



Rules of
Department of Insurance,
Financial Institutions and
Professional Registration
Division 200—Insurance Solvency and Company
Regulation
Chapter 9—Third-Party Administrators (TPAs)

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**Title 20—DEPARTMENT OF
INSURANCE, FINANCIAL
INSTITUTIONS AND
PROFESSIONAL REGISTRATION**
Division 200—Insurance Solvency and
Company Regulation
Chapter 9—Third-Party Administrators
(TPAs)

20 CSR 200-9.100 Definitions
(Rescinded August 28, 1994)

AUTHORITY: sections 374.045, RSMo 1986 and 375.929, RSMo Supp. 1990. This rule was previously filed as 4 CSR 190-12.140(1) and (5). Original rule filed Sept. 14, 1989, effective Feb. 1, 1990. Rescinded: Filed Dec. 30, 1993, effective Aug. 28, 1994.

20 CSR 200-9.200 Application Required
(Rescinded August 28, 1994)

AUTHORITY: sections 374.045, RSMo 1986 and 375.929, RSMo Supp. 1990. This rule was previously filed as 4 CSR 190-12.140(2). Original rule filed Sept. 14, 1989, effective Feb. 1, 1990. Rescinded: Filed Dec. 30, 1993, effective Aug. 28, 1994.

20 CSR 200-9.300 Statement of Trusts and Agreements
(Rescinded August 28, 1994)

AUTHORITY: sections 374.045, RSMo 1986 and 375.929, RSMo Supp. 1990. This rule was previously filed as 4 CSR 190-12.140(3). Original rule filed Sept. 14, 1989, effective Feb. 1, 1990. Rescinded: Filed Dec. 30, 1993, effective Aug. 28, 1994.

20 CSR 200-9.400 Bond Requirements
(Rescinded August 28, 1994)

AUTHORITY sections 374.045, RSMo 1986 and 375.929, RSMo Supp. 1990. This rule was previously filed as 4 CSR 190-12.140(4). Original rule filed Sept. 14, 1989, effective Feb. 1, 1990. Rescinded: Filed Dec. 30, 1993, effective Aug. 28, 1994.

20 CSR 200-9.500 TPA Name Requirements

PURPOSE: This rule implements the provisions of section 376.1088, RSMo, regarding disclosure of the name of a third-party administrator and the provisions of sections 375.934 and 375.936(4), RSMo regarding

misleading information and advertising. This rule prohibits a third-party administrator from using any name other than its true name on its certificate of authority and sets forth specific requirements for the use of multiple names on its other documents and publications.

(1) A third-party administrator (TPA) must use its true name for its certificate of authority to conduct business as a TPA in this state.

(2) A TPA will be permitted to use a fictitious name, an acronym or a portion of its true name, in its advertising, agreements, contracts, policies, evidences of coverage, filings with the director or any other publication of its name, provided that the TPA uses its true name at least once in each advertisement, agreement, contract, policy, evidence of coverage, filing with the director, or any other publication.

(3) Any TPA which does business as a TPA in this state under a fictitious name shall file with the director a copy of all documents, including the authorization from the Missouri secretary of state, which shows the legal authority for the TPA to use such other name. Any acronym or portion of the true name must be registered with the director.

(4) The director may institute disciplinary action for violations of this rule and take other action as is authorized by the provisions of sections 374.046, 375.942, and 376.1094, RSMo and any other applicable law.

AUTHORITY: sections 374.045, 375.948, and 376.1095, RSMo 2016. Original rule filed Sept. 30, 1993, effective June 6, 1994. Amended: Filed Jan. 8, 2019, effective July 30, 2019.*

**Original authority: 374.045, RSMo 1967, amended 1993, 1995, 2008; 375.948, RSMo 1959, amended 1978, 1991; and 376.1095, RSMo 1993, amended 1995.*

20 CSR 200-9.600 Application for Certificate of Authority

PURPOSE: This rule prescribes the process and forms to be used by a third-party administrator in applying for a certificate of authority to transact business in Missouri.

