



OKLAHOMA INSURANCE DEPARTMENT
STATE OF OKLAHOMA

**Frequently Asked Questions Regarding the
Annual Third-Party Administrator Report**

Q: What if I do not have access to the information required by Title 36 O.S. §1452?

A: If the TPA does not handle the funds of the plan(s), you must state this in your annual report. Please do not leave the annual report blank, instead place N/A in the appropriate sections. If the TPA does not handle the funds of the plan, the annual statement will still need to be signed by the president and secretary or other appropriate officer.

Q: What is the definition of a “plan”?

A: Although this term is not defined in the statute itself, the Oklahoma Insurance Department defines a “plan” as any group with which an administrator has a contract. A “plan” may also be an individual if the TPA administers for unrelated individuals whose insurance coverage has no connection other than the coverage itself.

Q: How do I compute “paid claims by the covered unit”?

A: Within each “plan”, divide the total claims paid by the number of persons/units within the “plan”.

Q: Can we get an extension of the filing deadline?

A: There is no provision within the TPA Act for extensions.

Q: Must an independent CPA complete the form?

A: Please see Title 36 O.S. §1452 which states: The report shall have been reviewed by a certified public accountant, independent of the administrator, and shall be subscribed and sworn by the president and attested by the secretary or other proper officers substantiating that the information is true and factual concerning each of the plans they administer. (Amended by Laws 2010, SB 2054, c. 222, § 25, eff. November 1, 2010).

Q: Are we required to complete the annual report form sent us by the Oklahoma Insurance Department?

A: We suggest that you use our forms. They have been created so that, if completed correctly, the department will receive all of the information required by statute. **Caution: If you prepare your own report, please be sure that all the requirements of Title 36 O.S. §1452 are met.** Please also point out the location in your report of all relevant information.

Q: Can another officer sign the annual report if the president or secretary is unavailable?

A: Yes, Title 36 O.S. §1452 states the annual report should be “...subscribed and sworn to by the president and attested to by the secretary or other proper officers...”

Q: If we handle ERISA plans are we exempt from filing the annual report?

A: No, while the ERISA business does not need to be included in the annual report, the TPA entity must report all TPA business conducted as it is defined in Title 36 O.S. §1442.