,000.
- Download the TPA Surety Bond Template. Go to the MD Insurance Administration website at [www.mdinsurance.state.md.us](http://www.mdinsurance.state.md.us)
- An applicant is not required to file evidence of a surety bond if the applicant only administers plans under which the only assets from which benefits are paid are the general assets of an employee organization or of an employer. TPAs must use the state-provided bond form and worksheet for calculating the bond amount.
- A fidelity bond will no longer be accepted by Maryland.
- All fees collected by TPAs in the state are subject to an assessment tax. If you are a corporation, attach to the application, a Letter of Good Standing from the Maryland Department of Assessments and Taxation (MDAT). To obtain the document, you must first register with the MDAT. (410) 225-1340 or (410) 225-1350.
- All fees collected by TPAs in the state are subject to an assessment tax.
- The amount of the bond is determined at the time of application for registration or renewal, and is based on the average amount of money that the administrator or its predecessor handled in the prior year, and expects to handle in the current calendar year.
- The amount of the bond must be equal to at least 10% of the average amount of money that the administrator expects to handle at any one time for all plans administered during the year. The minimum bond amount is \$5,000 and the maximum amount is \$500,000.

### **Renewal Application**

The registration term is for two years. TPA Registrations may be renewed up to 90 days prior to the expiration date.

The fee to renew a Third Party Administrator Registration is \$65. This includes the \$50 renewal fee and the \$15 fraud prevention fee. For up to one (1) year after the expiration date, registrations may reinstate an expired registration by submitting the required application, documentation, and paying a reinstatement fee of \$100. The applicants for a registration renewal must submit all of the same document requirements as an applicant for an initial registration.

An expired registrant who does not reinstate within one year after the expiration date shall be required to apply for a TPA as an initial applicant.

### **Online and Paper Application**

Applications may be submitted as follows:

- Online through NIPR ([www.nipr.com](http://www.nipr.com)). A confirmation email will be sent to the email address provided on the application when your online application has been received. Make note of the transaction number so you may reference this when sending additional documents or inquiring for status.
- Paper application, along with the fees and any additional documents, should be mailed to:

**The Maryland Insurance Administration**  
**Attn: Producer Licensing**  
**200 Saint Paul Place, Suite 2700**  
**Baltimore, Maryland 21202**

\* Payments should be in the form of a check, money order, or cashier's check made payable to:  
**Maryland Insurance Administration.**

Additional resources:

- [NAIC Uniform Application Initial Business Entity](#)
- [NAIC Uniform Application Renewal Business Entity](#)

**Submit with initial and renewal application:**

- [Maryland Insurance Administration Limited Lines Licenses and Registrations Supplement](#)
- [Maryland Insurance Administration Form For A Business Entity To Update Owners, Partners, Officers, Directors, Members or TPA Principals](#)  
[Third Party Administrator Surety Bond Template](#) (Copy of the **new** original bond policy or continuation form may be used. The following are not acceptable proof of bond: rider for a face amount change, invoice and/or receipt.)
- [Third Party Administrator Fraud Plan Packet](#) (requirement for submission of fraud plans under to HB 142)

**Note: Regardless of who completes the application, the license applicant is ultimately responsible for the contents of the application and must provide accurate and complete information** (if the application was completed by someone other than the applicant, the person who completes an application may also be held responsible for the contents of the application). An application that fails to disclose or fails to provide accurate information may result in the DELAY and/or DENIAL of the application. If your license has already been issued and it is later discovered that the information contained in your application is not true, correct, or complete, your license may be REVOKED and you may be subject to monetary PENALTIES (if the application was

completed by someone other than the applicant, the person who completed the application may also be subject to administrative action). **If in doubt, disclose.**

Supplement forms and/or inquiries may be submitted by email to:  
[producerlicensing.mia@maryland.gov](mailto:producerlicensing.mia@maryland.gov).

**Renewal Application:** Applications may be submitted via paper or electronically through NIPR ([www.nipr.com](http://www.nipr.com)).

Paper applications are normally processed within 3-5 business days and should be mailed to: The Maryland Insurance Administration Attn: Producer Licensing, 200 St. Paul Place, Suite 2700, Baltimore, Maryland 21202

**Net Worth Requirement:** None

**Stop-Loss Statute:**

Health Insurance-Medical Stop-Loss Insurance--Small Employers: The Maryland Insurance Administration to conduct a study of the use of medical stop-loss insurance in self-funded employer health plans in the State. See: The Maryland General Assembly passed House Bill 552, chapter 494.

**Utilization Review Statute:** Maryland requires licensing by entities that provide Utilization Review services including HMOs, Utilization Review firms and Insurers. Contact: Elizabeth Edwards (410) 468-2259.

**NOTE:** May exempt TPAs administering single employer self-funded plans from registration. However, TPAs must complete a registration application stating that they administer only ERISA plans. Contact the State Department of Insurance for verification of exemption. All fees collected by TPAs in the state are subject to an assessment tax.

## MASSACHUSETTS

Massachusetts Division of Insurance  
 1000 Washington Street, Suite 810  
 Boston, MA 02118

Contact: Edward M. Phelan  
 Counsel to the Commissioner  
 Telephone: (617) 521-7720  
 FAX: 617-521-7475  
 Email: [Edward.m.phelan@mass.gov](mailto:Edward.m.phelan@mass.gov)

Website: <http://www.mass.gov/doi>

Legal Citations: Application for Registration as a Third-Party Administrator in the Commonwealth of Massachusetts is required by 211 CMR 148; M.G.L. c. 176O, § 21. Massachusetts enacted a registration statute on January 1, 2011 (Section 40 of Chapter 288 of the Acts of 2010), which amended M.G.L. c. 176O, §21 to authorize the Commissioner of Insurance to regulate Third Party Administrator registration. Massachusetts' regulation, 211 CMR 148, requires TPAs to register with the Division of Insurance.

The regulation governs the registration and reporting requirements applicable to Third Party Administrators, including pharmacy benefit managers and other entities with claims data, eligible data, provider files and other information relating to health care provided to residents of the Commonwealth and health care provided by health care providers in the Commonwealth.

**Registration:** The regulation currently in effect, 211 CMR 148, has been amended to require registration only by TPAs that “receive or collect charges, contributions or premiums for, or adjust or settle claims on or for residents of the Commonwealth” for health insurers and purchasers of health benefits that offer a dental or vision policy, certificate, or contract; or for health insurers and purchasers of health benefits that offer a policy, certificate or contract that “qualifies as creditable coverage as defined in M.G.L. c. 111M, §1.” Persons falling within the meaning of TPA as defined in the regulation are required to register with the Division in a form and method prescribed by the Commissioner, including a registration fee. No such TPA shall do business in the Commonwealth prior to registering with the Division. TPA registration will be required to be renewed on an annual basis no later than April 1 of each year. Any material change(s) to the information contained in a TPA's initial registration or renewal registration must be reported to the Division, certified by an officer of the TPA, within 30 days of such changes. All such TPAs are required to submit an annual report by April 1 of each year for the year ended December 31 immediately preceding.

All TPAs are considered to be in the business of insurance for purposes of the applicability of the Massachusetts General Laws, c. 176D, which prohibits unfair and deceptive practices in the business of insurance. A TPA that sells, solicits, or negotiates insurance, as those terms are defined in M.G.L. c.175, Sect. 162H, must be licensed as an insurance producer. Application forms are available from the Division's producer licensing section.

If an entity acts as a TPA for any multiple employer welfare arrangements, we advise it to determine the status of the plan from the Division before doing business in the commonwealth. MEWAs operating within the Commonwealth may require licensure as an insurance company. A foreign corporation that intends to do business in Massachusetts must register with the Corporations Division of the Secretary of State. Please contact that office directly for information on procedures at (617) 727-9640 or (617) 727-2850.

The Division adopted regulation 211 CMR 67 on the approval process for self-insured worker's compensation groups (SIGs). As part of the regulation, the SIG must provide information about its proposed administrator, including financial information and a description of its experience in the field.

A TPA which expects to administer worker's compensation coverage should be prepared to submit such information to the SIG. Similarly, a TPA which intends to administer preferred provider arrangements must submit information in connection with the PPA's licensing application. The Division recommends that you also consult Chapter 175, Sec. 174F, 177F and 177M, Producer Controlled Insurers, Managing General Agents and Reinsurance Intermediaries. If the activities of your company fall within these sections, you may need to become licensed in Massachusetts. Contact the Massachusetts Division at (617) 521-7794 for further information.

**Utilization Review Statute:** Managed care plans, including utilization review, are governed by Massachusetts General Laws Chapter 1760 and regulation 211 CMR 52

**Net Worth Requirement:** None

**Stop Loss Requirement:** None

## MICHIGAN

Michigan Department of Insurance and Financial Services  
P.O. Box 30220  
Lansing, MI 48909-7720

Physical Address:  
530 W. Allegan St., 7th Floor  
Lansing, MI 48933

Contact: Jennifer Childs, Senior Analyst  
Office of Insurance Licensing and Market Regulation  
Telephone: 517-284-8629  
E-mail: [childs@chilidsj@michigan.gov](mailto:childs@chilidsj@michigan.gov)

Department of Insurance and Financial Services  
Telephone: 877-999-6442; Fax: 517-284-8836  
Call 1-877-999-6442 and ask for the TPA Analyst

Website: [www.michigan.gov/difs](http://www.michigan.gov/difs)

Legal Citation: Third Party Administrator Act (the Act) 1984 PA 218, as amended, MCL 550.901 et seq.

The most recent information, forms, and a link to the Act are available on the DIFS web at : [www.michigan.gov/difs/Licensing-Insurance/Third](http://www.michigan.gov/difs/Licensing-Insurance/Third) Party Administrator or

[http://www.michigan.gov/difs/0,5269,7-303-22535\\_22904---,00.html](http://www.michigan.gov/difs/0,5269,7-303-22535_22904---,00.html)



**Fees:** The initial certification fee is \$250 which is comprised of a \$200 application fee, a \$25 certificate fee, and a \$25 financial statement review fee.

The annual fee for the financial statement review is \$25 and due March 1 of each year. Fees are non-transferable and non-refundable.

**Bond:** None at this time.

**Certification:** Certification is required for TPAs domiciled in this state. Certification is also required for TPAs that have its principal administrative office or principal headquarters located in this state. For plans or sponsors of a plan that are domiciled or have its principal headquarters/administrative office in this state, a TPA who solicits or provides administrative services to these plans or sponsors of the plan requires certification. In addition, TPAs providing substantial administrative services to a carrier for business in Michigan must be certified. Statute applies to TPAs processing claims for medical, surgical, dental, vision, pharmaceutical, disability, long-term care, cafeteria plans with a health component, non-self-funded workers' compensation medical plans, and credit disability. (If the plan exists in another state and one participant lives in Michigan, the TPA does not need to hold a certificate in Michigan.) An entity and individuals providing property and casualty and/or worker's compensation adjusting without a medical component are subject to the Michigan Insurance Code, MCL 500.1200 et seq., not the TPA Act. TPAs are not permitted to do business in this state under a name the same as or which closely resembles the name of a TPA already certified in Michigan. TPAs may not contract for a plan covering fewer than 500 individuals unless excess loss insurance coverage is in place. A licensed admitted insurance carrier administering its own plan is not required to hold a TPA Certificate of Authority. An employer administering its own self-funded plan is not required to hold a TPA Certificate of Authority.

**Minimum Net Worth:** There is not a minimum net worth requirement. The TPA must be financially viable.

**Stop-Loss Statute:** Michigan does not have a Stop-Loss statute.

**Utilization Review Statute:** Michigan does not have a Utilization Review statute.

## MISSISSIPPI

Mississippi Insurance Department

P.O. Box 79

Jackson, MS 39205-0079

Physical Address:

501 North West Street, Suite 1001

Jackson, MS 39201

Contact: Vanessa C. Miller, Director, Licensing Division

Email: [Vanessa.Miller@mid.ms.gov](mailto:Vanessa.Miller@mid.ms.gov)

Telephone: 601-359-3569; Fax: 601-359-1951

Email: [licensing@mid.ms.gov](mailto:licensing@mid.ms.gov)

Website:

[www.mid.ms.govhttp://www.mid.ms.gov/licensing/instructions/tpainstructions.pdfinstructions](http://www.mid.ms.gov/licensing/instructions/tpainstructions.pdf)

**Legal Citation:** Miss. Code 1972, Annotated, Section 83-18-1 through 83-18-29 All resident and non-resident TPAs must apply for a license.

**Certification:** Non-resident TPAs must file a letter of certification from the State of domicile unless MID can verify home state licensure on the national producer database (SPLD).

**Fee:** The initial license fee is \$200; renewal fee is \$100. **Bonding Requirement:** A Bond is not required.

**Financial Requirements:** Documents or financial reports required from TPAs. All Administrators must enclose the following:

- Application,
- Articles of Incorporation,
- By-laws,
- Names, addresses, qualifications of the individual administrators,
- Annual Audited financial report for the two most recent years which prove that the applicant is solvent, and a report provided by an independent certified public accountant on an SAP or GAAP basis, and
- Statement describing the business plan. Non-resident administrators are no longer required to submit a Letter of Certification from their home state insurance department. The MID staff will verify home state licensure on the national producer database (PDB).
- All licensed administrators must file an annual report for the preceding calendar year with the Commissioner on or before March 1 of each year.  
The fee is \$100 per filing.

**Net Worth Requirement:** Mississippi does not have a minimum net worth requirement set forth by law, however, they put a strong emphasis on assets exceeding liabilities.