(1) A third-party administrator must complete an application for a certificate of authority, accompanied by a fee in the amount of one thousand dollars (\$1000), along with all the documents requested by the application form, including a notarized Biographical Affidavit to be completed and

signed by the appropriate persons, a completed Notification of Insurer/Trust Agreements form (see 20 CSR 200-9.800), a completed TPA Questionnaire, and a completed TPA 376.1092 Form. The above-referenced forms are available on the department's website or by contacting the department.

(2) Each application also must be accompanied by an audited financial statement or report for the two (2) most recent fiscal years in accordance with sections 375.1025–375.1062, RSMo, showing the current financial condition of the applicant. If the applicant has been in existence for fewer than two (2) fiscal years, this requirement may be satisfied by the provision of financial statements or reports, certified by an officer of the applicant and prepared in accordance with generally accepted accounting principles (GAAP) or the statutory statement of accounting principles (SSAP), for each completed fiscal year and for each month during the current fiscal year for which such financial statements or reports have been completed. An audited financial/annual report prepared on a consolidated basis shall include a columnar consolidating or combining worksheet filed with the report including:

(A) Amounts shown on the consolidated audited financial report shown on the worksheet;

(B) Amounts for each entity stated separately; and

(C) Explanations of consolidating and eliminating entries.

(3) The amount of the surety bond prescribed by section 376.1092.7, RSMo, is fifty thousand dollars (\$50,000). A third-party administrator that is an affiliate or subsidiary of an insurance company licensed in this state need not file such a bond so long as the director is satisfied with the financial condition of that insurance company. If exempt from the surety bond filing requirement, a third-party administrator must submit in writing the name of the insurance company with whom the third-party administrator is affiliated.

AUTHORITY: sections 374.045 and 376.1095, RSMo 2016. Original rule filed Dec. 13, 1993, effective Aug. 28, 1994. Amended: Filed April 23, 1999, effective Nov. 30, 1999. Amended: Filed Jan. 8, 2019, effective July 30, 2019.*

**Original authority: 374.045, RSMo 1967, amended 1993, 1995, 2008 and 376.1095, RSMo 1993, amended 1995.*



20 CSR 200-9.700 Renewal of Certificate of Authority

PURPOSE: This rule prescribes the process to be used by a third-party administrator to renew its certificate of authority.

(1) A renewal notice provided by the director of the department must be submitted to the director along with a renewal fee of two hundred fifty dollars (\$250) by July 1 of each calendar year following the calendar year in which the certificate of authority was originally issued.

AUTHORITY: sections 374.045 and 376.1095, RSMo 2016. Original rule filed Dec. 13, 1993, effective Aug. 28, 1994. Amended: Filed Jan. 8, 2019, effective July 30, 2019.*

**Original authority: 374.045, RSMo 1967, amended 1993, 1995, 2008 and 376.1095, RSMo 1993, amended 1995.*

20 CSR 200-9.800 Annual Filings Due by March 1

PURPOSE: This rule prescribes the process and forms to be used by a third-party administrator to notify the department of the names and addresses of all insurers and trusts with which the third-party administrator had an agreement during the preceding fiscal year.

Before March 1 of each year following receipt of its certificate of authority, the third-party administrator shall electronically file an annual report with the director of the department pursuant to section 376.1093, RSMo stating the complete names and addresses of all insurers and trusts with which the administrator had an agreement during the preceding fiscal year (Notification of Insurer/Trust Agreements form), a completed TPA Questionnaire, a completed TPA 376.1092 Form, and an audited financial report for the preceding calendar year. The above-referenced forms are available on the department's website or by contacting the department.

AUTHORITY: sections 374.045 and 376.1095, RSMo 2016. Original rule filed Dec. 13, 1993, effective Aug. 28, 1994. Amended: Filed Nov. 23, 1998, effective July 30, 1999. Amended: Filed Jan. 8, 2019, effective July 30, 2019.*

**Original authority: 374.045, RSMo 1967, amended 1993, 1995, 2008 and 376.1095, RSMo 1993, amended 1995.*