

SHORT TITLE: Insurance; relating to Claims Resolution Act;  
expanding definition of insurer to include third-party  
administrator; effective date.

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

SENATE BILL NO. 92

By: Hobson

AS INTRODUCED

An Act relating to insurance; amending 36 O.S. 1991, Section 1252, which relates to definition of terms in the Claims Resolution Act; expanding definition of insurer to include third-party administrator; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 36 O.S. 1991, Section 1252, is amended to read as follows:

Section 1252. As used in the Claims Resolution Act:

1. "Agent" means any individual, corporation, association, partnership, or other legal entity authorized to represent an insurer with respect to a claim;

2. "Claimant" means either a first party claimant, including a subscriber under any plan providing health services, a third party claimant, or both, and includes such claimant's designated legal representatives and includes a member of the claimant's immediate family designated by the claimant;

3. "Commissioner" means the State Insurance Commissioner;

4. "First party claimant" means an individual, corporation, association, partnership, or other legal entity asserting a right to payment pursuant to an insurance policy or insurance contract for an occurrence of contingency or loss covered by such policy or contract;

5. "Insurance policy or insurance contract" means any contract of insurance, certificate, indemnity, medical or hospital service, suretyship, or annuity issued, proposed for issuance, or intended for issuance by any entity subject to this Code;

6. "Insurer" means a any person licensed by the Commissioner to issue or who issues any insurance policy or insurance contract in this state and any person licensed by the Commissioner as an administrator, as defined in Section 1442 of this title;

7. "Investigation" means all activities of an insurer directly or indirectly related to the determination of liabilities under coverages afforded by an insurance policy or insurance contract;

8. "Notification of claim" means any notification, whether in writing or other means acceptable under the terms of an insurance policy or insurance contract, to an insurer or its agent, by a claimant, which reasonably apprises the insurer of the facts pertinent to a claim; and

9. "Third party claimant" means any individual, corporation, association, partnership, or other legal entity asserting a claim against any individual, corporation, association, partnership, or other legal entity insured under an insurance policy or insurance contract.

SECTION 2. This act shall become effective September 1, 1993.

44-1-0045

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