**Pharmacy Benefit Managers:** If acting as a Pharmacy Benefit Manager and performing the administrative duties related to the processing and payment of pharmacy claims, a license is not required. If you have a PBM license from the Board of Pharmacy, that is sufficient.

**Stop-Loss Statute:** None

**Utilization Review Statute:** Mississippi has a Utilization Review statute that applies to all firms performing Utilization Review services including third party payors, HMOs, Insurers and Workers' Compensation firms. Contact: Sherry Hofmeister (601) 576-7300. A license is required. Fee is \$1000. TPAs that administer only single employer self-funded health plans which are governed by ERISA are not required to maintain a license.

**Note:** If there is COBRA coverage of an ERISA health plan, then no license. If you performed additional duties, like adjusting claims or collecting premiums, you would need a TPA license.

## MISSOURI

Missouri Department of Commerce & Insurance  
301 West High St., Room 530  
Jefferson City, MO 65102-0690

Mailing Address:  
Missouri Department of Insurance  
P.O. Box 690  
Jefferson City, MO 65102-0690

Contact: Susan Doerhoff  
Regulatory Auditor and Financial Analyst II  
Telephone: 573-751-0794; Fax: 573-526-2092  
Email: [Susan.Doerhoff@insurance.mo.gov](mailto:Susan.Doerhoff@insurance.mo.gov)

Missouri Department of Insurance Financial Institutions & Professional Registration  
Email: [tpafilings@insurance.mo.gov](mailto:tpafilings@insurance.mo.gov)  
Website: [www.insurance.mo.gov](http://www.insurance.mo.gov)

See Website for TPA Checklist

Legal Citation: Missouri Code Sections 376.1075 - 376.1095 and Regulation 20-CSR 200-9.100-9.800

**Resident and Non-resident Certificate:** TPAs must file an application form for a certificate of registration.

**Fees:** Initial application fee of \$1,000 Annual filing documentation and fee of \$250 due March 1 of each year

Annual renewal fee of \$250 due July 1 of each year

**Application Forms** can be found at:

[insurance.mo.gov/industry/forms/documents/375-1685.pdf](http://insurance.mo.gov/industry/forms/documents/375-1685.pdf)

At initial registration, the company must submit the following documents required: All basic organization documents of the administrator, including the Articles of Incorporation, Articles of Association, Partnership agreements, trade name certificate, trust agreements, shareholder agreement and all amendments to such documents; A currently dated Certificate of Good Standing and/or Fictitious Name Registration from the Missouri Secretary of State's office at <https://www.sos.mo.gov/BusinessEntity/soskb/login.asp>;

Bylaws, rules and regulations of the administrator; Biographical affidavit form for all individuals who are responsible for the conduct of the affairs of the administrator Biographical affidavit:

insurance.mo.gov/industry/forms/375-0536.pdf; Annual audited financial statements or reports for the two most recent years; Plan of operation of the administrator; If the applicant will be managing the solicitation of new or renewal business, proof that it employs or has contracted with an agent licensed in this state for solicitation and taking of business; Notification of Insurer/Trust Agreements [http://insurance.mo.gov/industry/forms/documents/375-1684\\_000.pdf](http://insurance.mo.gov/industry/forms/documents/375-1684_000.pdf)

The \$250 filing fee is only required to accompany the form at the yearly March 1 filing.

**Bond:** [www.insurance.mo.gov/industry/forms//tpaaff.pdf](http://www.insurance.mo.gov/industry/forms//tpaaff.pdf)

Under the bonding requirement, each administrator must file a Surety bond in the amount of \$50,000.

TPA Questionnaire, go to [http://insurance.mo.gov/industry/forms/documents/375-0083\\_000.pdf](http://insurance.mo.gov/industry/forms/documents/375-0083_000.pdf)

TPA 376.1092 Form <http://insurance.mo.gov/industry/forms/documents/3761092.pdf>

Annual filings due by March 1 of each year.

The following must be filed by each TPA licensed in Missouri:

1. The annual report needs to be submitted via the TPA web portal.
2. A cover contact information for the company including: name, e-mail, phone number, mailing address, at a minimum.
3. Completed Notification of Insurer/Trust Agreements form.
4. TPA Questionnaire.
5. Completed 376.1092 form
6. A currently dated (within 90 days) Certificate of Good Standing and/or Fictitious Name Certificate from the Missouri Secretary of State's office.
7. Annual financial statement or report for the previous calendar year. 8. Filing fee of \$250 needs to be mailed to the Department with the invoice.

**Net Worth Requirement:** Must have and maintain positive net worth on a stand-alone basis throughout period of licensure.

**Stop-loss Statute:** None.

**Utilization Review Statute:** Missouri regulates firms providing Utilization Review services including HMOs and Insurers. However, the statute exempts federal plans, self-insured plans and Worker's Compensation firms. Licensing is required. A fee of \$1000 applies. Contact the Licensing section at 573-751-3518.

## MONTANA

Office of the Commissioner of Securities and Insurance  
Montana State Auditor  
840 Helena Avenue  
Helena, MT 59601  
Telephone: 406-444-2040 FAX: 406-444-3497  
E-mail: [csiexams@mt.gov](mailto:csiexams@mt.gov)

Website: <https://csimt.gov>

Legal Citation: 33-17-102(3) and 33-17-601 through 618, Montana Code Annotated (MCA)

**Application:** All resident and non-resident TPAs must apply for a license. A registration fee of \$100 must be submitted with the application. Other application requirements are: Application form, Biographical affidavits, Financial statements for the most recent year-end (audited, if available), and Detailed business plan, including an explanation of how the program will be marketed in Montana. An annual renewal fee of \$100 is due on or before July 1. The definition of “administrator” under 33-17-102(3), MCA, exempts TPAs administering single employer self-funded plans from registration. Each administrator must maintain copies of all transactions between the administrator, insurers and insured persons for the duration of the agreement and for five years thereafter.

Application materials are found at <https://csimt.gov/wp-content/uploads/Third-Party-Administrator-Application-1-1.pdf>.

**Bond:** No bonding requirement

**Net Worth Requirement:** Positive net worth

**Stop-Loss Statutes:** None

**MEWA/Association Health Plan Statutes:** See MCA, Title 33, Chapter 35

**Health Utilization Review Statutes:** See MCA, Title 33, Chapter 32

## NEBRASKA

Nebraska Department of Insurance  
1526 K Street, Suite 200  
P.O. Box 95087  
Lincoln, NE 68509-5087

Contact: Lori Bruss, Staff Assistant II  
Telephone: 402-471-4045  
Email: [lori.bruss@Nebraska.gov](mailto:lori.bruss@Nebraska.gov)

Contact: Kristy Hadden  
Company Administrator  
Telephone: 402-471-0373  
Email: [kristy.hadden@nebraska.gov](mailto:kristy.hadden@nebraska.gov)

Website: [www.doi.nebraska.gov/exam/company\\_admin/index.html](http://www.doi.nebraska.gov/exam/company_admin/index.html)

Legal Citation: Neb.Rev.Stat. Section 44-5801 through 44-5816

**Certificate:** All TPAs must apply for a Certificate of Authority. Nebraska law does provide for specific exemptions and waivers, contact the department for further information.

Regarding TPAs serving as Prescription Benefit Managers, if an entity meets the definition of a TPA and is not otherwise exempted, then that entity must obtain a Certificate of Authority from the Nebraska Department of Insurance.

**Fees:** The license Annual Statement, Financials and annual filing fee is \$200, due March 1.

**Application:** The TPA Application is available upon request from the Department and it is also available at the Department's website [www.doi.nebraska.gov](http://www.doi.nebraska.gov). (Neb. Rev. Stat. Sect. 44-5812(2)). TPA licensing applies to all resident and non-resident TPAs.

Licensed TPAs must file an Annual Statement with the Director on or before March 1 of each year, along with the required filing fee of \$200 and financial statement. (Neb. Rev. Stat. Sec. 44-5814(3)). There is also a \$100 fee to amend a Certificate of Authority.

**Bond:** None

**Specific Requirements:** We recommend that you upload the statute at [www.doi.nebraska.gov](http://www.doi.nebraska.gov).

Documents or financial reports required from TPA when making application: All basic organizational documents including articles of incorporation, articles of association, articles of organization, partnership agreement, trade name certificate, trust agreement, shareholder agreement,

other applicable documents and all amendments to such documents. The bylaws, rules, regulations, or similar documents regulating the internal affairs of the applicant. The names, addresses, official positions, professional qualifications of the individuals who are responsible for the conduct of affairs of the applicant, including members of the board of directors, board of trustees, executive committee or other governing board or committee, the principal officers in the case of a corporation or the partners or in the case of a partnership, limited liability company, or association, shareholders holding directly or indirectly ten percent or more of the voting securities of the applicant and any other person who exercises control or influence over the affairs of the applicant. A biographical affidavit is required for each individual listed. The Department has its own biographical affidavit that is available upon request. The Department also accepts the NAIC biographical affidavit as well. Annual financial statements or reports for the two most recent years which prove that the applicant is solvent, and such other information the director may require in order to review the current financial conditions of the applicant.

A statement describing the business plan including information on staffing levels and activities proposed in this state and nationwide. The business plan should provide details setting forth the applicant's capability for providing a sufficient number of experienced and qualified personnel in the areas of claims processing, record keeping and underwriting.

The statement should include the following information:

- Name and titles of the officers of the corporation;
- Who owns the business;
- Number of employees;
- Number of claims processed; Number of claims processors;
- Type of training program for processors;
- Marketing plans; and EDP hardware and software utilized.

If the applicant will be managing the solicitation of a new or renewal business, proof that it employs or has contracted with an agent licensed in this state for solicitation and taking applications. Any applicant who intends to directly solicit insurance contracts or to otherwise act as an insurance agent should provide proof that it has a license as an insurance agent in Nebraska. A statement of the duties the TPA is expected to perform on behalf of the insurer and the lines, classes or types of insurance the TPA is authorized to administer. Identify the federally insured or state-insured financial institution where the TPA maintains its fiduciary account. (Neb. Rev. Stat. Sec. 44-5812(2))

**Other specific requirements for TPA licensing:** If an insurance agent, broker, or managing general agent engages in any of the activities of the TPA (such as adjusting or paying claims for the deductible portion of a partially self-insured plan for an employer) the agent or broker must obtain a Certificate of Authority. If an employer or union exempt from the Third-Party Administrators Act adjusts or settles claims for another employer or union, the employer or union will be considered a

TPA. If a person acting as a TPA for one or more ERISA plans acts as a TPA for non-ERISA qualified plan, not subject to another exemption, the person must obtain a Certificate of Authority.

Persons that engage in any of the following for a fee, must be licensed by the Nebraska Department under the Insurance Consultant's statute (Neb. Rev. Stat. Section 44-2606 et seq.): offering advice, counsel, opinion or service for insurable risks or concerning the benefits, coverage or provisions under any policy of insurance that could be issued in this state.

**Waivers:** Upon request from a TPA, the Director may waive the application requirements, previously cited, if the TPA has a valid certificate of authority as a TPA issued in a state which has requirements for TPAs that are at least as stringent as those contained in the Nebraska Third Party Administrator Act. The applicant is however required to pay the \$200 license registration fee and file a copy of an annual statement or report, for the most recent year, to document solvency. The Department has a separate Request for Waiver form that is available upon request. (Neb. Rev. Stat. Section 44-5813)

**Resident and Nonresident TPAs:** If a TPA meets the definition of a TPA, as cited in Nebraska Third Party Administrators Act, it is required to be licensed in the state of Nebraska. A Third-Party Administrator is a person who directly or indirectly solicits or effects coverage of, underwrites, collects charges or premiums from, or adjusts or settles claims on residents of this state, or residents from another state from offices in this state, in connection with life insurance, sickness and accident insurance, workers' compensation insurance coverage or annuities. (It should be noted that there are exceptions to this definition that are not included due to the length of the definition. Refer to Neb. Rev. Stat. Section 44-5802)

**Minimum Net Worth:** There is no specific requirement. **Stop-Loss Statute:** There is no stop-loss statute at this time.

**Utilization Review:** Nebraska regulates any entity established to address Utilization Review services including HMOs, Insurers and Utilization Review firms. Excluded from the definition of UR agent are Workers' Compensation firms, state and federal plans and self-funded plans. A license is required and the license fee is \$300. Contact Kevin Schlautman 402-471-4913 for any questions or concerns regarding utilization review.



## NEVADA

Nevada Division of Insurance  
1818 E. College Parkway, Suite 103  
Carson City, NV 89706

Contact: Nevada Division of Insurance, Specialty Licensing  
Telephone: (775) 687-0700; Fax: 775-687-0797

TPA Annual Reports ~ Bulletin 18-006 ~ Extension requests

Report filing email: [nevada.licensing@doi.nv.gov](mailto:nevada.licensing@doi.nv.gov)

Website: <http://doi.nv.gov/>

Legal Citation: Nevada Revised Statutes Section 683A.020 to 683A.0893, Section 616B.500 to 616B.509, Nevada Administrative Code Section 683A.100 to 683A.165

**Administrator Defined:** Directly or indirectly underwrites or collects charges or premiums from or adjust or settles claims of residents of this State or any other state from within this state in connection with workers' compensation insurance, life or health insurance coverage or annuities, including coverage or annuities provided by an employer for his or her employees. The definition would also include administering an internal service fund, a trust or under a contract with the trust, a program of self-insurance for an employer, a program which is funded by an employer, or an insurance company on behalf of another insurer. NRS 683A.025 Administrators administering single employer self-funded ERISA plans are not required to obtain a TPA certificate. Pharmacy Benefit Managers are required to obtain a TPA certificate. NRS 679B.133(3)(a). Workers' compensation must be administered from a location within Nevada.

