

clarification of certain provisions relating to the compensation of administrators under certain circumstances; and generally relating to the exemption of certain persons from regulation as third party administrators and clarifying the third party administrator law.

BY repealing and reenacting, with amendments,

Article 48A - Insurance Code

Section 683(2) and (3), 684, 691(a) and (c), 692(c)(2), 694(b)(2), and 696

Annotated Code of Maryland

(1991 Replacement Volume and 1991 Supplement)

BY repealing and reenacting, with amendments,

Article 48A - Insurance Code

Section 681(b)

Annotated Code of Maryland

(1991 Replacement Volume and 1991 Supplement)

(As enacted by ~~Chapter _____ (S.B. 569)~~ Chapter 569 (H.B. 507) of the Acts of the General Assembly of 1991)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 48A - Insurance Code

681.

(b) (1) "Administrator" means any person who, to the extent that the person on behalf of an insurer or a plan sponsor:

(i) For any period of time, has control over or custody of premiums, contributions, or any other funds with respect to a plan; or

(ii) Has discretionary authority concerning:

1. The adjustment, payment, or settlement of benefit claims under a plan; or

2. The investment of the assets of a plan.

(2) "Administrator" does not include a person who:

(i) With respect to a particular plan, is:

1. The plan sponsor;

2. An employee of the plan sponsor;

3. An insurer or a health maintenance organization that insures or administers the plan; [or]