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| --- | --- | --- | --- |
| LINE OF BUSINESS: | **Boiler & Machinery** | LINE(S) OF INSURANCE | CODES |
|  |  | Boiler and Machinery | 27.0000 |
|  |  |  |  |
| Code: | 27.0000 |  |  |
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| IF CHECKLIST IS NOT APPLICABLE, PLEASE EXPLAIN: | |  |  |
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| REVIEW REQUIREMENTS | REFERENCE | DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS | LOCATION OF STANDARD IN FILING |
| --- | --- | --- | --- |
| GENERAL REQUIREMENTS  FOR ALL FILINGS |  |  |  |
|  |  |  |  |
| COPIES, RETURN ENVELOPES,  ETC. |  |  |  |
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| COVER LETTER AND  EXPLANATORY MEMORANDUM |  |  |  |
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| EFFECTIVE DATE WORDING | [K.S.A. 40-955(i)](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055.html)  [K.S.A. 40-216](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0016.html) | Boiler and Machinery rates and rating rules are exempt from rate filing requirements. Form filings shall be effective on filing unless disapproved within 30 days. |  |
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| FILING SUBMISSION |  |  |  |
|  |  |  |  |
| FREE CONTRACT PROHIBITED |  |  |  |
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| HIGHLY PROTECTED RISKS |  |  |  |
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| LIMITATIONS/RESTRICTIONS ON TRANSACTING BUSINESS |  |  |  |
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| LINE OF AUTHORITY | [K.S.A. 40-1102](https://www.ksrevisor.org/statutes/chapters/ch40/040_011_0002.html) | Insurer must have boiler and machinery authority |  |
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| NAIC # |  |  |  |
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| NO FILE OR FILING EXEMPTIONS | [K.S.A. 40-955(i)](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055.html) | Boiler and Machinery rates and rating rules are exempt from rate filing requirements |  |
| GENERAL REQUIREMENTS  FOR ALL FILINGS  f  OR ALL FILINGS |  |  |  |
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| THIRD PARTY FILERS AUTHORITY |  |  |  |
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| TRANSACTING OTHER BUSINESS |  |  |  |
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| FORMS⎯POLICY  PROVISIONS |  |  |  |
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| ACCESS TO COURTS |  |  |  |
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| AMBIGUOUS & MISLEADING | [K.S.A. 40-2404(1a)](https://www.ksrevisor.org/statutes/chapters/ch40/040_024_0004.html) | This statute provision prohibits policy provisions that misrepresent the benefits, advantages, conditions, or terms of any insurance policy. |  |
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| APPLICATIONS | [K.A.R. 40-3-23](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-23.pdf)  K.A.R. 40-3-25 | Insurers must file applications only if they bind coverage. |  |
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| APPRAISALS |  |  |  |
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| ARBITRATION |  |  |  |
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| ASSESSIBLE POLICIES |  |  |  |
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| BANKRUPTCY PROVISIONS |  |  |  |
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| BLANK ENDORSEMENTS | [Bulletin 1998-13](https://insurance.ks.gov/department/LegalIssues/bulletins/1998-13.html)  K.S.A. 40-216  K.A.R. 40-1-32  K.A.R. 40-1-39  K.A.R. 40-3-32 | “Blank, “Change” or “Manuscript” endorsement when used on an individual risk basis to broaden or restrict coverage must continue to be submitted for approval pursuant to K.S.A. 40-216 or K.A.R. 40-3-32(d) unless exempted by K.A.R. 40-3-32(b) and (c). Insurers are still required to comply with the filing requirements of K.A.R. 40-1-32 and K.A.R. 40-1-39. |  |
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| CANCELLATION & NON-RENEWAL | [K.S.A. 40-2,120](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0120.html)  [K.S.A. 40-2,121](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0121.html)  [K.A.R. 40-3-15](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-15.pdf) | K.S.A. 40-2,120 establishes the grounds for a mid-term cancellation of the policy. K.S.A. 40-2,121 establishes the grounds to non-renew a policy and the notification requirements to the policyholder. K.A.R. 40-3-15 provides a 30-day notice must be given to the policyholder in the event of a mid-term cancellation. |  |
| Calculation of Unearned/Return  Premium | [K.S.A. 40-2,112](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0112.html) | Refund for cancellation must accompany the notice or be mailed with 10 days. |  |
| Conditional Renewal |  |  |  |
| Minimum Retained Premium |  |  |  |
| Notice of Cancellation | [K.S.A. 40-2,122](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0122.html)  [K.A.R. 40-3-15](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-15.pdf) | Written explanation and notice to establish the time limit of cancellation to the policyholder. |  |
| Notice of Non-renewal | [K.S.A. 40-2,122](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0122.html) | Written explanation and notice to the policyholder. |  |
| Permissible Reasons for  Cancellation | [K.S.A. 40-2,120](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0120.html) | This statute establishes the grounds for cancellation. |  |
