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## NATIONAL COUNCIL OF INSURANCE LEGISLATORS (NCOIL)

### Model Anti-Runners Fraud Bill

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*Adopted by the NCOIL Executive Committees on July 11, 2003. Readopted on July 8, 2005, and November 20, 2010.*

*Re-adopted by the NCOIL Property & Casualty Insurance Committee on July 12, 2018 and the NCOIL Executive Committee on July 15, 2018*

#### **Section 1: Definitions**

As used in this section, the following terms have the meanings given:

(a) "Provider" means an attorney, health care professional, an owner of a health care practice or facility, or any person employed or acting on behalf of any of the aforementioned persons.

(b) "Public Media" means telephone directories, professional directories, newspapers and other periodicals, radio and television, billboards, and mailed or electronically transmitted written communications that do not involve in-person contact with a specific prospective client.

(c) "Runner," "capper," or "steerer" means a person who for pecuniary benefit, whether directly or indirectly, or in cash or in kind, procures or attempts to procure a client, patient or customer at the direction of, request of, or in cooperation with a Provider whose intent is to seek to obtain benefits under a contract of insurance or to assert a claim against an insured or an insurer for providing services to the client, patient or customer. The term does not include a person who procures clients, patients or customers through the use of Public Media.

#### **Section 2: Penalties**

Whoever employs, uses, or acts as a Runner, Capper, or Steerer for the intent of seeking to falsely or fraudulently obtain benefits under a contract of insurance or to falsely or fraudulently assert a claim against an insured or an insurer for providing services to the client, patient or customer is guilty of a felony and may be sentenced to \_\_\_\_\_ and to a fine of not more than \$\_\_\_\_\_.

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