**Application by Administrator:** (Please see the complete application and instructions available on the website.) An application for a certificate of registration as an administrator must include:

1. Online application via [www.sircon.com/nevada](http://www.sircon.com/nevada) and \$185.00 application fee.
2. Two prior years of reviewed financial statements and financial information certified by an officer for the 90 days immediately preceding the date of the application.
3. Total expected money handled by the administrator on behalf of contract entities within Nevada during the next calendar year.
4. Bond-not less than \$100,000 and in favor of the State of Nevada.
5. Articles of Incorporation including all amendments and other such organizational documents.
6. Certificate of Registration if a trade name is used, issued by the Nevada Secretary of State.

7. Organizational chart which identifies each person who directly or indirectly controls the administrator
8. Biographical affidavits for each person responsible for the conduct of the affairs of the administrator and listed on the organizational chart.
9. Offices of the administrator with names and addresses, including offices located outside of Nevada.
10. Plan of operation including number of staff, activities proposed, and demonstrating the capability to provide sufficient number of experienced and qualified persons for claims processing, keeping of records and, if applicable, underwriting.
11. Bylaws including rules, regulations and documents that regulate the internal affairs. Administrators for workers' compensation must maintain an office located in the State of Nevada. The Certificate of Registration does not allow the administrator to market or administer products which are not approved in Nevada, or which are issued by a non-admitted insurer or unauthorized multiple employer trust or associate marketing plans.

**Renewals:** Certificate of Registration must be renewed online via [www.sircon.com/nevada](http://www.sircon.com/nevada) every three years. The renewal fee is \$185.00.

**Duty to Notify:** The Commissioner must be notified of any change in its owners, members, directors or officers within 30 days after the change.

**Bond or Certificate of Deposit Requirement:** A surety bond of \$100,000 (minimum requirement, see NRS 683A.0857 and NAC 683A.155). The bond must provide for 90 days' advance notice of cancellation. If an additional deposit is required and is unavailable, the Division will accept proof of coverage over \$100,000 in the additional amounts specified under a fidelity policy and a policy which covers the errors and omissions of the administrator or his employees. These policies must be reviewed and approved by the Division. An administrator may submit a certificate of deposit from a financial institution in this State that is insured federally, made payable to the Commissioner of Insurance and the administrator in lieu of the bond.

**Annual Report:** NRS 683A.08528, NAC 683A.155(4) Annual Report (Financial) due 90 days after fiscal year end which includes:

1. Annual report form that includes certification by two officers of money handled. Financials that have been reviewed by an independent certified public accountant and include; a balance sheet, income statement, statement of cash flow and notes to the financial statement. If the annual report is consolidated the report must include a balance sheet or columnar that set forth amounts for the administrator.
2. Name and address of each person the administrator has agreed to act as administrator.
3. **Bond verification certificate** or replacement bond if there is a change in the amount of the bond because of a change in money handled.

**Net Worth Requirement:** Positive net worth

**Utilization Review:** UR contact Nevada Division of Insurance, Specialty Licensing, 1818 E. College Parkway, Ste #103, Carson City, NV 89706. Email: [nevada.licensing@doi.nv.gov](mailto:nevada.licensing@doi.nv.gov); Telephone (775) 687-0700, Fax (775) 687-0797. Website: <http://doi.nv.gov>

## **NEW HAMPSHIRE**

New Hampshire Insurance Department  
21 South Fruit Street, Suite 14  
Concord, NH 03301

Financial Regulation Division  
Telephone: 603-271-2528; Fax: 603-271-7029

Contact: Linda Zalinskie  
Financial Records Auditor, Financial Regulation Division  
Email: [Linda.m.zalinskie@ins.nh.gov](mailto:Linda.m.zalinskie@ins.nh.gov)

Legal Citation: RSA 402-H Ins 2300 Copies of the Regulations, Statues, TPA License Application and Exemption/Exception Applications are now available on the New Hampshire Department of Insurance at:

[New Hampshire Insurance Department - For Companies, Licensing and Approvals for Prospective Companies, Third Party Administrator License \(nh.gov\)](#)

All resident and non-resident TPAs doing business in the state are required to apply for licensure.

**Fees:** \$1,000 for initial/license application. An Annual Audited Report Filing Fee of \$100 (CPA Report) is due on March 1 of each year.

An Annual License Renewal Fee of \$100 is due on March 1 of each year. No fee for exempt/exception TPA Application.

**Bond:** An administrator that will administer benefit plans that are fully insured by an insurer that is not licensed in this state, multiple employer welfare arrangements, or church self-insured plans shall maintain a Surety bond in the minimum amount of \$100,000.

**Other Specific Requirements--** Documents and financial reports required include:

Audited financial statements for the two most recent years. **Due June 1<sup>st</sup>**

**Audited Financial Statement** - CPA (Financial statement must be compiled in a manner consistent with generally accepted accounting principles (GAAP). The financial statement must be accompanied by an opinion by an independent accounting firm representing that the financial

statement was prepared in a manner consistent with GAAP and accurately reflects the financial condition of the entity).

- A surety bond or statutory deposit. See Section 2 item 1 of application for further detail.
- Biographical information on principals.
- Certified copies of organizational documents, by-laws, business plan statement.
- Summary of insurance policies.
- Send one original Notarized Application.

Refer to the website at [www.nh.gov/insurance](http://www.nh.gov/insurance); Click on “For Companies” information for prospective companies, then "Application Packages" for additional requirements. New Hampshire requires that TPAs maintain a positive net worth. INS 2301.06(b) An administrator that will administer benefit plans that are fully insured by an insurer that is not licensed in this state, multiple employer welfare arrangements, or church self-insured plans shall maintain a surety bond for the use and benefit of the commissioner that covers individuals and persons in New Hampshire who have remitted premiums or insurance charges or other moneys to the administrator in the course of the administrator’s business.

Upload the Statute: 402-H Third Party Administrators.txt TPA’s administering only self-insured Worker’s Compensation policies are required to obtain a Certificate of Authority from the New Hampshire Department of Labor. Licensing, bonding and qualifications of Third-Party Administrators in accordance with RSA 281-A:5-d include a filing fee of \$200 and renewal of licenses. TPA’s administering self-insured Worker’s Compensation and other lines of insurance are subject to Chapter 402-H requiring to obtain Certificate of Authority from both the New Hampshire Insurance Department and the New Hampshire Labor Department.

**Minimum Net Worth:** Positive net worth

**Stop-Loss Statute:** None

**Utilization Review Statute:** New Hampshire statutes require licensing of any firm that performs utilization review services including HMOs, Insurers and Utilization Review firms, except for Workers’ Compensation firms. Contact: Linda M. Zalinskie, Telephone: (603) 271-2528 Fax: (603) 271-7029 Email: [Linda.M.Zalinskie@ins.nh.gov](mailto:Linda.M.Zalinskie@ins.nh.gov)

License fee is \$500. Application is available on our website at:

<https://www.nh.gov/insurance/companies/applications/ur.htm>

## NEW JERSEY

New Jersey Department of Banking and Insurance  
Office of Solvency Regulation  
20 West State Street  
Trenton, NJ 08608-1206

Mailing Address:  
P.O. Box 325  
Trenton, NJ 08625-0325

Contact: Tim Stroud, Insurance Examiner  
Department of Banking and Insurance  
Office of Solvency Regulation  
Telephone: 609-940-7452 FAX 609-292-6765  
Email: [Tim.Stroud@dobi.nj.us](mailto:Tim.Stroud@dobi.nj.us)

Website: <http://www.state.nj.us/dobi/tpapage.htm>

Visit DOBI.NJ.gov for additional information  
[https://www.state.nj.us/dobi/division\\_insurance/managedcare/tpapage.htm](https://www.state.nj.us/dobi/division_insurance/managedcare/tpapage.htm)

State Code or Statute Citation: New Jersey TPA Licensing Statute which can be found at N.J.S.A. 17B:27B-1 et. seq.; N.J.A.C. 11:23-1 et seq.

See website at <http://www.state.nj.us/dobi/tpapage.htm>  
Licensing is required of all resident and non-resident TPAs.

**Fee:** Annual Filing fee of \$100 is due June 1 of every year, after application has been approved.

**Bond:** Fidelity Bond is required. The minimum amount is the greater of \$100,000 or 1% of the total amounts received from benefits payors in the previous calendar year.

Registration for an Administrator's License requires the following: A copy of the TPA's organizational documents. The names and positions of persons conducting the affairs of the TPA firm. A copy of the most recent audited financial statements or, a consolidated audited financial statement of the TPA firm or its parent company to include 3 years of projections. A description of the method of marketing of services. A description of the complaint and appeals procedure. A description of the quality assurance procedures. The TPA firm must provide for inspection, copies of standard contracts with benefits payers or other persons with whom it does business as well as a list of clients. The entire application can be found on the Department's website.

**Net Worth Requirement:** None

**Stop-Loss Statute:** New Jersey has a stop-loss requirement that requires large group minimums be set at \$25,000 specific and 125% aggregate. Small group minimums are \$20,000 specific and 125%

aggregate. New Jersey Statute requires disclosure to employees that they are covered by a self-insured plan not subject to state regulations and to identify which state mandated benefits are not covered.

**Utilization Review Statute:** New Jersey does not currently have a statute that regulates Utilization Review activities.

## NEW MEXICO

New Mexico Office of Superintendent of Insurance  
 Producer Licensing Bureau  
 1120 Paseo De Peralta, Rm 331  
 Santa Fe, NM 87501

Mailing Address:  
 New Mexico Office of Superintendent of Insurance  
 Producer Licensing Bureau  
 P.O. Box 1689  
 Santa Fe, NM 87504-1689

Contact: Victoria Baca, Bureau Chief  
 Telephone: 505-827-4554 FAX: 505-827-4373  
 Email: VictoriaA.baca@state.nm.us  
 Website: [www.osi.state.nm.us](http://www.osi.state.nm.us)

Legal Citation: New Mexico Insurance Code Article 12A Insurance Administrators; Article 59A-12A All resident and non-resident TPAs must apply for a license.

**Fees:** Third Party Administrators (as per Article 59A-6.1 Fees)  
 Filing application for original business entity insurance administrator license  
 \$100 Biennial continuation or renewal of license \$200 Examination for license, each examination  
 \$75 Filing of Annual Report \$50

**Bonds:** No bond requirement at this time. Anyone exercising license powers must be licensed.

Chapter 50A, Article 12A NMSA 1978 shall apply to all administrators who provide administrative services in connection with insurance or alternatives to insurance or who, in a fiduciary capacity or otherwise, manage or handle funds, money, premiums, fees or other forms of consideration in connection with insurance or alternatives to insurance. That article shall also apply to the claims practices of insurers or alternatives to insurance, whether or not they are administered by a third party.

Reciprocity is provided for TPAs licensed in their state of domicile. TPAs administering single employer self-funded ERISA plans are required to apply for a license in this state. However, administrators are not required to hold license if all of the following conditions are met:

- The administrator has its principal place of business in another state.
- The administrator is not soliciting business as an administrator in the state.

In the case of any group policy or plan of insurance serviced by the administrator, the lessor of 5% or 100 certificate holders live in the state. (See 13.4.5.11 NMAC B)

A person is not required to hold a certificate of authority as an administrator in this state if the person exclusively provides services to one or more bona fide employee benefit plans each of which is established by an employer or an employee organization, or both, and for which the insurance laws of this state are fully preempted pursuant to ERISA. Such persons shall register with the superintendent annually, verifying their status as herein described. (59A-12A-2B)

**Net Worth Requirement:** None

**Stop-Loss Statute:** Yes

Prescription Benefit Managers license required in the state? Yes

**Utilization Review Statute:** New Mexico does not have a Utilization Review statute at this time.

**MEWA:** See New Mexico Statute N.M.S.A. 59A-15

## NEW YORK

New York State Insurance Department  
Licensing Services Bureau  
One Commerce Plaza  
Albany, NY 12257

New York State Insurance Department  
Agency Building One Commerce Plaza  
Albany, NY 12257  
Telephone: 518-474-6600 FAX: 518-474-5048

For applications for licenses, E-mail: [licensing@dfs.ny.gov](mailto:licensing@dfs.ny.gov)

Website: <http://www.dfs.ny.gov>

**Overview:** Third-Party Administrators (TPA) filing claims on behalf of insurers or self-insured employers must be licensed by the New York State Workers' Compensation Board.

- Licenses are issued or renewed for a period not to exceed three years.
- There are no fees collected for applying to become a TPA or for renewing a TPA license.

**Eligibility:** To be eligible to become a Third-Party Administrator, you must be:

- a business formed in the State of New York [50(3-b)]
  - a business formed in the State of New York for the sole purpose of administering claims but are not a subsidiary of an insurance carrier licensed to write Workers' Compensation policies [50(3-d)]
  - Be licensed to adjust claims by the New York State Department of Financial Services (DFS).
    - [Application to obtain a license from DFS](#)
- or, an insurance carrier licensed by the New York State Department of Financial Services to write Workers' Compensation policies in New York State, or a subsidiary of one [50(3-d)]
- Insurance carriers or subsidiaries must also include a certificate from the NYS Department of Financial Services showing that they are authorized to write Workers' Compensation policies.
  - In addition to the requirements for all applicants, you must also provide a certificate from the NYS Department of State indicating that the corporation is licensed to do business in New York State.

Applying/Renewing a TPA License: The license application and the license renewal form are identical.

