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| --- | --- | --- | --- |
| LINE OF BUSINESS: | **Homeowners** | LINE(S) OF INSURANCE | CODES |
|  |  | Condos | 4.0001 |
|  |  | Mobile Homes | 4.0002 |
| Code: | 4.0000 | Owner Occupied | 4.0003 |
|  |  | Tenants | 4.0004 |
|  |  | Other | 4.0005 |
| IF CHECKLIST IS NOT APPLICABLE, PLEASE EXPLAIN: |  |  |
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| REVIEW REQUIREMENTS | REFERENCE | DESCRIPTION OF REVIEWSTANDARDS REQUIREMENTS | LOCATION OF STANDARD IN FILING |
| --- | --- | --- | --- |
| GENERAL REQUIREMENTSFOR ALL FILINGS |  |  |  |
|  |  |  |  |
| COPIES, RETURN ENVELOPES, ETC. |  |  |  |
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| COVER LETTER |  |  |  |
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| EFFECTIVE DATE WORDING | [K.S.A. 40-955](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) | Homeowners rate, rule and form filings shall be on file for 30 days. During this time the filings are subject to a review. |  |
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| FILING SUBMISSION |  |  |  |
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| FREE CONTRACT PROHIBITED |  |  |  |
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| LIMITATIONS/RESTRICTIONS ON TRANSACTING BUSINESS |  |  |  |
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| LINE OF AUTHORITY |  |  |  |
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| WATERCRAFT OVER 26 FEET |  |  |  |
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| UMBRELLA/EXCESS LIABILITY |  |  |  |
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| NAIC# |  |  |  |
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| THIRD PARTY FILERS AUTHORITY |  |  |  |
| GENERAL REQUIREMENTSFOR ALL FILINGS |  |  |  |
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| TRANSACTING OTHER BUSINESS |  |  |  |
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| FORMS⎯POLICYPROVISIONS |  |  |  |
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| ACCESS TO COURTS |  |  |  |
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| AGGREGATE LIMITS |  |  |  |
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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](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-25.pdf) | Requires that binder forms be filed.Declination statement must appear on the application if written as non-standard business. |  |
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| APPRAISALS |  |  |  |
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| ARBITRATION |  |  |  |
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| ASSESSIBLE POLICIES |  |  |  |
|  |  |  |  |
| BANKRUPTCY PROVISIONS |  |  |  |
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| BLANK ENDORSEMENTS | [Bulletin 1998-13](https://insurance.ks.gov/department/LegalIssues/bulletins/1998-13.html)K.S.A. 40-216K.A.R. 40-1-32K.A.R. 40-1-39K.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.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.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.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. |  |
| Conditional Renewal |  |  |  |
| Minimum Retained Premium |  |  |  |
| Notice of Cancellation | [K.A.R. 40-3-15](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-15.pdf) | Requirements applicable to cancellation and/or non-renewal provision of policy forms. |  |
| Notice of Non-renewal | [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](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0120.html) | Requirements applicable to cancellation and/or non-renewal provision of the policy forms. |  |
| Permissible Reasons for Cancellation | [K.S.A. 40-2,120](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0120.html) [K.S.A. 40-2,122](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0122.html) | This statute establishes the grounds for cancellation. |  |
| Permissible Reasons for Non-renewal | [K.S.A. 40-2,120](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0120.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 |  |  |  |
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| CLAIMS MADE |  |  |  |
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| CONINSURANCE |  |  |  |
|  |  |  |  |
| CONSUMER INFORMATION |  |  |  |
| 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 | [K.A.R. 40-1-46](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-46.pdf) | This regulation requires all licensees as defined in the regulation to provide privacy notices to its consumers. |  |
| VSI Warning |  |  |  |
| Notification Form |  |  |  |
|  |  |  |  |
| 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)[K.A.R. 40-1-19](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-19.pdf) | Requires that all contracts of insurance or indemnity be filed withCommissioner of Insurance.Exceptions listed in K.A.R. 40-3-32.This regulation provides that a policy form shall not contain thename of an insurance company that is “unauthorized” to transactbusiness in Kansas. May use an endorsement to “delete” anunauthorized company. “Unauthorized” means not licensed or does not have program in question filed.Addresses prohibition of advertising on forms.Addresses combination policies. |  |
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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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| DEFENSE WITHIN LIMITS | [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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| DISCLOSURES |  |  |  |
