

304.9-051 Definitions for KRS 304.9-052 and 304.9-371 to 304.9-377.

As used in KRS 304.9-052 and 304.9-371 to 304.9-377:

- (1) (a) An "administrator" is an individual or business entity that collects charges or premiums from, or that adjusts or settles claims on, residents of this state in connection 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.
- (b) The following are not considered to be acting as an administrator:
 1. An employer acting on behalf of its employees or the employees of one (1) or more subsidiary or affiliated corporations of the employer;
 2. A union on behalf of its members;
 3. An insurer, which is acting as the insurer with respect to the contract if the insurer is authorized or permitted to transact business in Kentucky or if the contract is lawfully delivered or issued for delivery by it in and pursuant to the laws of a state in which it was authorized or permitted to do business;
 4. A life or health insurance agent licensed in Kentucky whose activities are limited exclusively to the sale of insurance;
 5. A creditor on behalf of its debtors with respect to insurance covering a debt between the creditor and its debtors;
 6. A trust, its trustees, agents, and employees acting thereunder, established in conformity with 29 U.S.C. sec. 186;
 7. A trust exempt from taxation under 26 U.S.C. sec. 501(a), its trustees, and employees acting thereunder, or a custodian, its agents, and employees acting pursuant to a custodian account which meets the requirements of 26 U.S.C. sec. 401(f);
 8. A bank, credit union, or other financial institution which is subject to supervision or examination by federal or state banking authorities;
 9. A credit card issuing company which advances for and collects premiums or charges from its credit card holders who have authorized it to do so, if the company does not adjust or settle claims;
 10. An individual who:
 - a. Adjusts or settles claims in the normal course of practice or employment as an attorney-at-law; and
 - b. Does not collect charges or premiums in connection with coverages issued by insurers; or
 11. An individual working for a business entity that is licensed as an administrator to the extent that the individual's job responsibilities are subject to the supervision and control of the business entity.
- (2) An "insured" is a person covered under an insurance contract, nonprofit hospital, medical-surgical, dental, and health service corporation contract, health maintenance organization contract, or other source of benefits.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 45, sec. 9, effective July 15, 2026. -- Amended 2002 Ky. Acts ch. 273, sec. 8, effective July 15, 2002. -- Created 1986 Ky. Acts ch. 162, sec. 2, effective July 15, 1986.