Follow this step-by-step process to apply for or renew your license as a Third-Party Administrator:

1. Complete the [Application for License to Appear on Behalf of, or Represent, Insurers and/or Self-Insurers under Section 50\(3-b\) or 50 \(3-d\) of the Workers' Compensation Law \(Form OC-403\)](#)
2. Provide proof of current insurance policies or exemption:
  - For Workers' Compensation policies, use *Certificate of NYS Workers' Compensation Insurance Coverage (Form C-105.2)*.
  - For Disability Benefits policies, use *Certificate of Insurance Coverage under the NYS Disability and Paid Family Leave Benefits Law (Form DB-120.1)*.
  - For Exemption, use [Certificate of Attestation of Exemption \(Form CE-200\)](#).
3. Provide a valid surety bond [Self-Insurer's Representative's Bond \(Form OC-407\)](#).
4. Provide a list of corporate officers that includes the name and officer position of the qualifying officer.
  - For initial applications or any change in qualifying officer, a resolution is also required. The corporate resolution, or resolution of the members of an LLC, must indicate that the corporation or LLC named the qualifying officer as an officer of the entity, and his or her title.
5. If the qualifying officer is an attorney, provide a certificate of good standing.



Email your completed application and supporting documentation to: [licensing@wcb.ny.gov](mailto:licensing@wcb.ny.gov)

**Qualifying Officers:** Corporate entities must designate an officer of the corporation as the person responsible for ensuring that the corporate entity complies with all the laws, regulations, policies, procedures, and directives relating to the administration of workers' compensation claims in New York State.

### **Requirements of a Qualifying Officer of a TPA corporation, partnership, or LLC**

- An officer of a corporation or LLC is called the "qualifying officer" for the entity
- Qualifying officers shall be required to evidence his or her fitness, knowledge and understanding of the Workers' Compensation Law, Disability and Paid Family Leave Benefits Law, Volunteer Ambulance Workers' Benefit Law and Volunteer Firefighters' Benefit Law and the procedures established thereunder by submitting to a written examination and oral review at the board's discretion. If the qualifying officer is an attorney-at-law of New York State, he or she does not need to pass a written examination, but is required to submit to oral review periodically.
- Be a permanent resident of New York State or have a regular place of business in New York State;
- Be over 18 years of age;
- Be a citizen of the U.S.A. or an alien lawfully admitted for permanent residence in the U.S.A.;
- Be of good moral character;
- Be a high school graduate with a diploma or equivalent thereof
- Be knowledgeable about the law and regulations relating to workers' compensation matters;
- Be qualified to render service to your clients;
- Be able to furnish references of five persons who are acquainted with your character and reputation for the past five years;
- Be fingerprinted and have a name search with fingerprint verification obtained from the Division of Criminal Justice Services;
- Take an oath or affirmation before the issuance of a license or renewal;
- Complete an orientation program, unless the qualifying officer is an attorney-at-law duly admitted to practice in the State of New York; and
- The procedures and rules governing appeals, known as administrative review, are set forth in 12 NYCRR 300.13 and can be accessed online.

**Net Worth Requirement:** None

**Stop-Loss Statute:** No information available at this time.

**Utilization Review Statute:** New York regulates any entity providing Utilization Review services including HMOs, Insurers, Utilization Review firms, and Workers' Compensation firms. Exceptions to the statute include state or federal plans, hospital quality assurance programs and self-funded plans. Call (518) 474-4156. Registration and licensing are required.

## NORTH CAROLINA

Department of Insurance  
Life and Health Division  
1201 Mail Service Center  
Raleigh, NC 27699-1201

Physical Address:  
Department of Insurance  
Life and Health Division  
325 N. Salisbury St.  
Raleigh, NC 27603

Contact: Rebecca C. Hill, Supervisor  
NCDOI/Life and Health Division  
Telephone: 919-807-6060; Fax: 919-715-3547  
E-mail: [Rebecca.Hill@ncdoi.gov](mailto:Rebecca.Hill@ncdoi.gov)  
Main Number: 919-807-6055

Legal Citation: NCGS Chapter 58 Article 56, Title 11 NCAC Chapter 21

Website: <https://www.ncdoi.gov/licensees/third-party-administrator-tpa-licensing>

Or use the Link attachment [TPA Licensing](#)

**Note: North Carolina requests that TPA applications to be submitted electronically.**

Instructions for filing are through CITRIX ShareFile. Instructions and additional information on website at [www.ncdoi.gov](http://www.ncdoi.gov) All resident and non-resident TPAs must apply for a license.

**Fees:** The license fees are as follows: \$300 non- refundable filing fee for new and annually renewed licenses.

**Bonding Requirements:** Specifically, bonding is not required by the Commissioner of any TPA whose business is restricted solely to benefit plans that are either fully insured by an authorized insurer or that are bona fide employee benefit plans established by an employer, an employee organization, or both, for which the insurance laws of this State are preempted pursuant to the Employee Retirement Income Security Act of 1974. Some form of security is required to be maintained in the form of a fidelity bond, errors and omissions, professional TPA liability Insurance

or other. Evidence of such security must be presented at the time of request for a new or renewal license.

Documents or financial reports required from TPAs: Annual financial statements or reports for the two most recent fiscal years that prove that the applicant is solvent. Financial statements must include a Balance Sheet, a statement of Income and a statement of Cash Flows and must be presented in the form of an audit, a review, or a compilation prepared by an independent CPA. Financial statements of the TPA's parent company are acceptable if such present consolidating schedules which includes a break out of the TPA's financial information, and the CPA's opinion letter does not disclaim association with the consolidating schedules.

**Other requirements for TPA licensing:** TPA's Officers and Directors must file a biographical affidavit. They will accept the NCIC biographical affidavit. Organizational documents and documents regulating the internal affairs of the TPA, such as, written administrative agreement between TPA and insurer, articles of incorporation and/or association, trust agreements, bylaws, letter of good standing from domestic State.

Copies of Administrative Agreements between the TPA and the Insurer are not required. We require a list of the TPAs that the insurer has written administrative agreements with and certification that the TPA will provide a copy of the administrative agreement in a timely manner if requested by the Department. Narrative description of business operations including staff levels, internal controls, and activities proposed in this State and nationwide. If TPA manages or actually conducts the solicitation of new or renewal business, evidence it employs or contracts agents duly licensed by this State and in compliance with continuing education requirements. Questionnaire and Execution of a Power of Attorney appointing NC State Commissioner. Nondomestic Administrators provide evidence of a current Administrators license/certification/registration from your domestic state.

**Net Worth Requirement:** Solvency is required. No specific net worth requirement.

**Stop-Loss Statute:** No. However, the North Carolina DOI may impose a small group reform standard for plans with under 20 lives.

**Utilization Review Statute:** North Carolina regulates all firms providing Utilization Review services including HMOs, Insurers, and Utilization Review firms through the carrier statutes.

**Workers' Compensation firms** are exempt. Contact: Life & Health Division at 919-733-5060. A license is not required. No fee is imposed at this time. Note: GS 58-56-52, effective 10/1/2005 a. Prohibits an insurance company from acting as a TPA in connection with life or health insurance or annuities unless the insurance company is authorized to do the business of insurance in this State or otherwise complies with the applicable laws of this State. b. No insurance company shall enter into an agreement with an unauthorized insurance company to provide administrative services for residents of this State or residents of another state from offices in NC, in connection with life or health insurance or annuities. c. GS 58-56-51(a), effective 10/1/2007 d. Failure to submit a complete renewal application shall result in the expiration of the license of the TPA as a matter of law; provided, however the Commissioner may grant the TPA an extension of time for good cause.

NOTE: A TPA is not required to be licensed in the State if all of the following conditions are met: The TPA's principal place of business is in another state. The TPA is not soliciting business as a TPA in North Carolina. In the case of any group policy or plan of insurance serviced by the TPA, no more than either five percent (5%) or 100 certificate holders, whichever is fewer, reside in the state. A person is not required to be licensed as a TPA in this State if the person provides services exclusively to one or more bona fide employee benefit plans each of which is established by an employer, an employee organization, or both, and for which the insurance laws of this State are preempted pursuant to ERISA. (The ERISA plan is fully self-funded without Stop-loss insurance in place). Persons not required to be licensed shall register with the Commissioner annually, by filing a special form and verifying their status as described in this section.

## NORTH DAKOTA

North Dakota Insurance Department  
600 E. Boulevard Ave., Dept 401  
Bismarck, ND 58505-0320

Contact: Cindi Offerman, Producer Licensing Division  
Telephone: 701-328-2440; Fax: 701-328-4880; Toll Free: 800-247-0560  
E-mail: [NDlicensing@ND.gov](mailto:NDlicensing@ND.gov)

Division Website: <https://www.insurance.nd.gov/third-party-administrator>

Website: <https://www.insurance.nd.gov/third-party-administrator>

Legal Citation: North Dakota Admin. Code Chapter 45-2-03 Licensing of Administrators 26.1-27-01 Administrator Defined. In this chapter, "administrator" means any person who collects charges or premiums from, or who adjusts or settle claims on, residents of this state in connection with life or health insurance coverage or annuities...For additional information, a full definition can be found at <http://www.legis.nd.gov/cencode/t26-1c27.pdf>.

NOTICE: The Chapter was amended to align the requirements for licensing third-party administrators with best practices. The amendments do not require licenses or applicants to do anything new or different in the application or renewal process. There would be no change in fees. Section 45-02-03-04 requiring the submission of Articles of Incorporation or association with the entity's application is repealed effective July 1, 2012.

The applicant must file these documents with the North Dakota Secretary of State so they are public records through that office. Similarly, the Department dropped its requirement of filing Articles of Incorporation for producers in 2008. New language is added to Section 45-02-03-06 to spell out that April 30 is the anniversary date for all TPA licensees, and that the Certificates of Authority issued after January 1, will not be required to renew until April 30 of the following calendar year. All resident and non-resident TPAs must apply for a license.

Registration fee is \$100, renewed annually before May 1; and annual renewal fees are \$50 due by April 30th.

**Bond:** An administrator that administers or will administer self-insured plans in this state shall maintain a surety bond or proof of insurance satisfactory to the Commissioner for the use and benefit of the Commissioner for covered persons who have remitted premiums or insurance charges or other moneys to the administrator in the course of the administrator's business in the greater of the following amounts: (1) \$100,000; or (2) 10 percent of the aggregate total amount of administered coverage under the plans handled in the state.

**Documents required from TPAs:** Uniform Application for a Third-Party Administrator. Letter of Certification showing TPA Registration in resident state if not available on PDB. Note: All applicants must have an active Certificate of Authority from North Dakota Secretary of State. To obtain a license, TPAs cannot have had an insurance license revoked within the past 5 years. No financial statements required; bonding required as stated above for administrators or self-insured plans.

**Note:** All applicants must have an active Certificate of Authority from North Dakota Secretary of State. To obtain a license, TPAs cannot have had an insurance license revoked within the past 5 years. No financial statements required; bonding required as stated above for administrators or self-insured plans.

**Net Worth Requirement:** None

**Utilization Review Statute:** North Dakota requires licensing of all entities providing Utilization Review services including HMOs, Insurers, Utilization Review and Workers' Compensation firms. Contact: Matt Fischer (701) 328-9617. Fee is \$10.00.

## OHIO

Ohio Department of Insurance  
50 West Town Street, 3rd Floor, Suite 300  
Columbus, OH 43215

Contact: Patty Black  
Telephone: 614-644-3281 FAX: 614-387-0087  
E-mail: [patty.black@insurance.ohio.gov](mailto:patty.black@insurance.ohio.gov)  
Website: [www.insurance.ohio.gov](http://www.insurance.ohio.gov)  
For documents: [licensing@ins.state.oh.us](mailto:licensing@ins.state.oh.us)

Legal Citation: Ohio Administrative Code-Chapter 3901-8-05; Ohio Revised Code 3959.01 was revised to include Ohio Revised Code 3959.111 Pharmacy Benefit Manager.

Licensure required if TPA is adjusting or settling claims in connection with life, dental, vision, health or disability plans, self-insurance programs or other benefit plans. See checklist on the website. TPAs must provide proof of bond and errors & omissions coverage.

**Fee:** Licensing fee is \$200 and renewal fee is \$300—Renewal by June 30th of each year.

Documents or financial statements by TPA:

- Copy of articles of incorporation or other organizational document.
- Proof of registration with the Ohio Secretary of State.
- Proof of licensing as TPA in good standing in home state, or documentation that home state does not license TPA's. Administrator must maintain, and provide proof of coverage in effect, for any required bond as mandated by ERISA.
- Biographical, organizational and financial information.

No TPA shall place any insurance or reinsurance coverage on behalf of a plan sponsor with an insurer that is not licensed or an approved surplus lines carrier in Ohio.

The review and process has changed to require the applicant to indicate whether or not they handle prescription drug claims.

**Note:** In Ohio, the proof of Errors and Omissions and proof of Bond must include the name of the license holder as part of the named insured, or the license holder must be specifically listed as an additional insured. All monies of plan sponsors held by the TPA must be held in a separate trust account, and TPA funds must not be commingled with sponsor/insurer funds. Ohio Admin. Rule 3901-8-05

**Bond:** Bond requirement as mandated by statute. Each Administrator must maintain insurance coverage or bond at all times. See Statute.

**Minimum Net Worth:** None

**Stop-Loss Statute:** There is no stop-loss statute at this time.

**Utilization Review Statute:** Ohio has a utilization review statute applying to HMOs, Insurers, and Utilization Review firms. Workers' Compensation firms are exempt. Contact: Leslie Wasserstrom (614) 644-4911. Annual licensing for utilization review organizations is required by March 1. There is no fee. As of 2015, Pharmacy Benefit Managers (PBMs) have been incorporated into the TPA licensing.

