

367.4081 Definitions for KRS 367.4081 to 367.4083.

As used in KRS 367.4081 to 367.4083:

- (1) "Healthcare provider" means an individual licensed by any of the following:
 - (a) The Kentucky Board of Medical Licensure, pursuant to KRS Chapter 311;
 - (b) The Kentucky Board of Chiropractic Examiners, pursuant to KRS Chapter 312;
 - (c) The Kentucky Board of Nursing, pursuant to KRS Chapter 314;
 - (d) The Kentucky Board of Physical Therapy, pursuant to KRS Chapter 327;
 - (e) The Kentucky Board of Occupational Therapy, pursuant to KRS Chapter 319A; or
 - (f) The Kentucky Board for Massage Therapy, pursuant to KRS 309.350 to 309.364;
- (2) "Intermediary" means an individual, including but not limited to a telemarketer, agent, employee, or contractor, who solicits a person, on behalf of a healthcare provider, for the provision of reparation benefits, as defined by KRS 304.39-020(2);
- (3) "Person" means an individual who was involved in an automobile accident; and
- (4)
 - (a) "Solicit" means the initiation of communication with a person involved in a motor vehicle accident, including but not limited to any face-to-face contact with the person, in writing, electronically, or by any form of telephonic communication, in anticipation of financial gain or remuneration for the communication itself or for prospective charges for healthcare services.
 - (b) "Solicit" does not mean:
 1. Advertising directed to the general public;
 2. Telemarketing, which is;
 - a. Taken from a general list of phone numbers;
 - b. Not targeted at motor vehicle accident victims; and
 - c. Not in violation of the state's prohibition on telephone solicitation under KRS 367.46951 to 367.46999 and 367.990; or
 3. Contact between a healthcare provider and an individual with whom the healthcare provider had a preexisting provider-patient relationship.

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History: Created 2015 Ky. Acts ch. 46, sec. 1, effective June 24, 2015.