|  |  |  |  |
| --- | --- | --- | --- |
| LINE OF BUSINESS: | **Medical Malpractice****Claims Made and Occurrence** | LINE(S) OF INSURANCE | CODES |
|  |  | Claims Made | 11.1000 |
|  |  | Occurrence | 11.2000 |
| Code: | 11.0000 |  |  |
|  |  |  |  |
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| 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. |  |  |  |
|   |  |  |  |
| COVER LETTER AND EXPLANATORY MEMORANDUM |  |  |  |
|   |  |  |  |
| FILING SUBMISSION |  |  |  |
|   |  |  |  |
| 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) | Filings shall be effective on effective date unless disapproved within 30 days. All rates/rules and forms must be approved before use. (Prior Approval). |  |
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| FREE CONTRACT PROHIBITED |  |  |  |
|   |  |  |  |
| LIMITATIONS/RESTRICTIONS ON TRANSACTING BUSINESS  |  |  |  |
|   |  |  |  |
| LINE OF AUTHORITY | [K.S.A. 40-901](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0001.html) [K.S.A. 40-1102](https://www.ksrevisor.org/statutes/chapters/ch40/040_011_0002.html) | Insurers must have malpractice liability and usually general liability authority. |  |
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| NO FILE OR FILING EXEMPTIONS |  |  |  |
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| NAIC # |  |  |  |
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| SIDE BY SIDE COMPARISON |  |  |  |
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|  THIRD PARTY FILERS AUTHORITY |  |  |  |
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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(1)(a)](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. |  |
|   |  |  |  |
| APPLICATIONS | [K.A.R. 40-3-23](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-23.pdf)  | Requires that binder forms be filed. |  |
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| ASSESSIBLE POLICIES |  |  |  |
|   |  |  |  |
| BANKRUPTCY PROVISIONS |  |  |  |
|   |  |  |  |
| 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.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. |  |
| 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)K.S.A. 40-3402(a) | Written explanation and notice and establish the time limit notification to the policyholder.Notice must also be provided to the Board of Governors, state licensing agency, and insured. |  |
| 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)K.S.A. 40-3402(a) | Written explanation and notice.Notice must also be provided to the Board of Governors, state licensing agency, and insured. |  |
| Permissible Reasons for Cancellations | [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. |  |
| 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 |  |  |  |
| Required Policy Period |  |  |  |
|   |  |  |  |
| Suspension | [K.S.A. 40-3401(f)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0001.html) | It is not permissible to suspend coverage of any “health care provider” defined in K.S.A. 40-3401(f), unless called to active military duty. |  |
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| CERTIFICATIONS | [Bulletin 2010-2](https://insurance.ks.gov/department/LegalIssues/bulletins/2010-2.pdf)K.S.A. 40-955b | 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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| CLAIMS MADE | [K.S.A. 40-3402](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0002.html) | Professional Liability Coverage for Health Care Providers defined in K.S.A. 40-3401(f) must be claims-made unless they are in residency training pursuant to K.S.A. 40-3402(d) or a nonresident health care provider employed pursuant to a locum tenens contract to provide services pursuant to K.S.A. 40-3402(e) |  |
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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 scorning. |  |
| 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 |  |  |  |
| Prior Acts Coverage | [K.S.A. 40-3402(a)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0002.html) | Requires insurers to provide prior acts coverage to each health care provider retroactive to July 1, 1976 or the first date of their Kansas practice. |  |
| 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) [K.S.A. 40-3404(b)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0004.html) | 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.It is necessary to include in the policy declarations or a separate endorsement, the Health Care Stabilization Fund surcharge for each “health care provider”. |  |
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| DEFENSE WITHIN LIMITS | [K.S.A. 40-3402(a)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0002.html) | Defense costs must be in addition to the basic coverage limits. |  |
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| DISCLOSURES |  |  |  |
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| DEFINITIONS |  |  |  |
|   |  |  |  |
| DISCRIMINATION |  |  |  |