The applicant will indicate whether or not they handle prescription drug claims. See Ohio Revised Code 3959.111 for more information.

## OKLAHOMA

Oklahoma State Insurance Department  
400 NE 50<sup>th</sup> Street  
Oklahoma City, OK 73105

Contact: Jeanette Pearce, Regulated Industry Services (RIS) Division  
Telephone: 405-521-6651 office  
Email: [Jeanette.Pearce@oid.ok.gov](mailto:Jeanette.Pearce@oid.ok.gov)

Website: <https://www.oid.ok.gov/regulated-entities/regulated-industry-services/>

Legal Citation: Oklahoma Statute, Title 36, Section 1441 to 1452. All resident and non-resident TPAs must become licensed. No person shall act or present him or herself to be an administrator unless the person holds a valid license. Administrator means any person who collects premiums for an insurer or trust who adjusts or settles claims for an insurer or trust, in connection with life or health insurance coverage, annuities, or employee benefit stop-loss.

**Fees:** Application fee is \$100; Renewal fee is \$100 due annually on expiration date. Annual Report-No Filing Fee

**Bond:** TPAs must file a surety bond for each company license which amount shall not be less than Ten Thousand Dollars (\$10,000). See O.A.C. 365:25-3-12(f)

**Documents or financial reports required from TPAs:** See OID website for all TPA instructions and forms. <https://www.oid.ok.gov/regulated-entities/regulated-industry-services/>

Penalty for violating any of the provision is up to \$5000 for each violation. Penalty for a person acting as a TPA without a license ranges from \$1000 to \$10,000. ([Title 36 O.S. §1450](#)) All TPA filings are required to be filed electronically through [www.OPTins.org](http://www.OPTins.org) effective 10/7/2015; OK Case No. 15-1153-PRJ.

The TPA annual report requirement changes on November 1, 2016. There are now two annual report options, the annual report waiver (no Oklahoma business transacted) or the annual report form (Oklahoma business transacted). The annual report waiver is due April 1 of each year or the annual report form is due June 1 of each year. See statute 36 O.S. Section 1452 or the frequently asked questions for more information on the difference between the two annual report forms and which report to file. There is no exemption from filing the TPA annual report. Filings are required to be filed through OPTins and are not accepted by mail, fax, or email.

**Minimum Net Worth:** No

**Stop-Loss Statute:** DOI Bulletin No. LH2018-02 & PC 2018-02; at least \$10,000, 110% expected paid claims.

NOTE: There is no automatic exemption, all TPAs must contact Oklahoma in writing (email preferred) to determine whether the exemption applies to them and provide a detailed description of the business operations being offered in the State. ([Title 36 O.S. §1442](#))

**Utilization Review Statute:** Oklahoma regulates any entity that provides Utilization Review services including HMOs, Insurers and Worker’s Compensation firms. Contact: Financial Division <https://www.oid.ok.gov/regulated-entities/rate-and-form-filing/life-accident-health-and-utilization-review/> Annual licensing fee \$500. 36 O.S. Section 6551-6581

**RIS Required Filings, Fees & Filing Deadlines Link:**

<https://www.oid.ok.gov/wp-content/uploads/2020/04/RIS-DUE-DATES.pdf>

## OREGON

Oregon Department of Consumer and Business Services  
Insurance Division  
350 Winter Street, N.E.  
Salem, OR 97301-3883

Contact: Jason Flanagan, Compliance Specialist 2  
DCBS – Division of Financial Regulation  
Telephone: 503-947-7274; Fax: 503-378-4351  
Email: [Jason.flanagan@dcbs.oregon.gov](mailto:Jason.flanagan@dcbs.oregon.gov)  
E-mail: [web.insagent@oregon.gov](mailto:web.insagent@oregon.gov)

Website: [DFR.Oregon.gov](http://DFR.Oregon.gov)

Legal Citation: ORS 744.700 to 744.740; OAR 836-75-0000 to 836-75-0070

All resident and non-resident TPAs must file an application if they are not subject to the exemption. Initial application fee is \$45 and the biennial renewal fee is \$45. TPA Applications are available at NIPR.com.

**Bond:** No bond requirement, however, TPAs must maintain \$500,000 Errors and Omissions policy, claims made or per occurrence. Must cover errors and omissions of and any violation of fiduciary responsibility by the third party administrator, or its employees, or both. (ORS 744.726)

**License Requirement:** All TPAs are required to become licensed. See below:

Only ERISA-exempt TPA’s need report.



#### 744.704 Exemptions from license requirement; rules.

- (1) The following persons are exempt from the licensing requirement for third party administrators in ORS 744.702 and from all other provisions of ORS 744.700 to 744.740 applicable to third party administrators: (L) A person who acts solely as an administrator of one or more bona fide employee benefit plans established by an employer or an employee organization, or both, for which the Insurance Code is preempted pursuant to the Employee Retirement Income Security Act of 1974.
- (2) A person to whom this paragraph applies must comply with the requirements of ORS 744.714. 744.714 Registration of persons exempt from licensure. A person who is exempt from the requirement of a license as a third party administrator under ORS 744.704 because the person acts solely as an administrator of one or more bona fide employee benefit plans established by an employer or an employee organization, or both, for which the Insurance Code is preempted pursuant to the Employee Retirement Income Security Act of 1974, shall register with the Director of the Department of Consumer and Business Services annually, verifying the status of the person as qualifying for the exemption. [1991 c.812 §9]
- (3) All TPAs are required to file an annual report, or request an extension, for the immediately preceding year, not later than March 1, of each year.

**Net Worth Requirement:** No minimum net worth, but must be solvent.

**Stop-Loss Statute:** No statute at this time.

**Utilization Review Statute:** Oregon does not license or regulate the activities of a utilization review or management company. ORS 743.807 directs insurers to have a utilization review process in place, and it is the insurer's responsibility to make sure the statutory requirements are met. If the utilization review company provides services beyond those of utilization review and cross over into the services provided by a third-party administrator, then the company would be required to obtain a TPA license. ORS 743.807 also states that an annual summary is required. For information on those summaries contact Spencer Peacock at 503-947-7201 or [spencer.c.peacock@oregon.gov](mailto:spencer.c.peacock@oregon.gov).

## PENNSYLVANIA

Pennsylvania Insurance Department  
 Bureau of Company Licensing and Financial Analysis  
 1345 Strawberry Square  
 Harrisburg, PA 17120

Contact: Monique N. Miller, PIR, Company Licensing Specialist  
 Telephone: 717-783-3209; Fax: 717-787-8557  
 Email: [monmiller@pa.gov](mailto:monmiller@pa.gov)

Website: <http://www.insurance.pa.gov>

Legal Citation: P.S. Section 324

**Application and Fees:** Application filing fee is \$100. Renewal fee is \$100 (every 2 years). There is no exemption. If a TPA is administering a life, health insurance or annuity plan, they must contact the Department of Insurance to determine whether licensing is required. Any person who collects charges or premiums from or who adjusts or settles claims for residents of the Commonwealth of Pennsylvania in connection with life or health coverage or annuities provided by or through an employee benefit plan, including, but not limited to, multiple employer welfare arrangements and self-insured municipalities or other political subdivisions, must be licensed by the Insurance Department in order to perform services.

**Bond:** A fidelity bond covering 50% of the average of funds held is required (up to a maximum of \$500,000.00) To be licensed as an Administrator, persons must make application to the Department for licensing and must demonstrate that certain errors and omissions and financial responsibility requirements (in the form of a fidelity bond) have been satisfied prior to licensure.

**Net Worth Requirement:** None

**Stop-Loss Statute:** Pennsylvania regulates stop-loss through the PA. Admin. Code Section 89.472. \$10,000 specific; \$100,000 minimum aggregate.

**Utilization Review Statute:** Pennsylvania regulates managed care plans that provide Utilization Review services including HMOs, Insurers and Utilization Review organizations. Questions regarding Utilization Review should be directed to Bureau of Managed Care: 717-787-4192. Workers' Compensation firms are exempt. Contact: Thomas Chepel (717) 787-5193. Licensing is required. No fee at this time.

## PUERTO RICO

Puerto Rico Department of Insurance  
 Oficina del Comisionado de Seguros  
 B5 Calle Tabonuco, Suite 216 PMB356  
 Guaynabo, Puerto Rico 00968-3029

Contact: Ruben Gely Rodriguez  
 Office of the Commissioner of Insurance  
 Telephone: 787-304-1300 FAX: 787-273-6365  
 Email: [rgelyeoocs@gobierno.pr](mailto:rgelyeoocs@gobierno.pr)

**Note:** Puerto Rico is considering adoption of the NAIC TPA Model law.

The Insurance Code of Puerto Rico contains no provisions regarding Third Party Administrators. According to Section 29.240 and 44.060 of the Insurance Code of Puerto Rico, the Insurance Commissioner has the authority to approve or disapprove administration contracts. TPAs who do claim adjustment require license, section 4.050 of the Insurance Code.

Specifically, the Commissioner will disapprove any of the contracts if they:

1. Impose excessive charges to the insurer.
2. Are extended for a period of time that is considered unreasonable.
3. Do not contain execution norms that are fair and adequate.
4. Contain any other unfair provision or provisions that put in danger the legitimate interests of the stockholders, partners or members of the insurer.

**Fees:** None

**Bonds:** None

**Net Worth Requirement:** None

**Stop-Loss Statute:** None

**Utilization Review Statute:** Puerto Rico does not have a utilization review statute at this time.

## **RHODE ISLAND**

Rhode Island Department of Business Regulation  
Insurance Division  
1511 Pontiac Avenue, Bldg. 69-2  
Cranston, RI 02920  
Telephone: 401-462-9561

RI TPA Contact: Vianka Pagan  
Telephone: 401-462-9611  
Email: [Vianka.Pagan@dbr.ri.gov](mailto:Vianka.Pagan@dbr.ri.gov)

Contact: Rachel Chester, Chief of Consumer and Licensing Services  
Email: [Rachel.Chester@dbr.ri.gov](mailto:Rachel.Chester@dbr.ri.gov)  
Direct: 401-462-9604

Website: [www.Dbr.ri.gov](http://www.Dbr.ri.gov)

State Code or Statute Citation: Rhode Island General Law 27-20.7. Rhode Island Department of Regulation Insurance Division.

Rhode Island Statutes in total are located at [www.rilin.state.ri.us/Statutes](http://www.rilin.state.ri.us/Statutes) [[rilin.state.ri.us](http://www.rilin.state.ri.us)]

**Fees:** Initial Application: \$250 for Certificate of Authority or Waiver Certificate

**Annual Renewal:** \$250 for Certificate of Authority or Waiver Certificate due by March 1st of each year. Request for Certificate of Good Standing: \$15. Change Request: \$25. Bonding Requirement: None. See RIGL 27-20.7-12(i)

**Bond:** Bonding is required if there are more than 5% of certificate holders or more than one hundred (100) certificate holders in Rhode Island.

**Resident and Non-resident TPAs** are required to acquire a TPA license for life insurance, health insurance and annuities. They have two options—Certificate of Authority or Waiver Certification which are for Life Insurance, Health Insurance and Annuities, and Pharmacy Benefit Managers (PBM) are now included within the definition of TPA as of July 5, 2004 under RIGL 27-29.17. See Insurance Bulletin 2002-3 at Web Page <http://www.dbr.ri.gov/divisions/insurance/producersadjusters.php#third> for additional information.

Rhode Island Licenses Third Party Administrators but not Preferred Provider Arrangements under the insurance laws. However, both TPAs and PPAs are within the definition of “Health Care Entity” in Sect. 23-17.13-2(a)(6) & (7), Rhode Island General Laws, and must be certified by the Department of Health under Chapter 23-17.13, which became effective January 1, 1997. Any person or organization that provides the services of an insurance producer, as defined in title 27, Chapter 2.3, including assistance in the procurement of an excess cover, must be licensed as a producer by the Department of Business Regulation. Any person or organization that offers risk-bearing services must be licensed as an insurer.

**Minimum Net Worth:** No minimum net worth requirement. However, a review of the TPA’s financial records must demonstrate financial responsibility before being issued a certificate of authority. Must be solvent.

**Stop-Loss Statute:** None

**Utilization Review Statute:** Rhode Island regulates any firm providing a Utilization Review service including HMOs, Insurers, and Utilization Review firms. For additional information go to: OHIC’s website: <http://www.ohic.ri.gov>

**Workers’ Compensation firms are exempt.** WC TPAs may have a registration obligation. For additional information, go to: RI Department of Labor and Training at: <https://ridltdi.info/>

A Certificate is required on a biannual basis. Information is provided at the following web page:

[http://www.health.ri.gov/programs/detail.php?pgm\\_id=147](http://www.health.ri.gov/programs/detail.php?pgm_id=147)

Contact: Sullivan Roberts, BSBA Health Economics Specialist Office of Managed Care Regulation Rhode Island Department of Health Email: [DOH.ManagedCare@health.ri.gov](mailto:DOH.ManagedCare@health.ri.gov)  
Telephone: 401-222-6015

**Licensing Fee:** The application fee is \$500. In addition to this fee, the Department bills each review agency monthly for the cost of any time spent on activities related to obtaining and sustaining certification, assessed at 150% of the hourly rate of certifying personnel. Those that provide utilization review services may be subject to Title 23, Chapter 17.12. For more information about the Utilization Review regulation under Title 23, Chapter 17, 13, the Health Care Accessibility and Quality Assurance Act. Contact: Sullivan Roberts, BSBA Office of Managed Care Regulation, Rhode Island Department of Health, Room 4103 Capitol Hill, Providence, RI 02908

**NOTE: ERISA exemption.** Exempts TPAs administering ONLY single employer self-funded ERISA plans. See RIGL 27-20.7

## SOUTH CAROLINA

South Carolina Department of Insurance  
P.O. Box 100105  
Columbia, SC 29209

Physical Address:  
South Carolina Insurance Department  
1201 Main St., Ste. 1000  
Columbia, SC 29201

Contact: Rachel Johnson  
Telephone: 803-737-6181; Fax: 803-737-6100  
Email: [rjohnson@doi.sc.gov](mailto:rjohnson@doi.sc.gov)  
Website: [www.doi.sc.gov](http://www.doi.sc.gov)

Legal Citation: South Carolina Code Annotated, Chapter 51 of Title 38 Section 38-51-10 to 38-51-120 Application fee is \$100; the annual renewal fee is \$100 and due before March 1 of each year.

