



Department of Business and Industry

# Nevada Division of Insurance

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## **THIRD-PARTY ADMINISTRATOR (TPA) - APPLICATION INSTRUCTIONS**

These instructions are designed to assist with the preparation of Nevada Application for Third-Party Administrator (TPA) applications. They do not replace or supersede what is in Nevada law. As the applicant, you are responsible for understanding and complying with Nevada law.

The Nevada Division of Insurance (Division) has provided the **Third-Party Administrator Application Checklist** to summarize all required parts of the application.

Additional forms and instructions are available on the Division's website at [Forms for Third-Party Administrators](#). These include:

- Third-Party Administrator Application Checklist – For reference only. Do not submit with application.
- Nevada Application for Third-Party Administrator form
- Application Pro Forma Guidelines
- TPA Bond Form—Check the website to ensure you are using the most current version.
- Parental Guaranty for Third-Party Administrator
- NAIC Biographical Affidavit

### **Required Documents for Application Filing**

The application for a Certificate of Registration as an administrator must include the items summarized below. Please refer to the statutes and regulations for further information.

1. Application Fee - \$185.00 [NRS 680B.010](#), [NRS 680C.110](#)  
This fee is due at the time of filing the application, payable through Sircon's online portal at [www.sircon.com](http://www.sircon.com).
2. Completed Nevada Application for Third-Party Administrator form [NRS 683A.08522](#), [NRS 683A.08522\(4\)](#), [NRS 600.350](#)  
The application form is not optional and must be completed.

**Section A:** Complete all fields. The dba and trade name/mark fields **must** be completed. If no dba or trade name will be used, mark these fields N/A.

- If the administrator uses a dba, a copy of the approval of the dba filing at the county level for each county in which the TPA will do business is required and should be attached to the application form. Information regarding filing for a dba is available at [www.nvsos.gov](http://www.nvsos.gov).
- If the administrator intends to use a trade name or a trademark, a copy of the Certificate of Registration of the trade name and/or trademark from the Nevada Secretary of State is required and should be attached to the application form. Information is available at [www.nvsos.gov](http://www.nvsos.gov).

**Section B:** Identify the contact person and contact information for communication after the completion of the certification.

Section C: If the applicant is owned by other companies, complete section C. If the applicant is only owned by individuals, identify the owners in Section D.

- 100% of ownership should be identified.
- The ultimate controlling party(ies) must be identified as well as the direct owner(s).

Section D: This section is for information regarding individuals who control or own the applicant. [NRS 683A.08522\(6\)](#)

- List all officers and directors of the applicant. Names and titles are required for all individuals.
- List individuals who are owners, including each sole proprietor, partner, or individual(s) who own 10% or more of the applicant. Percentage of ownership should be completed for each owner. 100% of ownership should be identified.
- An NAIC biographical affidavit is required for each person listed. The affidavits must have been signed and notarized within the last 6 months.

Section E: Identify the amount of money the applicant expects to collect or disburse in Nevada during the next calendar year. [NAC 683A.155](#)

- This value is used to determine the amount of the bond pursuant to NAC 683A.155.

Section F: The form must be signed and dated by an officer of the applicant.

- Electronic signatures that are verifiable are permitted.

**\*\* Note that the financial statements of #3 and #4 below must be at the same level of the organization.**

3. Financial Statements (balance sheet, income statement, cash flow statement) as of the most recent 90 days or quarter with officer certification. These should include the whole fiscal year to the date of statements. [NRS 683A.08522\(1\)](#), [NAC 683A.105](#)

4. Financial statements for the most recent 2 years must be submitted. [NRS 683A.08522\(1\)](#), [NAC 683A.105](#)

The requirement may be fulfilled one of the following:

- Two years of financial statements of the applicant that have been reviewed by an independent certified public accountant and include a balance sheet, income statement, statement of cash flow, and notes to the financial statement.
- Two years of financial statements prepared on a consolidated basis, reviewed by an independent certified public accountant, that include a balance sheet, income statement, statement of cash flow and notes to the financial statement; the financials must include a balance sheet and an income statement of the applicant as a schedule.
- If the applicant is a wholly owned subsidiary of a parent company, the administrator may submit two years of financial statements of the parent company that have been audited by an independent certified public accountant and a parental guaranty that is signed by an officer of the parent company and which guarantees the financial solvency of the administrator. Refer to the [Parental Guaranty template](#) for required language.

