

**Kansas Administrative Regulations**  
**Agency 40. Insurance Department**  
**Article 4. Accident and Health Insurance**

**40-4-35a Medicare supplement policies; medicare catastrophic coverage repeal act of 1989; transitional requirements.**

Sections 3, 4, 5, 6, 7, 8, 9, 10 and appendix A of the national association of insurance commissioner's model regulation to implement transitional requirements for the conversion of medicare supplement insurance benefits and premiums to conform to repeal of medicare catastrophic coverage act, December 1989 edition, are hereby adopted by reference, subject to the following additions or exceptions:

(a) Section 5C.(2) is hereby amended to read as follows: "(2) Coverage for all of the medicare part A inpatient hospital deductible amount."

(b) Section 5D.(1) is hereby amended to read as follows: "(1) No later than January 31, 1990, every insurer, health care service plan or other entity providing medicare supplement insurance or benefits to a resident of this state shall notify its policyholders, contract holders and certificate holders of modifications it has made to medicare supplement insurance policies or contracts. Such notice shall be in the format adopted by the NAIC as appendix A."

(c) Section 5D.(1)(b) is hereby amended to read as follows: "(b) The notice shall inform each covered person as to when any premium adjustment resulting from changes in medicare benefits will be effective."

(d) Section 6C. is hereby amended to read as follows: "C. Any premium adjustments shall produce an expected loss ratio under such policy or contract necessary to conform with minimum loss ratio standards for medicare supplement policies and shall result in an expected loss ratio at least as great as that originally anticipated by the insurer, health care service plan or other entity for such medicare supplement insurance policies or contracts."

(e) The provisions entitled "accelerated policy adjustment procedures " included in the drafting note which follows section 6C. are not adopted.

(Authorized by K.S.A. 40-103; implementing K.S.A. 40-2221; effective, T-40-12-16-88, Dec. 16, 1988; effective May 15, 1989; amended April 16, 1990.)