Resident and Non-resident TPAs are subject to licensing if they are collecting premiums or adjusting claims on residents of South Carolina relating to Life, Health Insurance or Annuities.

TPAs must file a \$75,000 Surety bond. In lieu of bond, the administrator may file with the Commissioner, letters of the acceptable forms of financial security in the amount of \$75,000: Surety bond by a company licensed in S.C., Certificate of deposit by a bank or Savings & Loan located in SC and Corporate guaranty by any licensed insurance company.

TPAs must file copies of Application (Form 1030), Articles of Incorporation, Partnership Agreement, service agreements with insurers and employers, financial statements along with the most current financial statement and biographical affidavits of all directors and officers with the Insurance Department. Financial reports must be within six months of the application (new) or renewal. No consolidated statement accepted.

The Department of Insurance has the power to waive the financial security requirements for funds handled by an administrator on behalf of self-insured persons, groups or entities. At the present time, no waivers will be issued until further notice.

**Termination of TPA License:** If a Third-Party Administrator wants to terminate its license in South Carolina, the TPA must submit the following information: Return the original Certificate of License. Signed and notarized Affidavit stating the TPA no longer functions as a Third-Party Administrator and its current activities have no relation to Chapter 51 or the S.C. Code of Laws. Signed and notarized Affidavit stating that there are no outstanding liabilities pending against the TPA. A waiting period not less than (40) days after notifying the Director of Insurance of South Carolina, a letter will be sent to the TPA releasing it from future obligation as it relates to Chapter 51 of the S.C. Code of Laws.

**Net Worth Requirement:** No minimum required, but must have a positive net worth.

**Stop-Loss Statute:** None

**Utilization Review Statute:** South Carolina requires licensing of any entity providing Utilization Review services. Contact: Mr. Willie Seawright 803-737-6199

**NOTE: Exemption.** TPAs administering single employer self-funded ERISA plans may file for exemption from registration. Companies should make certain they are exempt by writing the Department of Insurance to determine if they are exempt from our licensing process. TPAs are not exempted from South Carolina's licensure if self-insured plans they administer are commingled with stop-loss coverage.

## SOUTH DAKOTA

South Dakota Division of Insurance  
Department of Labor and Regulation  
124 South Euclid Avenue, 2nd Floor  
Pierre, South Dakota 57501

Telephone: 605-773-3563; Fax: 605-773-5369  
Division of Insurance  
Email: [sdinsurance@state.sd.us](mailto:sdinsurance@state.sd.us)

Website:

[https://dlr.sd.gov/insurance/companies/third\\_party\\_administrator\\_pharmacy\\_benefits.aspx](https://dlr.sd.gov/insurance/companies/third_party_administrator_pharmacy_benefits.aspx)

State Code or Statute Citation:SDCL 58-29D et seq.SDCL 58-29D-Regulation of Life and Health Administrators SDCL 58-29E –Pharmacy Benefits Management

Licensing or Registration requirements pertain to Third Party Administrators providing administrative services in connection with life or health insurance coverage, annuities, or workers' compensation insurance.

A filing fee of \$500 shall accompany the TPA/PBM application. The renewal period will open 60 days prior to the deadline of July 1 of each year (annually), with the renewal fee of \$250. The renewal must be done electronically through Sircon at:

[www.sircon.com/southdakota](http://www.sircon.com/southdakota),

Annual Renewal of Administrator Fee-Lapse of License or Registration. See 58-29D-30

Each administrator licensed or registered shall file an annual renewal for the preceding calendar year with the director on or before July first of each year, or within such extension of time as the director for good cause may grant. The renewal shall be in the form and contain such matters as the director prescribes and shall be verified by at least two officers of the administrator. The annual renewal shall include the complete names and addresses of all insurers with which the administrator had an agreement during the preceding fiscal year. At the time of filing its annual renewal, the administrator shall pay a filing fee of two hundred fifty dollars. Failure to file such renewal shall result in lapsing of the license or registration of the administrator.

**Bonds:** None

**Additional Requirements:** Application by Director--Filing Fee--An administrator shall apply to the director upon a form to be furnished by the director. SDCL 58-29D-22

**Application by Administrator:** An administrator shall apply to the director upon a form to be furnished by the director. The application shall include or be accompanied by the following information and documents:

1. All basic organizational documents of the administrator, including any articles of incorporation, articles of association, partnership agreement, trade name certificate, trust agreement, shareholder agreement, and other applicable documents, and all amendments to such documents;
2. The bylaws, rules, regulations, or similar documents regulating the internal affairs of the administrator;
3. The names, addresses, official positions, and professional qualifications of the individuals who are responsible for the conduct of affairs of the administrator; including all members of the board of directors, board of trustees, executive committee, or other governing board or committee; the principal officers in the case of a corporation or the partners or members in the case of a partnership or association; shareholders holding

direct or indirect ten percent or more of the voting securities of the administrator; and any other person who exercises control or influence over the affairs of the administrator;

4. Annual financial statements or reports for the two most recent years which prove that the applicant is solvent and such information as the director may require in order to review the current financial condition of the applicant;
5. A statement describing the business plan including information on staffing levels and activities proposed in this state and nationwide. The plan shall provide details setting forth the administrator's capability for providing a sufficient number of experienced and qualified personnel in the areas of claims processing, record keeping, and underwriting;
6. If the applicant will be managing the solicitation of new or renewal business, proof that it employs or has contracted with an insurance producer licensed by this state for solicitation and taking of application. Any applicant shall provide proof that it has a license as a life and health insurance producer in this state; and
7. Information regarding administrative actions, criminal convictions, or guilty pleas.

The director may request additional information if the information provided pursuant to this section is inaccurate, incomplete, or unclear. If an applicant fails to provide the requested information within thirty days of the receipt of any written request pursuant to subdivision (1) to (7), inclusive, it is grounds for denial of an application.

The South Dakota Division of Insurance licenses all Pharmacy Benefit Managers as a Third-Party Administrator with a PBM Qualification Type. If a company wishes to become a PBM, they are required to be licensed as a TPA. See 58-29E-2

**Pharmacy benefits manager licensed as a Third-Party Administrator:** No person or entity may perform or act as a pharmacy benefits manager in the state without a valid license to operate as a Third-Party Administrator pursuant to chapter 58-29D. Note: Sections 58-29D-26 and 58-29D-29 do not apply to pharmacy benefit managers: 58-29D-26. Conditions not requiring license.

**An administrator is not required to hold a license as an administrator in this state if all of the following conditions are met:**

1. The administrator has its principal place of business in another state;
2. The administrator is not soliciting business as an administrator in this state;
3. In the case of any group policy or plan of insurance serviced by the administrator and less than one hundred certificate holders reside in this state.

There is no exemption for PBM's. Adjusters who only adjust and settle worker's compensation claims are exempt from the TPA licensure or registration requirements.

**Waiver of Application--Registration Required:** Pursuant to SDCL 58-29D-29, upon request of the administrator, the director may waive the license requirement if the administrator has a valid license as an administrator issued in a state which has standards for administrators that are



at least as stringent as those contained in South Dakota. If waived, the administrator shall register with the director annually in this state, with a renewal fee of \$250.00.

**Bond:** South Dakota does not require a bond or proof of errors and omissions liability insurance.

**Minimum Net Worth:** None. SDCL 58-29D-22 (4). Annual financial statements or reports for the two most recent years which prove that the applicant is solvent and such information as the director may require in order to review the current financial condition of the applicant.

**NOTE:** A license is not required for administrators exclusively servicing certain employee benefit plans. Pursuant to SDCL 58-29D-27, a person is not required to hold a license as an administrator in this state if the person exclusively provides services to one or more bona fide employee benefit plans each of which is established by an employer or an employee preempted pursuant to ERISA. Such persons shall register with the director annually, verifying their status as herein described.

## TENNESSEE

Tennessee Department of Commerce and Insurance  
500 James Robertson Parkway, 7th Floor  
Nashville, TN 37243-1135

Contact: Michael Landers  
Telephone: 615-741-1670 Fax: 615-532-2788  
E-Mail: Michael.Landers@tn.gov

Legal Citation: Tennessee Code Annotated, Section 56-6-401 to 56-6-412  
License applications and requirements are posted on the Department's website: Life and Health TPA Application:  
[http://www.tn.gov/assets/entities/commerce/attachments/TPA\\_Licensing\\_Packet\\_LH.pdf](http://www.tn.gov/assets/entities/commerce/attachments/TPA_Licensing_Packet_LH.pdf)

### **Workers' Compensation TPA Application:**

[http://www.tn.gov/assets/entities/commerce/attachments/TPA\\_Licensing\\_Packet\\_WC.pdf](http://www.tn.gov/assets/entities/commerce/attachments/TPA_Licensing_Packet_WC.pdf)

### **Application Requirements:**

**Application Form:** The link to both the Life & Health and Workers' Comp Application is located above. Fill out the appropriate application in respect to what TPA License the applicant is applying for.

### **New Application Fee**

**Life and Health TPA Application:** Go to <https://core.tn.gov/>  
Non-refundable Application Review Fee is \$100.

Note: The Department will charge a retaliatory fee equal to the fee charged in the applicant's state of domicile, if greater than Tennessee's fee.

**Workers Compensation TPA:** Go to: <https://core.tn.gov/>

No application or renewal fee is required for a Workers' Compensation TPA License. Proof of Fidelity Bond or Crime Policy: The proof of the Fidelity Bond or Crime Policy must be demonstrated on a "Certificate of Liability Insurance" Form (aka "ACORD" Form)-All TPAs The Bond Limit and Deductible must be disclosed on the form-All TPAs Bond Limit Requirements: \$100,000 minimum for a Life and Health TPA; \$250,000 minimum for a Workers' Comp TPA.

**Bond Deductible Requirement:** The Bond Deductible must be less than 10% of the net worth of the TPA (for both a Life & Health and Workers' Comp TPA) based on the financial statement submitted with the new application.

**Additional TPA Application Requirements:** Articles of Incorporation (or Partnership Agreement) (All TPAs). List of Officers and Directors (with original Biographical Affidavits) (All TPAs). Written Administrative Service Agreement with Insurer: The applying TPA should provide a template of the agreement that will be used in Tennessee. Please refer to the appropriate license application packet (Workers' Comp or Life & Health) at the web address indicated above for additional requirements in regards to the agreement.

Financial Statement must be no older than 6 months. The financial statement can either be audited by a Certified Public Accountant or internal financial records consisting of a balance sheet and income statement (from the TPA Applicant) can be submitted. These internal financial statements have to be attested by a company officer. The attestation must refer to the financial statement by date and state that they are "true and correct." (i.e., "the balance sheet and income statement for the period ending September 30, 2016 are "true and correct"). The attestation must bear original signatures and be notarized. Copies of attestations are not accepted. Positive net worth is required (All TPAs). List of States where the applicant currently holds a TPA license or conducts business (All TPAs).

**Renewal Requirements:** Letter of Intent to Renew-All TPAs Renewal Fees: Life and Health TPA: \$50 Renewal Fee.

**Note:** The Department will charge a retaliatory fee equal to the fee charged in the applicant's state of domicile, if greater than Tennessee's fee.

**Workers Compensation TPA:** No renewal fee is required for a Workers Compensation TPA License.

**Proof of Fidelity Bond or Crime Policy:** The proof of the Fidelity Bond or Crime Policy must be demonstrated on a "Certificate of Liability Insurance" Form (aka "ACORD" Form) (All TPAs). The Bond Limit and Deductible must be disclosed on the form. Bond Limit Requirements: \$100,000 minimum for a Life and Health TPA; \$250,000 minimum for a Workers' Comp TPA. Bond Deductible Requirement: The Bond Deductible must be less than

10% of the net worth of the TPA based on the financial statement submitted with the application or renewal (All TPAs).

**Definitions of a Third-Party Administrator:** Life and Health TPA (§Title 56-6-401): “As used in this part, "administrator" means any person, company, corporation, partnership, association or other legal entity that collects charges or premiums from, or that adjusts or settles claims on, residents of this state in connection with life or health insurance coverage or annuities...” Workers’ Compensation TPA (Tenn. Comp. R. & Regs. 0780-01-81-.02(13)): “Third party administrator” means a person who directly or indirectly collects charges or premiums from, adjusts or settles claims, or provides loss control or account managing services in connection with workers’ compensation insurance coverage offered or provided by a self-insured employer under T.C.A. §§ 50- 6-405(a) and (b), or a self-insured pool under T.C.A. § 50-6-405(c)...” NOTE: Please refer to the appropriate license application packet at the web address indicated above or feel free to contact The Department for additional or specific requirements to receive a license.