|   |  |  |  |
| DUTY TO DEFEND |  |  |  |
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| EMPLOYERS LIABILITY |  |  |  |
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| EXCESS COVERAGE | [K.S.A. 40-3403(c)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0003.html)  | Excess medical malpractice coverage is provided by the Health Care Stabilization Fund for defined health care providers |  |
|   |  |  |  |
| EXCLUSIONS & LIMITATIONS | [K.S.A. 40-3404(h)(n)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0004.html)[K.S.A. 40-3401(f)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0001.html)K.S.A. 3408(c)(d) and (e) | Authorizes permissible exclusions permitted in a “health care provider’s” professional liability policy.Includes acceptable exclusion regarding gap in a “health care provider’s” continuous coverage Includes acceptable exclusion regarding a “health care provider” cannot be vicariously liable for any other “health care provider’s” actions Any “health care provider” defined under this statute must be afforded professional liability coverage for their 24 hour practice and cannot limit coverage to specific procedures, work performed within scope of duty, location, etc. |  |
| Asbestos |  |  |  |
|   |  |  |  |
| 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 | [K.S.A. 40-3402(a)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0002.html)  | Requires insurer to provide prior acts coverage to each defined “health care provider” retroactive to July 1, 1976, or the first date of the “health care provider’s” Kansas practice. This applies to claims made and occurrence policies. Statute does not address whether prior act is “unknown” or “known”. |  |
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| GROUP POLICIES | [K.S.A. 40-955(m)](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055.html)(2) | Master and group policies are not allowed in P&C lines of coverage except as allowed in K.S.A. 40-955(m)(2). |  |
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|  LIMITS OF LIABILITY | [K.S.A. 40-3402(a)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0002.html) | Requires defined “health care providers” to have limits of $500,000 per claim/$1.5 million aggregate. Each defined “health care provider” must be afforded a limit of liability separate from any other “health care provider” or employee. Employees that are not “health care providers” may be insured under a shared limit of liability. |  |
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|  LOSS PAYEE |  |  |  |
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| LOSS SETTLEMENTS |  |  |  |
| 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 legal actions. |  |
| After Market Parts |  |  |  |
| Deductibles | [K.S.A. 40-3402](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0002.html) | Deductibles applicable to health care providers defined under K.S.A. 40-3401(f) must apply individually to each health care provider, must apply within the limit of liability and apply only to the indemnity payment. |  |
| Defense Costs | [K.S.A. 40-3402(a)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0002.html) | Defense costs must be in addition to the basic coverage limits for defined “health care providers”. |  |
| Loss Valuation |  |  |  |
| More Exclusions | [K.S.A. 40-3408(e)(1)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0008.html)[K.S.A. 40-3408(e)(2)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0008.html) | Exclusions for services rendered as a charitable health care provider and tort claims act. |  |
| NOTICE REQUIREMENTS | [K.S.A. 40-3402(a)(2)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0002.html) | This statute includes information on the Notice of Cancellation, Non-renewal or Other Termination Form.For the Notice of Basic Coverage Form, go the Health Care Stabilization Fund website at www.hcsf@ks.gov |  |
| 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. |  |
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| MEDICAL PAYMENTS |  |  |  |
|   |  |  |  |
| OTHER INSURANCE |  |  |  |
|   |  |  |  |
| 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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| PERSONAL INJURY PROTECTION |  |  |  |
|   |  |  |  |
| PREMIUM AUDIT |  |  |  |
|   |  |  |  |
| PRIMARY UNDERLYING COVERAGE |  |  |  |
|   |  |  |  |
| PUNITIVE DAMAGES | [K.S.A. 40-2,115](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0115.html) [K.S.A. 40-3403(h)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0003.html)  | Punitive or Exemplary Damages are prohibited except for insured being vicariously liable. Permits insurers to exclude coverage for the vicarious liability of one health care provider defined under K.S.A. 40-3401(f) for another health care provider. |  |
|   |  |  |  |
| READABILITY |  |  |  |
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| REBATES | [K.S.A. 40-966](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0066.html) |  |  |
