



Kansas Insurance Department

Sandy Praeger, Commissioner of Insurance

BULLETIN 2014-4

TO: Property and Casualty Insurers Authorized to Transact Business in Kansas
And Excess and Surplus Lines Insurance Companies

FROM: Sandy Praeger, Commissioner of Insurance

SUBJECT: Professional Liability Coverage for Defined Health Care Providers Practicing in
Kansas
K.S.A. 40-3401(f) as amended by House Bill 2516 (Ch. 56, 2014 Session Laws)
Certificate of Authority – Authorized Lines of Business

DATE: November 14, 2014

2014 House Bill 2516 (Ch. 56, 2014 Session Laws) amended the definition of “health care provider” to include physician assistants, nursing facilities, assisted living facilities, residential health care facilities and certain advanced practice registered nurses (certified in the role of nurse midwife) as of January 1, 2015.

K.S.A. 40-3402, as amended, requires each “health care provider” to maintain a policy of professional liability insurance written through an admitted insurer in which the limit of liability is not less than \$200,000 per claim, subject to not less than \$600,000 annual aggregate. Professional liability insurance is defined in K.S.A. 40-3401(j). Each “health care provider” defined under K.S.A. 40-3401(f) must be afforded a separate limit of liability for their liability arising out of the rendering of or failure to render professional services.

It has come to our attention that some insurance companies may not be aware that to write professional liability coverage in Kansas they must have Malpractice Liability listed on their Certificate of Authority.

Due to this new legislation, it may also be necessary for your company to submit new or revised rate/rule and form filings to this office.

If you have any questions or comments with regard to the above, please contact Marcia Kramer, Kansas Insurance Department, 420 SW 9th Street, Topeka, Kansas 66612, by phone at 785-291-3454, or via email at mkramer@ksinsurance.org.

(Attachment: Ch. 56, 2014 Session Laws)