**Minimum Net Worth:** Positive net worth required

**Stop-Loss Statute:** No

**Utilization Review Statute:** Tennessee regulates all firms providing a Utilization Review service including Insurers and Utilization Review firms. The statute exempts state and federal plans, HMOs and Workers’ Compensation firms. Contact: Mary Freeman (615) 532-2205. Annual licensing is required. Fee: \$1000 each year. There is no fee if the entity is URAC certified.

## TEXAS

Texas Department of Insurance,  
Mail Code 305-TPA  
P.O. Box 149104  
Austin, TX 78714-9104

Physical Address:  
Texas Department of Insurance, Mail Code 305-TPA  
333 Guadalupe Street  
Austin, TX 78701

Contact: Company Licensing & Registration Office  
Email: [CompanyLicense@tdi.texas.gov](mailto:CompanyLicense@tdi.texas.gov)  
Telephone: 512-490-1035

Legal Citation: Law Chapter 4151 Texas Insurance Code; Regulations -Sections 7.1601 - 7.1618, Subchapter P, Part I, Title 28, Texas Administrative Code. To obtain a copy of the Texas Insurance Code, go to:

[www.tdi.texas.gov/licensing/company/agtpa1.html](http://www.tdi.texas.gov/licensing/company/agtpa1.html)

Generally, an "administrator" is a person who, in connection with annuities or life, health, accident, pharmacy, or workers' compensation benefits, collects premiums or contributions from or adjusts or settles claims for Texas residents.

For reference, please see Texas Insurance Code Chapter 4151 and Texas Administrative Code, 28 TAC §§ 7.1601-7.1618. These rules establish the licensing, contracting, auditing, reporting, and other requirements for TPAs, including administrators with delegated duties in the workers' compensation system.

TPA license holders are subject to Texas Insurance Code Chapter 4151 requirements, including annual reporting requirements to the Texas Comptroller and to TDI. TPA license holders must also report name changes, and submit biographical information for select officers, directors, and owners. (Please see Instructions for Filing the Third Party Administrators Annual Report, TDI Form FIN500 for details on biographical affidavits.)

### **Duration:**

TPA licenses (certificates of authority) do not expire and you are required to meet all the requirements until you surrender the license or TDI revokes it by order. You may surrender a TPA license by emailing Surrender of Third Party Administrator Certificate of Authority, TDI Form FIN497 to [CLRFilings@tdi.texas.gov](mailto:CLRFilings@tdi.texas.gov)

**Texas requires licensure of both resident and non-resident TPAs** prior to doing business in the state.

**Fee:** \$1,000 for a perpetual license (certificate of authority). Annual report filing fee is \$200 due on or before June 30 of each year.

Additionally, for an on-site examination there is a \$500 fee. "Administrator" means a person who settles or adjusts claims or collects premiums or contributions on behalf of "Texas residents" in connection with life, accident, health, annuities, pharmacy benefit, or workers' compensation benefit plans.

### **Annual Reports:**

#### **March 1 - Report to Texas Comptroller**

TPA license holders must file a Texas Annual Insurance Maintenance, Assessment and Retaliatory Report with the Comptroller each year on or before March 1. The Texas

Comptroller's website provides information on filing the report. If you have questions on this filing, please contact the Texas Comptroller.

### **June 30 - Annual Report to TDI**

TPA license holders must file an annual report with TDI each year on or before June 30. Review Instructions for Filing the Third Party Administrators Annual Report, TDI Form FIN500 for more detailed instructions, then email to CLRFilings@tdi.texas.gov:

TPA Annual Report Workbook (Microsoft Excel file).

o Insurers and HMOs that are authorized to act as a TPA, complete tab FIN487. All other TPA license holders, complete tab FIN486. All other exhibits must be completed regardless of what other types of TDI certificates of authority held.

o Submitting the Excel workbook is recommended, but you may instead submit in the following format:

§ Annual Report form for Administrators, TDI Form FIN486; or

§ Annual Report for Insurers and HMOs Subject to 28 TAC 7.1605, TDI Form FIN487; and

§ Annual Report Exhibits A-E, TDI Form FIN488

### **Audited Financials:**

o Financial statements should cover the previous calendar year and be in accordance with generally accepted auditing principles. Financial statements must include a balance sheet, an income statement, a cash flow statement, and a statement of equity. The final tab of the Excel workbook requests all information necessary under this requirement.

o TPA license holders who receive less than \$10 million annually as compensation for performing administrative services may instead email (1) unaudited financial statements and (2) a completed Certification of Financial Statement for Administrators, TDI Form FIN490.

Please mail Company Licensing Fee Transmittal Form, TDI Form FIN321 with the required \$200 filing fee to the address on the form.

**Bond:** All TPAs must maintain a fidelity bond (fraud or employee dishonesty coverage) in the amount of 10 percent of the total nationwide premiums/contributions handled or if greater, the total nationwide claims adjusted or handled. Subject to a minimum of \$10,000.00 and a maximum of \$500,000.00. A public hearing may be requested by the applicant prior to an application being denied. TPAs must have a written agreement with any clients which includes provisions addressing the requirements of Sections 4151.102, 4151.108, 4151.110, 4151.111 and 4151.117 Texas Insurance Code.

**Annual Report:** TPAs must submit an annual report on or before June 30 of each year for the preceding calendar year. TPAs must pay a maintenance tax in an amount not to exceed 1%, as determined annually by the Texas Department of Insurance. The tax rate set for business administered during 2015 is .013 of 1%. The tax is imposed on all correctly reported administrative or service fees (excluding certain commission income) as defined in Chapter 259.001 of the Texas Insurance Code. This tax is due March 1st of each year. All correspondence and communication concerning this tax should be addressed to the Texas Comptroller of Public Accounts, Tax Administration Division, P.O. Box 149356, Austin, Texas 78714-9356. The telephone number is 512-463-4600; 1-800-252-1387.  
Minimum Net Worth: Positive net worth.

**Stop-Loss Statute:** Not applicable

**Utilization Review Statute:** Texas imposes a licensing requirement on all firms that perform Utilization Review services including HMOs, Insurers, Workers' Compensation firms and Utilization Review firms. Contact: 512-676-6400 option 7. Licensing is required every two years. Fee required.

### **Third Party Administrators (TPAs)**

#### **Legislation:**

HB2536 effective 9/01/2019 effects Pharmacy Benefit Managers licensed as TPAs - Amends Chapter 1369 of the Texas Insurance Code.

The amendment requires pharmacy benefit managers to report to TDI the aggregated rebates, fees, price protection payments, and any other payments collected from pharmaceutical drug manufacturers that were passed to health benefit plan issuers, enrollees at the point of sale, or retained as revenue by the pharmacy benefit manager.

The first report was due on **February 1, 2020** with data covering the preceding calendar year. See Commissioner's Bulletin B-0013-19

#### **Resources:**

TPA Forms – including the Application for a Certificate of Authority, TDI Form FIN489.

Insurers and HMOs, please use Notification that an Insurer or HMO will be acting as an Administrator, TDI Form FIN482, instead of the application.

Fingerprinting requirements

## UTAH

Utah Insurance Department  
Producer Licensing, Financial Regulation & Licensing Division  
4315 S. 2700 West, Suite 2300  
Taylorsville, UT 84129

Contact: Randy Overstreet, Manager, Producer Licensing  
Utah Insurance Department  
Telephone: 801-957-9245  
E-mail: roverstreet@utah.gov

Hours of operation are 8 a.m. to 5 p.m. Monday through Friday.

Legal Citation: Utah Code Annotated, Chapter 25, Section 31A-25-101 to 31A-25-402

A Third-Party Administrator means a person who collects charges or premiums from, or who, for consideration, adjusts or settles claims of residents of the State in connection with insurance coverage, annuities, or service coverage, with certain specified exceptions listed in Utah Code Annotated Section 31A-25-Part 2.

Please check UCA Section 31A-25-205 for special financial requirements for a TPA to receive a license in the state.

All resident and non-resident TPAs must be licensed and have express authority for all insurers it represents.

**Fees:** Business fee, new or renewal is \$85. License term is 2 years. Renews on expiration of the original license.

**Bonding requirement:** Yes. Either an insurance policy or a surety bond equal to 10% of the total funds handled by the administrator; minimum of \$5,000, maximum \$500,000. Fidelity or Surety bond.

**Minimum Net Worth:** None

**Stop-Loss Statute:** None

**Utilization Review Statute:** Utah does not have a Utilization Review statute at this time. TPAs administering single employer self-funded pension plans subject to ERISA are not required to maintain a license. Pursuant to the exemption language found in UCA 31A-1-301(164)

## UNITED STATES VIRGIN ISLAND

Division of Banking and Insurance  
1131 King St.  
Christiansted St. Croix, VI 00820

Contact: Glendina Matthew  
Telephone: 809-773-6449; Fax: 809-719-3801

The U.S. Virgin Islands doesn't have a TPA licensing statute at this time.

**Net Worth Requirement:** None

**Stop-Loss Statute:** None

**Utilization Review Statute:** The U.S. Virgin Islands does not have a Utilization Review Statute at this time.

## VERMONT

Green Mountain Care Board  
144 State St.  
Montpelier, VT 05602

Contact: Kathryn O'Neill, Director  
Data Management Analysis and Data Integrity  
Telephone: 802-828-2177  
Email: [gmcb.data@vermont.gov](mailto:gmcb.data@vermont.gov)

Website: [Home | Green Mountain Care Board \(vermont.gov\)](#)

<https://gmcbboard@vermont.gov>

State Code or Statute Citation: 18 V.S.A. Section 9410 (TPA Registration)

**Registration:** Vermont requires TPAs to register.

**Fees:** None

**Bonding Requirement:** None

**Annual Registration Requirement:** If a TPA is administering a comprehensive major medical health benefit plan for any Vermont resident, they are required to register with the Department



before doing business, and on an annual basis by Dec. 31 or thereafter. This requirement applies to all in-state and non-resident TPAs.

In Vermont, “[a]ny person or entity that provides third party administration services, a third-party administrator or ‘TPA’ . . ., shall register . . ., both before doing business in Vermont and on an annual basis prior to December 31 thereafter.” Regulation H-2008-01, § 3(B). All TPAs that conduct business in Vermont must continue to register with the GMCB and must renew that registration on an annual basis. (March 31, 2016)

**Net Worth Requirement:** None

**Stop-Loss Statute:** Vermont does not have a stop-loss statute

**Prescription Benefit Managers:** TPAs serving as PBMs are required to become licensed in Vermont.

## VIRGINIA

Virginia State Corporation Commission  
Bureau of Insurance  
P.O. Box 1157  
Richmond, VA 23218  
Bureau of Insurance

Contact: Daryl Hepler, Principal Insurance Financial Analyst.  
Company Licensing and Regulatory Compliance  
Telephone: 804-371-9999; Fax: 804-371-9511  
E-mail: [daryl.hepler@scc.virginia.gov](mailto:daryl.hepler@scc.virginia.gov)

Virginia does not currently require that TPAs become licensed to perform administrative duties in the Commonwealth of Virginia.

If the TPA commingles the contributions or claims of a single employer plan with another employer plan, the arrangement would create a pooling of risks and would subject the TPA to regulation as an insurer under Title 38.2 of the Code of Virginia.

A TPA may be required to secure a Certificate of Authority from the Corporate Operations Division of the State Corporation Commission in order to operate a business in the Commonwealth. (State Corporation Commission, P.O. Box 1197, Richmond, VA 23218 (804) 371-9733).

Administrative Letter 1995-10 and 2000-3 states that authorized Administrative Services Only (ASO) Agreements are insurance and may subject the provider and administrator to provisions of Title 38.2 of the Code of Virginia, except for as provided in Administrative Letter 2000-3. No insurer, health maintenance organization, health services plan, third party administrator,

health care provider, or other entity should enter into a capitated ASO agreement in Virginia unless the contract as well as the entity are in compliance with requirements of Title 38.2 of the Code of Virginia.

TPAs are advised to review Administrative Letter 2002-9 regarding activities requiring persons to be licensed. “Acting as an agent” is defined as soliciting, negotiating, procuring, or effecting contracts of insurance or annuity or receiving or sharing, directly or indirectly, any commission or other valuable consideration arising therefrom.

**Net Worth Requirement:** None

**Stop-Loss Statute:** Virginia does not have a stop-loss statute at this time.

**Utilization Review Statute:** Virginia regulates firms providing Utilization Review services with an exemption for state and federal plans, self-funded plans, HMOs, Insurers and Workers’ Compensation firms. Contact: Nancy Hoffmeier (804) 367-2102. Licensing is required. Information from the Department of Health should be verified independently. In addition, certification may be required of any TPA acting as a Private Review Agent as defined in Chapter 53 of Title 38.2. For information contact: Nancy Hoffmeier at (804) 367-2102.

## WASHINGTON

Washington Insurance Commissioner  
Insurance Building,  
P.O. Box 40257  
Olympia, Washington 98504-0257

Contact: Jeff Baughman, Producer Licensing & Oversight Program Manager  
Office of the Insurance Commissioner  
Email: [jeffb@oic.wa.gov](mailto:jeffb@oic.wa.gov)

Telephone: 360-725-7156; Fax: 360-586-2019

Washington State does not have a TPA licensing statute at this time. TPAs should be aware of certain provisions of the Washington Insurance Code. Specifically, Chapter 48.42 pertains to the Insurance Commissioner’s authority over “personal coverage.” Similarly, WAC 284.30.600 is a regulation dealing with unfair practices with respect to out-of-state group life and disability insurance which might impact on the operations of TPAs.

