

State of Kansas
Insurance Department
Notice of Public Hearing on Proposed Administrative Regulations
May 25, 2023

A public hearing will be conducted on Thursday, May 25, 2023, at 8:30 a.m. at the Kansas Insurance Department, 1300 SW Arrowhead Road, Topeka, Kansas, to consider the adoption of proposed rules and regulations of the Insurance Department on a permanent basis. Anyone desiring to participate via teleconference or virtual format should visit the Insurance Department's website <https://insurance.kansas.gov/legal-issues/> for information on registering.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Kansas Insurance Department, 1300 SW Arrowhead Road, Topeka, Kansas 66604 or by email to KID.publiccomment@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulations during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five (5) minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Bobbi Mariani at (785) 296-7802 or bobbi.mariani@ks.gov or the Kansas Relay Center at 1-800-766-3777. The west entrance to the Insurance Department is accessible. Handicapped parking is located on the west side of the Insurance Department.

Summaries of the proposed regulations and their economic impact follow. (Note: Statements indicating that a regulation is "not anticipated to have any economic impact" are intended to indicate that no economic impact on the Insurance Department, other state agencies, state employees, or the general public has been identified.)

Copies of the proposed regulations and the Economic Impact Statements for the proposed regulations can be viewed at the following website: <https://insurance.kansas.gov/legal-issues/>

K.A.R. 40-1-53 – Suitability in annuity transactions. This is a new regulation adopting the Kansas Insurance Department's Policy and Procedure Regarding Suitability in Annuity Transactions, dated January 29, 2022. The policy and procedure is based upon model language from the National Association of Insurance Commissioners' ("NAIC") model regulation #275. The regulation will replace existing K.A.R. 40-2-14a. This regulation will have no anticipated economic impact.

K.A.R. 40-2-31 – Minimum requirements for viaticating a policy. This is a new regulation that establishes minimum percentage requirements for payments to an insured when they sell a policy to a viatical settlement provider. The Insurance Department does not anticipate any significant

economic impact to this agency, other governmental agencies, or to the public as a result of the implementation of this regulation.