

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

40-4-37g Long-term care insurance; benefit standards; definitions; explanations.

(a) A long-term care insurance policy that provides for the payment of benefits based on standards described as "usual and customary," "reasonable and customary" or words of similar import shall include a definition and an explanation of these terms in its accompanying outline of coverage.

(b) Definitions or provisions of the words "accident," "accidental injury," or "accidental means" shall not:

(1) Include words which establish an accidental means test or use words such as "external, violent, visible wounds" or similar words of description or characterization;

(2) be more restrictive than the following: "Injury or injuries for which benefits are provided means accidental bodily injury sustained by the insured person which is the direct result of an accident, independent of disease or bodily infirmity or any other cause, and occurs while insurance coverage is in force."

(3) Such definitions may provide that injuries shall not include injuries for which benefits are provided under workers' compensation, employer's liability or any similar law.

(Authorized by K.S.A. 40-103, K.S.A. 1991 Supp. 40-2228; implementing K.S.A. 1991 Supp. 40-2228; effective Jan. 4, 1993.)