**Net Worth Requirement:** None

**Stop-Loss Statute:** Washington statute regulates level of specific stop-loss (may provide lesser of 5% of expected or \$100,000) and aggregate (must provide minimum 120% expected) levels. Wash.Rev. Code Section 48.21.015

**Utilization Review Statute:** None

## WEST VIRGINIA

West Virginia Department of Insurance  
Financial Conditions Division  
P.O. Box 50540  
Charleston, West Virginia 25305-0540

West Virginia Office of the Insurance Commissioner  
Financial Conditions Unit  
900 Pennsylvania Avenue, 7th Floor  
Charleston, WV 25302  
Contact: Dean Hastings  
Telephone 304-558-2100  
Telephone: (304) 414-8479; Fax: 304-558-1365  
E-mail: [Dean.E.Hastings@wv.gov](mailto:Dean.E.Hastings@wv.gov)

Legal Citation: West Virginia Code Section 33-46 et. seq.

West Virginia recently enacted a TPA licensing statute. They enacted the NAIC Model Statute.

**Annual Fee:** for each license, \$200; receiving and filing annual reports, \$100; filing a certified copy of Articles of Incorporation, \$50; filing a copy of its charter, \$50; filing statements preliminary to admission, \$100; and, copy of a report or certificate of condition of administrator to be filed in any other state, \$25. TPA license is required if the TPA has WV based plan participants. If the TPA is a Non-Resident TPA, and if they administer a group plan with fewer than 100 lives, then no license is required.

**Surety bond:** A Surety bond is required if the plan's home state is West Virginia for government or church self-funded plans.

**Home State Certificate of Authority or License:** Prior to conducting business in West Virginia an administrator or third-party administrator must be licensed in accordance with Section 33-46-12. If West Virginia is the person's home state, then the person may apply for licensure in this state by filing a uniform application with the insurance commissioner. The application shall include information and documents as set out on the website. Information includes:

1. All basic organizational documents of the applicant, including any articles of incorporation, articles of association, partnership agreement, trade name certificate, trust agreement, shareholder agreement, and other applicable documents and all amendments to the documents;

2. The bylaws, rules, regulations or similar documents regulating the internal affairs of the applicant;
3. National Association of Insurance Commissioners' biographical affidavits for the individuals who are responsible for the conduct of affairs of the applicant, including all members of the board of directors, board of trustees, executive committee or other governing board or committee; the principal officers in the case of a corporation or the partners or members in the case of a partnership, association or limited liability company; any shareholders or members holding directly or indirectly ten percent or more of the voting stock, voting securities or voting interest of the applicant; and any other person who exercises control or influence over the affairs of the applicant;
4. Audited annual financial statements or reports for the two most recent fiscal years that prove that the applicant has a positive net worth. If the applicant has been in existence for less than two fiscal years, the application shall include financial statements or reports, certified by an officer of the applicant and prepared in accordance with GAAP, for any completed fiscal years and for any month during the current fiscal year for which the financial statements or reports have been completed.

An administrator licensed or applying for a home state certificate of authority/license that administers or will administer governmental or church self-insured plans in its home state or any other state shall maintain a surety bond for the use and benefit of the home state commissioner and the insurance regulatory authority of any additional state in which the administrator is authorized to conduct business and cover individuals and persons who have remitted premiums or insurance charges or other moneys to the administrator in the course of the administrator's business in the lessor of the following amounts:

- (1) One hundred thousand dollars; or
- (2) Ten percent of the aggregate total amount of self-funded coverage under church plans or governmental plans handled in the administrator's home state and all additional states in which the administrator is authorized to conduct business.

**Minimum Net Worth Requirement:** West Virginia Code Section 33-46-12(b) states that audited annual financial statements or reports for the two most recent fiscal years must be submitted proving that the applicant has a positive net worth and W.Va. Code Section 33-46-16(d)(1) states that a certification to the administrator will be issued showing that the administrator had a positive net worth in their recently filed annual report.

**Stop Loss Statute:** None

**Utilization Review Statute:** None

TPAs that administer ERISA-only, single, employer plans must register. A certificate of authority for license is not required.

## WISCONSIN

Wisconsin Office of the Commissioner of Insurance  
125 S. Webster St.  
P.O. Box 7873  
Madison, WI 53707-7873

Mail Address:  
OCI Agent Licensing  
Attn: EPBA License  
P.O. Box 7872  
Madison, WI 53707-7872

Overnight Address:  
Wisconsin Office of the Commissioner of Insurance  
Agent Licensing  
125 S. Webster St.  
Madison, WI 53703

Telephone: 608-266-8699; Fax: 608-267-9451  
Toll-free: 800-236-8517 (statewide)

Email: [ociagentlicensing@wisconsin.gov](mailto:ociagentlicensing@wisconsin.gov)  
Hours: Monday –Friday 7:45 a.m. -4:30 p.m. (Except State Holidays)

Contact: Melody Esquivel, Agent Licensing Supervisor  
Telephone: 608-264-8132; Fax: 608-267-9451  
Email: [melody.esquivel@wisconsin.gov](mailto:melody.esquivel@wisconsin.gov) (licensing requirements)

<https://oci.wi.gov/Pages/Agents/EmployeeBenefitPlanAdministrators.aspx>

Website: [www.oci.wi.gov](http://www.oci.wi.gov)

Legal Citation: Section 633, Wis. Stats. Ins. 8, Wis. Adm. Code.

### **Employee Benefit Plan Administrator License (EBPA) (Third-Party Administrator)**

"Administrator" means a person who directly or indirectly solicits or collects premiums or charges or otherwise effects coverage or adjusts or settles claims for a plan under [s. 633.01, Wis. Stat.](#) This section also defines the persons who do not need to be licensed as an EBPA. Licenses are required under [s. 633.13, Wis. Stat.](#)

Exemptions are granted for the following and should be filed using the [EBPA Application for Exemption](#) application:

- The applicant collects only contributions to self-funded employee benefit plans as defined by the Employee Retirement Income Security Act (ERISA) of 1974;
- The applicant does not collect or administer premiums for stop-loss coverage; and
- The applicant does not perform any function with respect to a multi-employer welfare arrangement as defined under ERISA.

Wisconsin enacted the Employee Benefit Plan Administrator statute August, 1991 (Chapter 633, Wis. Stat.) The administrative rules are provided in Chapter 8, Wis. Adm. Code. Requires resident and non-resident administrators of insured or self-funded employee health plans to register if they administer plans covering Wisconsin residents.

### **Applying for an EBPA License (Individual and Firm)**

#### **Initial Licensing Requirements**

1. Apply online at [nopr.com](http://nopr.com) or via paper [EBPA/PBM application](#). Individual EBPAs must be actively licensed in Wisconsin as an Intermediary Individual.
2. Submit financial statement for the administrator's most recently completed fiscal year, prepared on a generally accepted accounting basis including: assets, liabilities, and net worth (balance sheet); and the results of operations (income statement). NOTE: The financial statements must be those of the applicant. If the financial statements combine the applicant with parent or affiliated entities, they must include a deconsolidating spreadsheet breaking out the applicant's balance sheet and income statement. Statements cannot be marked as confidential and are not required to be audited.
3. Submit a new original performance bond (signed and sealed). Must be sent directly to OCI.
4. Pay initial license fee of \$100.
5. After your application has been approved, you can confirm your new license expiration date by using the License Search at [State Based Systems \(SBS\)](#) .
6. Licenses may be printed for free at [State Based Systems \(SBS\)](#) .
7. Mail an original performance bond meeting the requirements of [s. Ins 8.28, Wis. Adm. Code](#) to:

OCI Agent Licensing  
 Attn: EBPA License  
 P.O. Box 7872  
 Madison, WI 53707-7872

## Renew an EBPA License

**Please Note:** Renewal notifications will be sent to the business email address on record for the EBPA 60 days prior to the expiration date. Renewal notifications will only be sent via email to the business email address on file.

### Renewal Requirements

1. Renew annually online by August 1 at [nopr.com](http://nopr.com) or via paper [EBPA/PBM application](#).
2. If any changes in bond coverage, a new original bond (signed and sealed) must be sent directly to OCI.
3. Financial statements of the applicant (balance sheet and income statement) for previous completed fiscal year must be submitted via email to [ociagentlicensing@wisconsin.gov](mailto:ociagentlicensing@wisconsin.gov) or be mailed directly to OCI.
4. Pay annual renewal fee of \$100.
5. After your application has been approved, you can confirm your new license expiration date by using the License Search at [State Based Systems \(SBS\)](#).
6. Renewed licenses may be printed for free at [State Based Systems \(SBS\)](#).

**Performance bonds** are required. Administrators must submit a bond on their form. There are two levels of bonds. If administrator provides information only to plans and does not handle client funds; or if the administrator has check writing authority on client checking accounts, and does not pay claims or benefits from the administrator's own bank accounts, the required bond would be 5% of projected employee benefits administered on behalf of Wisconsin residents subject to a minimum bond of \$15,000 and a maximum bond of \$250,000.

- If administrator issues benefit out of its own bank account, the bond would be 10% of the amount of benefits projected to be administered on behalf of Wisconsin residents in the coming fiscal year, subject to a minimum bond of \$25,000 and a maximum bond of \$500,000.
- If a bond was already purchased and you are now eligible for the lower amount, you may furnish the Insurance Department with a rider identifying the new amount.

Documents or financial reports required include biographical information, financial statements (balance sheet and income statement) of the applicant.

**License Update:** Submit a written statement including updates to officers, partners, or owners, address changes, and email to [ociagentlicensing@wisconsin.gov](mailto:ociagentlicensing@wisconsin.gov).

Name changes require an updated bond to be submitted to the Commissioner's office. Mail a signed and sealed performance bond with the new entity name to OCI.

**Mailing Address:**

Agent Licensing  
125 S. Webster St.  
Madison, WI 53707

For more information, send an email with inquiries to [ociagentlicensing@wisconsin.gov](mailto:ociagentlicensing@wisconsin.gov).

**Net Worth Requirement:** No minimum, however, the TPA firm must be financially viable.

**Stop-Loss Statute:** None

**Utilization Review Statute:** None

**Note:** The Wisconsin Attorney General has provided the DOI office with a formal opinion on the applicability of Wisconsin statutes relating to the regulation of Employee Benefit Plan Administrators under ERISA.

A company is exempt from our regulations if they provide an application/affidavit which certifies the following:

- The administrator collects only contributions to self-funded employee benefit plans as defined by ERISA;
- the administrator does not collect or administer premiums or claims for stop-loss coverage;
- and the company does not perform any function with respect to a multi-employer welfare arrangement as defined under ERISA.

## WYOMING

Wyoming Insurance Department  
106 E. 6th Avenue  
Cheyenne, WY 82002 (82001 for overnight)

Contact: Bryan Stevens, APIR, SILA-A  
Licensing Supervisor  
Email: [bryan.stevens@wyo.gov](mailto:bryan.stevens@wyo.gov)  
Direct Telephone: 307-777-7344  
Telephone: 307-777-7344

TPA Email: [wydoitpa@wyo.gov](mailto:wydoitpa@wyo.gov)

TPA Webpage: <https://doi.wyo.gov/companies/tpa>

Licensing staff are available Monday through Friday from 8 a.m. to 5 p.m. (Mountain Time)



Website: <https://doi.wyo.gov>

(TPA licensing is located under Companies and Other Company Types)

**Legal Citation:** Wyoming Statue 26-53-101; Wyoming Insurance Department Rules and Regulations, Chapter 4, Administrators. A link to statutes and regulations is available on the website under legal.

**Registration Requirements:** Registrations renew biennially on March 31. Renewal notices are emailed 90 days in advance. License renewals may be completed by mail or through Sircon ([www.sircon.com/Wyoming](http://www.sircon.com/Wyoming)). See renewal notice for specific instructions and required documents. A licensed admitted insurance carrier is not required to maintain a TPA Certificate of Authority.

An employer administering its own self-funded plan is not required to maintain a TPA Certificate of Authority.

**Fees:** \$200 for initial license and \$200 for renewal

**Bond:** TPAs must maintain a surety bond for no less than 10% of the amount of total funds handled by the TPA. The minimum bond is \$1,000 and the maximum is \$500,000, unless a larger amount is required by the Commissioner. The bond amount is determined by the total amount of funds handled by the TPA in the preceding year or, if no funds were handled in the preceding year, the amount reasonably estimated to be handled during the current licensing year. Bond must be issued by a nonaffiliated insurer admitted by Wyoming with a surety line of authority. Bond shall provide protection to the insurer's policyholders or insured in this state against loss by any reason of acts of fraud or dishonesty and negligence by the administrator.

**Other:** A producer license is required if the administrator solicits applications for insurance or annuities for an insurer, negotiates insurance or annuities on its behalf, or carries out insurance policies.

A producer license is required if, for compensation, the TPA is soliciting negotiating or procuring insurance or renewal for insureds or prospective insured. Adjuster license is required if an individual is investigating and negotiating settlements of claims. The Department does not license accident, health or life adjusters. Only individuals adjusting property, casualty and crop claims are licensed as adjusters.

**Notice to Insureds:** The administrator must provide written notice to insured individuals advising them of the identity and relationship between the administrator and the insurer.

**Net Worth Requirement:** There is no minimum net worth requirement. The TPA must be financially solvent.

**Stop-Loss Statute:** Wyoming does not have a stop-loss statute.

**Utilization Review Statute:** Wyoming Utilization Review statute See MCL 500.3157a

**MEWAs:** The MEWA Statute has been changed. Please go to the Wyoming Website for additional information.

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