

The Kentucky Assigned Claims Plan

The Kentucky Assigned Claim Plan is a statutory benefit that you may be eligible for if there is no other PIP coverage (Also called Basic reparation Benefits or No-Fault benefits) for which you qualify. If you are a passenger in a car that does not have insurance coverage or you are driving a car that does not have insurance coverage, then you may be eligible for benefits under the Kentucky Assigned Claims Plan. You may also be eligible if you are a passenger on a bus or in a cab and you do not have your own car insurance policy. These benefits are the exact same benefits you receive under Personal Injury Protection or Basic Reparation Benefits from car insurance purchased.

There are several requirements:

- It must be a vehicle that you do not own. If you are the owner you are not eligible.
- You or anyone you live with cannot have car insurance. If someone you live with has car insurance and you are in an accident their PIP benefits may cover you. This is the case even though their car had nothing to do with the accident. I know it sounds crazy, but that is the law.
- You cannot have any health insurance coverage. This includes private insurance, Medicare, Medicaid or Passport. If you have this health

insurance it becomes the primary insurance. You must use it to cover the medical bills for treatment of injuries received in the accident. The Kentucky Assigned Claims Plan could cover co-pays and anything not covered by your health insurance.

The Kentucky Assigned Claim Plan is set up to cover an innocent person who happens to be in a car that they believe to have insurance, but does not. It also covers you if you are traveling on a mass transit carrier, such as a bus or a cab, which is self-insured. It does not replace insurance that you purchase and should not be counted on as a replacement for insurance. Also, it does not eliminate any criminal responsibility for driving with no insurance. The Kentucky Assigned Claim Plan only covers medical bills and lost wages up to \$10,000.00. Not a thing more.

Every insurance company that is licensed to write automobile insurance in the Commonwealth of Kentucky is required to participate in the Kentucky Assigned Claim Plan. When someone applies for benefits under the Kentucky Assigned Claim Plan one of these participating insurance companies is assigned to the case. If you are determined to be eligible for the benefits the designated insurance company will act as if they were your own PIP insurance.

The owner of the uninsured car does not get off scott free. The designated insurance company has the right to collect any money they pay out for medical bills or lost wages that were not reimbursed by the At-Fault Party's insurance company from the

owner of the uninsured car. If the accident was someone else's fault this would be up to \$1,000.00. If the accident was the fault of the uninsured vehicle it would be up to \$10,000.00.

The bottom line is the car owner will have to pay back the money that is paid by the Kentucky Assigned Claim Plan insurance company. The whole idea is that the injured person will be able to get immediate medical treatment and recover their lost wages, just as if there was an insurance policy in place at the time of the accident.