|   |  |  |  |
| SUBROGATION |  |  |  |
| SUIT | [K.S.A. 60-511](https://www.ksrevisor.org/statutes/chapters/ch60/060_005_0011.html) | Establishes the timeframe for legal actions. |  |
|   |  |  |  |
| TIMELINESS |  |  |  |
|   |  |  |  |
| VICARIOUS LIABILITY | [K.S.A. 40-2,115](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0115.html) [K.S.A. 40-3403(h)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0003.html) | Punitive or Exemplary Damages are prohibited except for insured being vicariously liable. Permits insurers to exclude coverage for the vicarious liability of one health care provider defined under K.S.A. 40-3401(f) for another health care provider. |  |
|   |  |  |  |
| VOIDANCE | [K.S.A.](https://www.ksrevisor.org/statutes/chapters/ch40/040_002_0118.html) 40-2,120K.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 insured to make expressed or implied warranties of any fact or allegation in an application or policy. |  |
|   |  |  |  |
| WORKERS’ COMPENSATION EXCESS  |  |  |  |
|   |  |  |  |
| Territory | [K.S.A. 40-3401(f)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0001.html) | Professional liability policy must afford coverage for defined health care providers for services rendered within the United States of America and its territories or possessions. It cannot limit coverage to work performed in the scope of duty, location, etc. It must be 24-hour coverage. |  |
|  |  |  |  |
| RATE, RULE, RATING PLAN, CLASSIFICATION, AND TERRITORY FILING REQUIREMENTS |  |  |  |
|   |  |  |  |
| 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. |  |
|   |  |  |  |
| 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. |  |
|   |  |  |  |
| 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 and a link to applicable loss cost forms. |  |
|   |  |  |  |
| 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. |  |
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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) | These statutes pertain to the use of credit scorning. |  |
|   |  |  |  |
| CATASTROPHE HAZARDS |  |  |  |
|   |  |  |  |
| DEFENSE COSTS | [K.S.A. 40-3402(a)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0002.html) | Defense costs must be in addition to the basic coverage limits. |  |
|   |  |  |  |
| DISCOUNTS | [K.S.A. 40-953](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0053.html) [K.S.A. 40-954](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0054.html) | Discounts must be supported and justified with premium, loss or expense data and meet public policy concerns |  |
|   |  |  |  |
| EXPIRATION DATE(S) FOR APPROVED RATES |  |  |  |
|   |  |  |  |
| 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 |  |  |  |
|   |  |  |  |
| REVIEW REQUIREMENTS |  |  |  |
|  |  |  |  |
| 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. |  |
|   |  |  |  |
| LOSS COST MULTIPLIERS | [K.A.R. 40-3-47](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-47.pdf) | This regulation provides the procedures for the filing of loss cost multipliers and a link to the applicable loss cost forms. |  |
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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) [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. |  |
|   |  |  |  |
| PRICING |  |  |  |
| Minimum Premium Rules |  |  |  |
| Multi-tier | [K.S.A. 40-955](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0055.html) | 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 | [K.S.A. 40-3404(b)](https://www.ksrevisor.org/statutes/chapters/ch40/040_034_0004.html) | It is necessary to include in the policy declarations or a separate endorsement, the Health Care Stabilization Fund surcharge for each health care provider. |  |
| 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 |  |  |  |
| Expense Modification Plan | [K.A.R. 40-3-13](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-13.pdf) | Risk modification shall not be applied to duplicate factors already fully recognized in the otherwise applicable rate. |  |
| Experience Rating | [K.A.R. 40-3-13](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-13.pdf) | Risk modification shall not be applied to duplicate factors already fully recognized in the otherwise applicable rate. |  |
| 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 | [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. |  |
| Competition |  |  |  |
| Expenses |  |  |  |
| Experience |  |  |  |
| Judgment |  |  |  |
| Credibility and factors trending |  |  |  |
| Profit Loading | [K.S.A. 40-954](https://www.ksrevisor.org/statutes/chapters/ch40/040_009_0054.html) | Profit load must be reasonable. |  |
|   |  |  |  |
| RETURN ON EQUITY / INVESTMENT INCOME | [K.A.R. 40-3-45](https://insurance.ks.gov/documents/department/regulations-adopted/article-3/40-3-45.pdf) | This regulation requires that investment income be factored into the rates. |  |
|  |  |  |  |
| OTHER |  |  |  |
| Reference Filing |  |  |  |