Part 2. Third-Party Administrators and Service Companies For Individual And Group Self-insurers.

§ 58-47-150. Definitions.

As used in this Part:

(1)   "Books and records" means all files, documents, and databases in a paper form, electronic medium, or both.

(2)   "Self-insurer" means a group of employers licensed by the Commissioner under Part 1 of this Article or a single employer licensed by the Commissioner under Article 5 of Chapter 97 of the General Statutes to retain its liability under the Workers' Compensation Act and to pay directly the compensation in the amount and manner and when due as provided for in the Act.

(3)   "Service company" means an entity that has contracted with a self-insurer for the purpose of providing any services related to claims adjustment, loss control, or both.

(4)   "Third-party administrator" or "TPA" means a person engaged by a self-insurer to execute the policies established by the self-insurer and to provide day-to-day management of the self-insurer. "Third-Party Administrator" and "TPA" does not mean:

    a.   A self-insurer acting on behalf of its employees or the employees of one or more of its affiliates.

    b.   An insurer that is licensed under this Chapter or that is acting as an insurer with respect to a policy lawfully issued and delivered by it and under the laws of a state in which the insurer is licensed to write insurance.

    c.   An insurance producer who is licensed by the Commissioner under Article 33 of this Chapter whose activities are limited exclusively to the sale of insurance.

    d.   An adjuster licensed by the Commissioner under Article 33 of this Chapter whose activities are limited to adjustment of claims.

    e.   An individual who is an officer, a member, or an employee of a board.

(5)   "Underwriting" means the process of selecting risks and classifying them according to their degrees of insurability so that the appropriate rates may be assigned. The process also includes rejection of those risks that do not qualify. (1997-362, s. 3; 2022-46, s. 14(qqq).)