

## Bulletin 2003 - 1

To: All Property and Casualty Insurance Companies in Kansas

From: Kathleen Sebelius  
Commissioner of Insurance

RE: Revisions to K.A.R. 40-1-34

Date: January 6, 2003

The purpose of this bulletin is to advise all companies authorized to write Fire and Casualty insurance business in the state of Kansas of amendments to K.A.R. 40-1-34, the Unfair Claims Settlement Practices Model Regulation. The amended regulation becomes effective January 10, 2003.

K.A.R. 40-1-34 sets out the standards and requirements insurance companies must follow when settling claims. The proposed revision of the regulation is based on the National Association of Insurance Commissioners' 1981 Model Regulation.

The department believes that these amendments will reduce the number of disputes between insurers and claimants by allowing more use of publicly available data for determining the value of vehicles.

The primary changes to the 1981 Model Regulation occur in Section 9, which provides alternative means for both consumers and insurance companies to obtain legitimate data for use in determining the values of vehicles. The primary changes in Section 8 make the regulation consistent with language contained in Section 8 of K.A.R. 40-1-34 prior to the current amendments.

For your convenience, we have posted the NAIC 1981 Model Regulation, the amendments to this model, and an unofficial compilation of K.A.R. 40-1-34 on our website at [www.ksinsurance.org](http://www.ksinsurance.org).

If you have any questions on the amended regulation, please contact the Consumer Assistance Division at 785-296-7829.