| Permissible Reasons for Non-renewal | [K.S.A. 40-2,121](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0121.html)  [K.S.A. 40-2,122](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0122.html) | These statutes establish the grounds for non-renewal and the time limit notification to the policyholder. |  |
| Required Policy Period |  |  |  |
| FORMS⎯POLICY  PROVISIONS |  |  |  |
| Return Premium | [K.A.R. 40-1-17](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-17.pdf) | Request of the return of unearned premium by the insured shall not be required. |  |
| Suspension |  |  |  |
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| CERTIFICATIONS | [K.S.A. 40-955](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055.html)  [Bulletin 2010-2](https://insurance.ks.gov/department/LegalIssues/bulletins/2010-2.pdf) | Insurance agents may not issue certificates of insurance that are not filed and approved by the Kansas Insurance Department, or which violate [K.S.A. 40-955(b](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055b.html)). |  |
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| CONINSURANCE |  |  |  |
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| CONSUMER INFORMATION |  |  |  |
| Credit Scoring Notice | [K.S.A. 40-5103](https://www.ksrevisor.org/statutes/chapters/ch40/040_051_0003.html)  [K.S.A. 40-5104](https://www.ksrevisor.org/statutes/chapters/ch40/040_051_0004.html)  [K.S.A. 40-5107](https://www.ksrevisor.org/statutes/chapters/ch40/040_051_0007.html)  [K.S.A. 40-5115](https://www.ksrevisor.org/statutes/chapters/ch40/040_051_0015.html) | These statutes pertain to the use of Credit Scoring. |  |
| Privacy notice |  |  |  |
| VSI Warning |  |  |  |
| Notification Form |  |  |  |
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| CONTENT OF POLICIES | [K.S.A. 40-216](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0016.html)  [K.A.R. 40-3-32](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-32.pdf)  [K.A.R. 40-1-15](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-15.pdf) | Requires that all contracts of insurance or indemnity be filed with the Commissioner of Insurance  Exceptions to the above  This regulation provides that a policy form shall not contain the name of an insurance company that is “unauthorized” to transact business in Kansas. May use an endorsement to “delete” an unauthorized company. “Unauthorized” means not licensed or has not filed program in question. |  |
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| COUNTERSIGNATURES |  |  |  |
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| DECLARATIONS PAGE | [K.A.R. 40-3-5](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-5.pdf) | This regulation requires the filing of declaration pages, unless the company is a member of a rating organization, and the rating organization has the authority to file on its behalf. |  |
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| DISCLOSURES | [K.S.A. 44-923](https://www.ksrevisor.org/statutes/chapters/ch44/044_009_0023.html) | Refers to inspections required annually |  |
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| DEFINITIONS | [Bulletin 1983-19](https://insurance.ks.gov/department/LegalIssues/bulletins/1983-19.html) | Actual cash value must be defined. |  |
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| DISCRIMINATION |  |  |  |
| Domestic Abuse |  |  |  |
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| DUTY TO DEFEND |  |  |  |
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| EXCLUSIONS & LIMITATIONS |  |  |  |
| Asbestos |  |  |  |
| Lead |  |  |  |
| Mold |  |  |  |
| FORMS⎯POLICY  PROVISIONS |  |  |  |
| Terrorism |  |  |  |
| Windstorm |  |  |  |
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| FICTITIOUS GROUPS | [K.A.R. 40-3-6](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-6.pdf) | This regulation prohibits classifications resulting in unfair discrimination. |  |
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| FORMS MISCELLANEOUS |  |  |  |
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| GROUP POLICIES | [K.S.A. 40-955(m)](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055.html) | Master and group policies are not allowed in P&C lines of coverage except as allowed in K.S.A. 40-955(m). |  |
| Extra-Territorial Approval Authority |  |  |  |
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| INSURANCE TO VALUE | [K.S.A. 40-905](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0005.html) | Value policy law. |  |
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| LIBERALIZATION CLAUSE |  |  |  |
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| LIMITS |  |  |  |
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| LOSS PAYEE |  |  |  |
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| LOSS SETTLEMENTS |  |  |  |
| Appraisal |  |  |  |
| Arbitration |  |  |  |
| Deductibles |  |  |  |
| Loss Valuation |  |  |  |
|  |  |  |  |
| NOTICE REQUIREMENTS |  |  |  |
| Payment of Loss Time Period | [K.S.A. 40-2,126](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0126.html) | This statute requires that an insurer pay a claim within 30 days or the company will have to pay interest penalties. |  |
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| MORTGAGEE/LIENHOLDER |  |  |  |
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| FORMS⎯ POLICY  PROVISIONS |  |  |  |
|  |  |  |  |
| ORDINANCE/LAW PROVISIONS |  |  |  |
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| PARTICIPATING POLICIES | [K.A.R. 40-3-6](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-6.pdf)  [K.S.A. 40-3-7](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-7.pdf)  [K.S.A. 40-3-8](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-8.pdf)  [K.S.A. 40-3-9](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-9.pdf) | These regulations place restrictions on participating policies or the payment of dividends. |  |
