

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

40-4-39 Accident and sickness insurance; specified disease policies; replacement; credit for waiting periods and other time sensitive limitations.

(a) This regulation shall apply to individual specified disease policies as defined in K.A.R. 40-4-32 issued by any insurance company, health maintenance organization, or non-profit hospital and medical service corporation.

(b) Whenever a specified disease policy issued or issued for delivery in this state replaces or is in addition to an existing specified disease policy, the issuing entity shall give credit for the expired portion of any waiting period, elimination period, probationary period or any similar provision.

(c) The credit required by section (b) shall not exceed that earned by the insured under the replaced or previously existing policy and need not be used to place the insured in a more favorable position than would have been the case had a replacement or additional policy not been issued.

(Authorized by K.S.A. 40-103 and 40-2404a; implementing K.S.A. 1988 Supp. 40-2404, as amended by L. 1989, Ch. 139, Sec. 1; effective April 16, 1990.)