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| --- | --- | --- | --- |
| LINE OF BUSINESS: | **Fidelity** | LINE(S) OF INSURANCE | CODES |
|  |  | None | None |
|  |  |  |  |
| Code: | 23.0000 |  |  |
|  |  |  |  |
|  |  |  |  |
| 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 |  |  |  |
|  |  |  |  |
| COVER LETTER |  |  |  |
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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) | Fidelity rates and rules are exempt from 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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| LIMITATIONS/RESTRICTIONS ON TRANSACTING BUSINESS |  |  |  |
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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) | Fidelity rates and rules are exempt from filing requirements. |  |
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| NAIC # |  |  |  |
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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 Fidelity Authority |  |
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| THIRD PARTY FILERS AUTHORITY |  |  |  |
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| TRANSACTING OTHER BUSINESS |  |  |  |
| FORMS: POLICY PROVISIONS |  |  |  |
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| FORMS POLICY PROVISIONS |  |  |  |
| 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) | Insurers must file applications only if they bind coverage. |  |
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| APPRAISALS |  |  |  |
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| ARBITRATION |  |  |  |
|  |  |  |  |
| BLANK ENDORSEMENTS | [Bulletin 1998-13](https://insurance.ks.gov/department/LegalIssues/bulletins/1998-13.html) | Insurers must comply with the filing requirements of K.A.R. 40-1-32 and K.A.R. 40-1-39. “Blank”, “Change” or “Manuscript” endorsements must be submitted for approval pursuant to K.S.A. 40-216 unless exempted by K.A.R. 40-3-32. |  |
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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 and establish the time limit notification to the policyholder. |  |
| Notice of 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) | Written explanation and notice. |  |
| 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 |  |  |  |
| 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 | [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. 40-955b](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055b.html). |  |
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| CONSUMER INFORMATION |  |  |  |
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| CREDIT SCORING NOTICE | [K.S.A. 40-5107](https://www.ksrevisor.org/statutes/chapters/ch40/040_051_0007.html)  [K.S.A. 40-5103](https://www.ksrevisor.org/statutes/chapters/ch40/040_051_0003.html) | These statutes require the notices for 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)  [K.A.R. 40-1-16](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-16.pdf) | Requires that all contracts of insurance or indemnity be filed with  Commissioner of Insurance.  Exceptions listed in K.A.R. 40-3-32.  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 does not have program in question filed.  Addresses prohibition of advertising on forms. |  |
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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 |  |  |  |
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| DEFINITIONS | [Bulletin 1983-19](https://insurance.ks.gov/department/LegalIssues/bulletins/1983-19.html) | Actual cash value. |  |
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| DISCRIMINATION |  |  |  |
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| EXCLUSIONS & LIMITATIONS |  |  |  |
| Terrorism |  |  |  |
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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 offering a preferred rate, coverage, or premium based on any fictitious group. |  |
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| FORMS MISCELLANEOUS |  |  |  |
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| LIMITS |  |  |  |
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| LOSS PAYEE |  |  |  |
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| LOSS SETTLEMENTS |  |  |  |
| Appraisal |  |  |  |
| Action Against Company | [K.S.A. 60-511](https://www.ksrevisor.org/statutes/chapters/ch60/060_005_0011.html) | K.S.A. 60-511 establishes the timeframe for bringing an action under a contract. |  |
| Arbitration |  |  |  |
| Deductibles |  |  |  |
| Defense Costs | [K.S.A. 40-953](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0053.html) | Defense within the limit of liability may create an excess rate level |  |
| 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 must pay a claim within 30 days or will have to pay interest penalties. |  |
| Appraisal |  |  |  |
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| POLICY MUST CONTAIN ENTIRE CONTRACT | [K.A.R. 40-3-11](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-11.pdf) | Possession of policy in person other than insured; copy for insured. |  |
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| PREMIUM AUDIT |  |  |  |
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| PUNITIVE DAMAGES | [K.S.A. 40-2,115](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0115.html) | Punitive or Exemplary Damages are prohibited except for insured being vicariously liable. |  |
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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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| SUBROGATION |  |  |  |
| Suit |  |  |  |
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| VOIDANCE | [K.S.A. 40-2,118](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0118.html) | This statute provides the only reason a policy can be void. |  |
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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 REQUIREMENTSS |  |  |  |
|  | [K.S.A. 40-955(i)](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055.html) | Fidelity coverage is exempt from rate filing requirements. |  |
| INDIVIDUAL RISK RATING |  |  |  |
|  |  |  |  |
| ACTUARIAL CERTIFICATIONS FOR RATES |  |  |  |
|  |  |  |  |
| ADOPTIONS OF RATE SERVICE ORGANIZATIONS (RSO) FILINGS |  |  |  |
| Loss Costs |  |  |  |
|  |  |  |  |
| CONSENT-TO-RATE |  |  |  |
|  |  |  |  |
| CREDIT SCORING AND REPORTS |  |  |  |
|  |  |  |  |
| CREDIBILITY AND OTHER FACTORS |  |  |  |
|  |  |  |  |
| DISCOUNTS |  |  |  |
|  |  |  |  |
| EXPIRATION DATE(S) FOR APPROVED RATES |  |  |  |
|  |  |  |  |
| FORMS: POLICY PROVISIONS |  |  |  |
|  |  |  |  |
| 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 |  |  |  |
|  |  |  |  |
| PREMIUM REFUND OR RETENTION | [K.A.R. 40-1-17](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-17.pdf)  [K.S.A. 40-2,112](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0112.html) | An insured is not required to request the return of unearned premium. Any unearned premium must be sent to the consumer with the cancellation notice. |  |
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| PRICING |  |  |  |
| Minimum Premium Rules |  |  |  |
| Multi-tier |  |  |  |
| Payment Plans |  |  |  |
| Premiums |  |  |  |
| Service Charges |  |  |  |
| Surcharges |  |  |  |
| Other Fees |  |  |  |
|  |  |  |  |
| RATE RANGES |  |  |  |
|  |  |  |  |
| RATING PLAN REQUIREMENTS |  |  |  |
| Expense Modification Plan |  |  |  |
| Experience Rating |  |  |  |
| Large Deductible |  |  |  |
| Retrospective Rating |  |  |  |
| Schedule Rating |  |  |  |
| Small Deductible |  |  |  |
| Wrap-up Rating |  |  |  |
|  |  |  |  |
| RATE/LOSS COST SUPPORTING INFORMATION |  |  |  |
| Competition |  |  |  |
| FORMS: POLICY PROVISIONS |  |  |  |
| Expenses |  |  |  |
| Experience |  |  |  |
| Judgment |  |  |  |
| Profit Loading |  |  |  |
|  |  |  |  |
| RETURN ON EQUITY DOCUMENT/INVESTMENT INCOME |  |  |  |
|  |  |  |  |
| RISK CLASSIFICATION |  |  |  |
|  |  |  |  |
| TRENDING |  |  |  |
|  |  |  |  |
| OTHER | [K.S.A. 40-955(i)](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055.html) | Fidelity coverage is exempt from rate filing requirements. |  |