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| POLICY MUST CONTAIN ENTIRE CONTRACT |  |  |  |
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| PREMIUM AUDIT |  |  |  |
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| PRIMARY/UNDERLYING COVERAGE |  |  |  |
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| PUNITIVE DAMAGES | [K.S.A. 40-2,115](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0115.html) | This statute allows a person or entity to obtain insurance covering liability for punitive or exemplary damages assessed against such insured as the result of acts or omissions, intentional or otherwise, of such insured’s employees, agents or servants, or of any other person or entity for whose acts such insured shall be vicariously liable, without the actual prior knowledge of such insured. |  |
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| READABILITY |  |  |  |
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| REBATES | [K.S.A. 40-966](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0066.html) |  |  |
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| STANDARD FIRE POLICY |  |  |  |
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| SUBROGATION | [K.A.R. 40-1-20](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-20.pdf) | Subrogation clause prohibited for certain coverages |  |
| SUIT | [K.S.A. 60-511](https://www.ksrevisor.org/statutes/chapters/ch60/060_005_0011.html) | Establishes the timeframe for legal actions. |  |
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| TIMELINESS |  |  |  |
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| WATER/SEWER BACK-UP |  |  |  |
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| VALUED POLICIES |  |  |  |
| VOIDANCE | [K.S.A. 40-2,](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0118.html) 120  K.S.A. 40-2,121  K.S.A. 40-2,122  K.A.R. 40-3-15 | Kansas insurance law makes no provision for the voiding or rescinding of an insurance contract. The policy may be cancelled or non-renewed in accordance with the provisions of K.A.R. 40-3-15 and K.S.A. 40-2,120 through K.S.A. 40-2,122. |  |
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| WARRANTIES | [K.A.R. 40-3-16](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-16.pdf) | Insurers cannot require insureds to make expressed or implied warranties of any fact or allegation in an application or policy. |  |
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| OTHER |  |  |  |
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| RATE, RULE, RATING PLAN, CLASSIFICATION, AND TERRITORY FILING REQUIREMENTS |  |  |  |
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| “A” RATED RISKS |  |  |  |
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| INDIVIDUAL RISK RATING |  |  |  |
|  |  |  |  |
| ACTUARIAL CERTIFICATIONS  FOR RATES |  |  |  |
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| ADOPTIONS OF RATE SERVICE ORGANIZATIONS (RSO) FILINGS |  |  |  |
| Loss Costs |  |  |  |
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| CONSENT-TO-RATE |  |  |  |
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| CREDIT SCORING AND REPORTS |  |  |  |
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| CATASTROPHE HAZARDS |  |  |  |
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| CREDIBILITY AND OTHER FACTORS |  |  |  |
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| DEFENSE COSTS | [K.S.A. 40-953](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0053.html) | Defense costs within the limit of liability may create an excess rate level. |  |
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| DISCOUNTS |  |  |  |
|  |  |  |  |
| EXPIRATION DATE(S) FOR APPROVED RATES |  |  |  |
|  |  |  |  |
| GROUP POLICIES |  |  |  |
| Extra-Territorial Approval Authority |  |  |  |
|  |  |  |  |
| LOSS RATIO STANDARDS |  |  |  |
|  |  |  |  |
| MID TERM CHANGES | [K.A.R. 40-1-32](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-32.pdf)  [K.A.R. 40-1-39](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-39.pdf) | These regulations establish that any mid-term changes must be done with the consent of the insured. |  |
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| LOSS COST MULTIPLIERS |  |  |  |
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| PREMIUM REFUND OR RETENTION |  |  |  |
|  |  |  |  |
| PRICING |  |  |  |
| Charges |  |  |  |
| Minimum Premium Rules |  |  |  |
| Multi-tier |  |  |  |
| Payment Plans |  |  |  |
| Premiums |  |  |  |
| Service Charges |  |  |  |
| Surcharges |  |  |  |
| Other Fees |  |  |  |
|  |  |  |  |
| RATE RANGES |  |  |  |
|  |  |  |  |
| RATING PLAN REQUIREMENTS |  |  |  |
| Expense Modification Plan |  |  |  |
| Experience Rating |  |  |  |
| IRPM |  |  |  |
| Large Deductible |  |  |  |
| Retrospective Rating |  |  |  |
| Schedule Rating |  |  |  |
| Small Deductible |  |  |  |
| Wrap-up Rating |  |  |  |
|  |  |  |  |
| RATE/LOSS COST SUPPORTING  INFORMATION |  |  |  |
| Competition |  |  |  |
| Expenses |  |  |  |
| Experience |  |  |  |
| Judgment |  |  |  |
| Credibility |  |  |  |
| Profit Loading |  |  |  |
|  |  |  |  |
| RETURN ON EQUITY/INVESTMENT  INCOME |  |  |  |
|  |  |  |  |
| SUPPORTING DATA |  |  |  |
|  |  |  |  |
| TRENDING |  |  |  |
|  |  |  |  |
| OTHER | [K.S.A. 40-955(i)](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055.html) | Boiler and Machinery coverage is exempt from rate filing requirements. |  |