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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 |  |  |  |
|  |  |  |  |
| DUTY TO DEFEND |  |  |  |
|  |  |  |  |
| EMPLOYERS LIABILITY |  |  |  |
|  |  |  |  |
| EXCESS COVERAGE |  |  |  |
|  |  |  |  |
| EXCLUSIONS & LIMITATIONS |  |  |  |
| Lead |  |  |  |
| Mold |  |  |  |
| Terrorism |  |  |  |
| Windstorm |  |  |  |
|  |  |  |  |
| 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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| 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 |  |  |  |
|  |  |  |  |
| HOMEOWNERS LIABILITY |  |  |  |
|  |  |  |  |
| INSURANCE TO VALUE | [K.S.A. 40-905](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0005.html) | Valued policy law. |  |
|  |  |  |  |
| LIBERALIZATION CLAUSE |  |  |  |
|  |  |  |  |
| LIMITS |  |  |  |
|  |  |  |  |
| LOSS PAYEE |  |  |  |
|  |  |  |  |
| LOSS SETTLEMENTS |  |  |  |
| Appraisal |  |  |  |
| Action Against Company | [K.S.A. 60-511](https://www.ksrevisor.org/statutes/chapters/ch60/060_005_0011.html) | Establishes the timeframe for legal actions. |  |
| After Market Parts |  |  |  |
| Arbitration |  |  |  |
| Deductibles |  |  |  |
| 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 |  |
| 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) | Establishes standards for timely payment of claims within 30 days. |  |
| Appraisal |  |  |  |
|  |  |  |  |
| MINIMUM STANDARDS FOR CONTENT (POLICIES AND STANDARD FORMS) |  |  |  |
|  |  |  |  |
| MORTGAGEE/LIENHOLDER |  |  |  |
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| 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.A.R. 40-3-7](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-7.pdf)[K.A.R. 40-3-8](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-8.pdf) [K.A.R. 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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| PERMISSIBLE DRIVER |  |  |  |
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| PERSONAL INJURY PROTECTION |  |  |  |
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| PREMIUM AUDIT |  |  |  |
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| PRIMARY/UNDERLYING COVERAGE |  |  |  |
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| PRIOR APPROVAL |  |  |  |
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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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| STANDARD FIRE POLICY |  |  |  |
|  |  |  |  |
| 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 |  |  |  |
|  |  |  |  |
| UNINSURED/UNDERINSURED MOTORISTS |  |  |  |
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| USE & FILE |  | This filing type is not permitted in Kansas. |  |
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| WATER/SEWER BACK-UP |  |  |  |
|  |  |  |  |
| VALUED POLICIES | [K.S.A. 40-905](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0005.html) | Valued policy law. |  |
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| VICARIOUS LIABILITY | [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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| VOIDANCE | [K.S.A. 40-2,120](http://www.kslegislature.org/li/statute/040_000_0000_chapter/040_002_0000_article/040_002_0118_section/040_002_0118_k/)K.S.A. 40-2,121K.S.A. 40-2,122K.A.R. 40-3-15 | Kansas insurance law makes no provisions 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. |  |
|  |  |  |  |
| 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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| WORKERS’ COMPENSATION, EXCESS |  |  |  |
|  |  |  |  |
| OTHER |  |  |  |
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| RATE, RULE, RATING PLAN, CLASSIFICATION, AND TERRITORY FILING REQUIREMENTS |  |  |  |
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| INDIVIDUAL RISK RATING | [K.S.A. 40-954](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0054.html)[K.A.R. 40-3-26](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-26.pdf)  | These statute and regulations provide the procedure for rates that are modified for individual risks. It does not apply to personal lines. |  |
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| ACTUARIAL CERTIFICATIONS FOR RATES | [K.S.A. 40-955(e)](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055.html) | Commissioner may require the insurer or rating organization to provide, at their expense info necessary to evaluate the reasonableness of the filing. |  |
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| ADOPTIONS OF RATE SERVICE ORGANIZATIONS (RSO) FILINGS |  |  |  |
| Loss Costs | [K.A.R. 40-3-47](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-47.pdf) | This regulation establishes requirements and definitions for prospective loss costs. |  |
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| CONSENT-TO-RATE | [K.S.A. 40-954](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0054.html)[K.A.R. 40-3-25](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-25.pdf) [K.A.R. 40-3-26](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-26.pdf) | This statute and regulation provide the procedure for rates that are modified for individual risks. It is not allowed in personal lines. |  |
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| CREDIT SCORING AND REPORTS | [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) | The insurance company is required to comply with the noted statutes when credit scores are used for rating. |  |
