

start ticking on this obligation, on the three-month time frame?

SENATOR LANDIS: Sure. And the answer is that the clock starts ticking at the point of filing a rightful claim. As you might...as you can also understand, the clock does not start running when the claim is inappropriate, when it's not covered. The clock doesn't start running because you're not obligated to do that. So if it's a covered claim the clock starts when you file the claim, which gives rise to the contractual obligation to pay that claim. If it's an inappropriate claim, the clock doesn't start, because you're really not under the coverage.

SENATOR HALL: Many times, though, the question of appropriate, or covered, or with regard to the claim is something that's discussed for maybe as much as three months, a lot of times a lot longer with an insurance company. If there has to be a determination, and many times, you know, it has to be done in a court setting, that it is an appropriate claim, what effect does this amendment have on that kind of a situation?

SENATOR LANDIS: We're talking now about that limited number of situations when there was a disputed claim.

SENATOR HALL: Exactly.

SENATOR LANDIS: Right?

SENATOR HALL: I say it's covered, you say it isn't...

SENATOR LANDIS: Planned sponsor says it's not covered, employee says it is, too covered, right?

SENATOR HALL: Right, right.

SENATOR LANDIS: Okay. Let me put it this way, and I'll give you an answer, and then I'll check that answer, okay. I want to make sure that it's absolutely true. What this language is referred to is the rightful claim in which I agree that it is a rightful claim, I owe you that money in three months.

SENATOR HALL: Okay.

SENATOR LANDIS: If I dispute that it is not appropriate, and I prove that it's not appropriate, then the clock didn't run. If I say it's not covered and you prove it is covered...