OR

- If the applicant is a newly formed business, a pro forma balance sheet and a statement listing estimated income and expenses for the first year, compiled in a form which complies with generally accepted accounting principles, may be submitted. Refer to the [Application Pro forma Guidelines](#) for requirements. A summary of the capitalization of the applicant is also required; it should identify the sources, amounts, and timeline of contributed capital (seed money). [NAC 683A.105](#)

5. Bond - [NRS 683A.0857](#), [NAC 683A.155](#), [NRS 679B.175](#)

The bond must be in the amount of the schedule in NAC 683A.155 but not less than \$100,000 and in favor of the State of Nevada with a minimum 60-day cancellation clause. Power of Attorney must be attached to the signed bond. Ensure that the most current bond form is used.

Mail the **original** bond with power of attorney (and original riders, if applicable) to:

Division of Insurance – TPA Applications  
1818 East College Parkway, Suite 103  
Carson City, NV 89706

6. Entity formation documents - [NRS 683A.08522\(2\)](#)

Include documents used to create the business association of the administrator, including articles of incorporation, articles of association, a partnership agreement, a trust agreement, or a shareholders' agreement. If there have been name changes since the entity formed, documentation of all changes of name is required.

7. Bylaws - [NRS 683A.08522\(3\)](#)

Submit the company's current bylaws, rules, regulations, operating agreement for a limited liability company, or similar documents that regulate the administrator's internal affairs. If there have been name changes since the entity formed, documentation of all changes of name is required.

8. Organizational Chart - [NRS 683A.08522\(5\)](#)

Submit an organizational chart that identifies ownership of the applicant and each affiliate of the applicant. Charts should include full legal names with dbas/trade names, FEINs, and percentage ownership as it relates to the applicant. Individuals who hold 10% or more of the voting stock of the administrator should be included. All levels of ownership and affiliates should be included so that 100% ownership of the applicant is identified.

9. Biographical Affidavits - [NRS 683A.08522\(6\)](#)

Submit an NAIC Biographical Affidavit for each person responsible for the conduct of the affairs of the applicant who is listed in Section D of the application form. This should include all officers and directors as well as owners, partners, or shareholders who hold 10% or more of the voting stock of the administrator. Affidavits must have been signed and notarized within 6 months of the application date.

10. Offices of the Administrator - [NRS 683A.08522\(7\)](#), [NAC 616B.448\(4\)](#), [NAC 683A.165](#), [NRS 616B.500\(2\)](#), [NRS 616B.0275](#), [NAC 616B.181](#)

Submit a list with of addresses of each office of the administrator, including offices located outside of Nevada. When administering workers' compensation, the administrator must have an office in Nevada; NAC 616B.181 states this office may not be a private residence.

11. Statement of License Status with Copy of Resident State License/Certificate - [NRS 683A.08522\(8\)](#), [NRS 683A.08522\(12\)](#)

- Submit a copy of applicant's registration certificate with the Nevada Secretary of State.

- Submit a statement regarding whether the applicant has held a license or certificate in Nevada or any other state, and whether the applicant has had a license refused, suspended, or revoked.
- Submit a copy of the TPA license/certificate from the resident state, if applicable, for a non-resident application. If the resident state does not require licensing, provide an explanation.

12. Plan of Operation - [NRS 683A.08522\(9\)](#), [NAC 683A.115](#), [NRS 616B.027](#), [NAC 616A.181](#), [NRS 683A.176](#)

The plan of operation or business plan should clearly identify the present operations in other jurisdictions as well as the operations the applicant intends to perform in Nevada, on behalf of whom (target market/clients), and how the applicant intends to accomplish these duties. The Division must have a clear understanding of the present and proposed operations of the applicant as well as the ability of the applicant to perform these services.

