

**Kansas Administrative Regulations
Agency 40. Insurance Department
Article 1. General**

40-1-31 Insurance policies; prohibiting certain discriminations.

An insurance policy, plan or binder, or a rider or endorsement thereto, shall not be delivered or issued for delivery in this state if the amount of benefits payable, or a term, condition, or type of coverage is or may be restricted, modified, excluded, or reduced on the basis of the sex or marital status of the insured or prospective insured. This requirement shall not apply when the amount of benefits, terms, conditions, or type of coverage vary as a result of the application of rate differentials permitted under chapter 40, Kansas statutes annotated, or as a result of negotiations between the insurer and insured. Nothing in this regulation shall prohibit an insurer from taking marital status into account for the purpose of defining persons eligible for dependents benefits.

(Authorized by K.S.A. 40-103, 40-2404a; implementing K.S.A. 40-2404(7); effective Feb. 15, 1977; amended May 1, 1986.)