



Kansas Department of Insurance

Commissioner Vicki Schmidt

Policy and Procedure for Obtaining Copies of or Access to Public Records Pursuant to the Kansas Open Records Act (KORA) K.S.A. 45-215 *et seq.*

OFFICE HOURS: 8 A.M. TO 5 P.M., Monday – Friday, except official state holidays. Requests received after 5:00 p.m. may not be logged in and processed until the next business day.

DESIGNATED OPEN RECORDS CUSTODIAN: Steven A. Karrer, General Counsel

GENERAL INFORMATION:

The Kansas Open Records Act (“KORA”) grants you the right to inspect and obtain copies of public records created or maintained by public agencies in Kansas and that are not exempt from disclosure. K.S.A. 45-215 *et seq.*

WRITTEN REQUESTS:

Requests are required to be in writing. The Department prefers requestors use the form available on the Kansas Insurance Department website*:

<https://insurance.ks.gov/department/recordRequest/open-rec/recordRequest.php>

Requests for records not yet in existence or documents to be created prospectively cannot be honored.

RESPONSE TIME:

The Department will act upon requests as soon as possible, with some type of response being made no later than the third business day following the receipt of the request. Receipt of the request cannot be assured in a timely manner if methods other than those specified by this policy are used to submit a request. If it appears that additional time will be needed, if fees will be assessed, or if some of the records may be closed by law, a written response will be provided as soon as the records have been located and reviewed.

FEES:

Requests that can be fulfilled with less than one hour of staff time, and less than 100 pages delivered electronically, will be provided at no charge. For requests exceeding those limits, the following rates shall apply:

- **Staff Time** will be charged for each person(s) whose time is used to assist and/or respond to a specific request. For most requests, time will be charged in quarter hour increments as follows:
 - Clerical time will be charged at \$30 per hour
 - Administrator, Director, or Attorney time will be charged at \$50 per hour
- **If the Department is unable to fulfill your request electronically, additional fees**, including any other costs incurred by the agency in connection with complying with a record request may be assessed to the requestor. Such fees may include:
 - **Copies** charged at 25¢ per page for paper copies;
 - **Mailing** charged at 50¢ for ten pages or fewer, and \$1, or actual cost, whichever is greater, for documents exceeding ten pages.

The Department will provide an estimate of the fees before gathering or processing the records. For estimates exceeding \$100 dollars, payment of all fees in full is required before providing the records.

While we do our best to provide an accurate estimate of the fee, it is possible that the estimate will be too low or too high. In the case of an overpayment, any additional amounts will be refunded, and if we discover that the estimated fee is too low, we will promptly advise the requestor any correction to the fee.

Payment may be made by credit card or electronic transfer. Contact the Comptroller's Division at 785-291-3800 for instructions.

DELAYED AND/OR DENIED REQUESTS:

All efforts will be made to process your request for public records as soon as it is received; however, some requests may be delayed or denied if:

- More information is needed in order to retrieve the records;
- Legal issues must be addressed before the records are released;
- The requested records are archived or stored off site;
- The amount of information requested is large and will take time to duplicate.
- The information is exempt from disclosure. A detailed list of exemptions to the Kansas Open Records Act can be found in K.S.A. 45-221(a).

If your request for public records is delayed or denied, you will receive notification explaining the reasons for the delay or denial.

***If you are not able to provide your written request via the convenient online form, you may submit a written request to:**

Steven A. Karrer, General Counsel
Open Records Custodian
Kansas Insurance Department
1300 SW Arrowhead Road Topeka, KS 66604
KDOI.legal@ks.gov

Please be as specific as possible in describing the records you want and the time period your request covers. You should also provide a certification indicating:

I certify that in accordance with K.S.A. 45-220, I do not intend to, and will not: (A) Use any list of names or addresses contained in or derived from the records or information for the purpose of selling or offering for sale any property or service to any person listed or to any person who resides at any address listed; or (B) sell, give or otherwise make available to any person any list of names or addresses contained in or derived from the records or information for the purpose of allowing that person to sell or offer for sale any property or service to any person listed or to any person who resides at any address listed.

Please include:

Name of Requestor

Address of Requestor

A phone number or email address where the requestor can be contacted