The plan must include:

- A description of the lines and products of insurance to be administered
- Summary of services offered and activities proposed in this state or in any other state
- The target market or intended clients to whom services are offered
- The number of persons on the staff of the administrator in Nevada and nationwide
- Demonstration of the capability of the administrator to implement its plan and provide a sufficient number of experienced and qualified persons for premium collection, claims processing, underwriting, recordkeeping, network management, rebate aggregation and management, formulary management, etc., as applicable. Services will vary according to the qualification type(s) requested.
- Names, qualifications, skills, and experience of key staff that show the applicant's ability to implement the plan should be given.
- A description of facilities for handling claims and description of computer software and security
- The method used for handling inquiries from claimants
- If requesting a workers' compensation qualification, the plan must explain how the applicant intends comply with the Nevada office requirement as well as the adjustor requirements.

**Promotional documents do not meet requirements and should not be submitted as the plan of operation.  
Procedure manuals do not replace a plan of operation.**

13. Agreements - [NRS 683A.086](#), [NRS 683A.083](#), [NRS 683A.176](#)

Submit all executed agreements with insurer(s) that the applicant has entered into pending certification of the third-party administrator in Nevada. If no agreements exist, provide a sample agreement of the administrator.

## **Application Process**

Submit applications for a third-party administrator Certificate of Registration online at [www.sircon.com](http://www.sircon.com). The \$185 application fee will be due at the time of application and must be paid via Sircon as part of the application process. (Additional fees may apply.)

It will be necessary to prepare the supporting documentation before applying online as the documentation identified in the TPA Application Checklist must be attached to the electronic application. **All required documents must be in electronic form and attached to the Sircon application. Each attachment should be numbered and named to match the requirement on the Third-Party Administrator Application Checklist.**

In addition, please mail the original bond and power of attorney to the Division in accordance with #5, above.

## **FAQs**

### **Who can I contact if I have questions?**

Send questions regarding TPA applications to [tpamail@doj.nv.gov](mailto:tpamail@doj.nv.gov). Ensure that the name of the applicant is included in the subject line. e.g. Subject line: Applicant Name TPA Application

### **How do I file for a dba in Nevada?**

A dba is filed at the county level in Nevada. Please see <https://www.nvsos.gov/sos/businesses/resources/county-clerk-information-for-filing-a-fictitious-firm-name-or-dba-doing-business-as>.

### **How do I submit an application for a trademark or trade name?**

A trademark or trade name is filed with the Nevada Secretary of State. Please see <https://www.nvsos.gov/sos/businesses/trademarks> for information.

### **What is “money handled”?**

NAC 683A.155(4) states, “The amount of money handled by the administrator during an average month is the total amount of money handled by the administrator on behalf of contracted entities in connection with his or her activities as an administrator in this State during a fiscal year, divided by 12.” It includes any money handled on behalf of others, as incoming funds (e.g. premium) or disbursement of funds, in Nevada.

### **Should fingerprints and supporting background investigation reports be submitted with each biographical affidavit?**

Fingerprints and supporting background investigation reports are not required with the initial TPA application.

### **Can an initial application for a TPA be submitted through NIPR?**

At this time, applications for TPAs cannot be submitted through NIPR.

### **What can I do to expedite the application process?**

- Ensure that all supporting documentation is submitted with the initial application. Missing documentation causes most of the delays.
- Number and name the supporting documents to correspond to the Third-Party Administrator Application Checklist. Do not use file names that are unrelated to the Third-Party Administrator Application Checklist.
- Include the name of the applicant in the subject line of every email.
- Put information in the appropriate section of the application, not a cover letter. (A cover letter that addresses unusual conditions may be submitted, but this should not include information required in other sections of the application.)

### **How do I do submit revised documentation?**

Send documentation to [tpamail@doj.nv.gov](mailto:tpamail@doj.nv.gov). Ensure that the name of the applicant is included in the subject line. Do not submit additional documentation through Sircon after the application has been submitted.

### **May I redact information?**

Information that is required for the application may not be redacted.

### **Do we need a Nevada office?**

All applicants for workers’ compensation qualifications require a Nevada office pursuant to NAC 616B.500(2); NAC 616A.181 states an office does not include a private residence. See NRS 616B.027 regarding out-of-state administration for workers’ compensation carriers.