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| CATASTROPHE HAZARDS |  |  |  |
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| CREDIBILITY AND OTHER FACTORS |  |  |  |
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| DEFENSE COSTS |  |  |  |
|  |  |  |  |
| DISCOUNTS |  |  |  |
|  |  |  |  |
| EXPIRATION DATE(S) FOR APPROVED RATES |  |  |  |
|  |  |  |  |
| GROUP POLICIES |  |  |  |
| Extra-Territorial Approval Authority |  |  |  |
|  |  |  |  |
|  |  |  |  |
| LOSS RATIO STANDARDS |  |  |  |
|  |  |  |  |
| MID TERM CHANGES |  |  |  |
|  |  |  |  |
| LOSS COST MULTIPLIERS | [K.A.R. 40-3-47](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-47.pdf) | These regulations establish the procedures to make and file loss cost filings with this agency. |  |
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| PREMIUM REFUND OR RETENTION | [K.A.R. 40-1-17](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-17.pdf) | This regulation requires that when an insurance policy provision provides for the return of unearned premium, the provision shall not require the insured to request the return of premium. |  |
|  | [K.S.A. 40-2,112](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0112.html) | This statute requires that the refund for cancellation must accompany the notice. |  |
| PRICING |  |  |  |
| Flex Rating | [K.S.A. 40-970](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0070.html) | Personal homeowner rate filings that have a total percentage change between +/- 12% can be filed under the flex rating statutes in any period of 12 consecutive months. |  |
| Charges |  |  |  |
| Minimum Premium Rules |  |  |  |
| Multi-tier | [K.S.A.](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0053.html) 40-955 | A company choosing to adopt a tiered rating plan must adhere to the requirements outlined in this bulletin.The eligibility criteria for a tiered rating plan must be on file. The criteria must be mutual exclusive to prevent unfair rate discrimination. |  |
| Payment Plans | [K.A.R. 40-1-10](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-10.pdf) | This regulation addresses the filing of payment plans. |  |
| Premiums |  |  |  |
| Service Charges | [K.A.R. 40-1-9](https://insurance.ks.gov/documents/department/regulations-adopted/article-1/40-1-9.pdf) | This regulation defines service charges as premium. |  |
| Surcharges |  |  |  |
| Other Fees |  |  |  |
|  |  |  |  |
| RATE RANGES | [K.S.A. 40-953](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0053.html) | Range of Rates are not permitted in Kansas |  |
|  |  |  |  |
| RATING PLAN REQUIREMENTS |  |  |  |
| IRPM |  |  |  |
| Expense Modification Plan |  |  |  |
| Experience Rating |  |  |  |
| Large Deductible |  |  |  |
| Retrospective Rating |  |  |  |
| Schedule Rating | [K.S.A. 40-955b](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055b.html)[K.S.A. 40-954(c)](http://ksrevisor.org/statutes/chapters/ch40/040_009_0054.html) | Documentation is required from insurers that wish to increase or decrease premiums on a given risk basis for (medical malpractice, work comp, farm/crop, personal lines) coverage. To comply with K.S.A. 40-955b please provide detailed responses, documentation, and information about how the credits/debits are assigned per risk category. At a minimum, include the following: If the underwriting of a risk characteristic is purely objective, please list the credits/debits that apply. If there is subjectivity in the determination of the characteristic credit/debit, please provide detail about how the underwriter makes that determination.In addition, please submit a description of the safeguards in place to ensure that individual risk debit and/or credit modifications are reasonable and equitable in their application, are not unfairly discriminatory, violative of public policy or otherwise contrary to the best interests of the people of this state as required by K.S.A. 40-954(c). |  |
| Small Deductible |  |  |  |
| Wrap-up Rating |  |  |  |
|  |  |  |  |
| RATE/LOSS COST SUPPORTING INFORMATION |  |  |  |
| Competition |  |  |  |
| Expenses | [K.S.A. 40-954](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0054.html) | The company must provide expense data to support and justify. This applies to all rate and loss cost filings. |  |
| Experience |  |  |  |
| Judgment |  |  |  |
| Credibility |  |  |  |
| Profit Loading | [K.S.A. 40-954](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0054.html) | Profit load must be reasonable. |  |
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| RETURN ON EQUITY/INVESTMENT INCOME | [K.A.R. 40-3-45](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-25.pdf) | This regulation requires that investment income be factored into the rates. |  |
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| RATE, RULE, RATING PLAN, CLASSIFICATION, AND TERRITORY FILING REQUIREMENTS |  |  |  |
|  |  |  |  |
| SUPPORTING DATA | [K.S.A. 40-954](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0054.html) | The insurance company must provide premium, loss and expense data. If losses or premiums are adjusted, the company must submit exhibits supporting the adjustments. This requirement applies to rates, loss cost multipliers, loss cost modification factors, changes to the classification plans, increased limit factors and territory revisions. |  |
|  |  |  |  |
| TRENDING |  |  |  |
|  |  |  |  |
| OTHER |  |  |  |