

**KANSAS INSURANCE DEPARTMENT COMPLIANCE REFERENCE FOR**  
**GROUP ACCIDENT & HEALTH COVERAGES**

Recognizing the complexity of insurance law, the Kansas Insurance Department has compiled the following listing of statutory cites and regulations to provide guidance to health insurance entities in determining if their group health forms are in compliance with Kansas State insurance laws and regulations.

**THIS LISTING HIGHLIGHTS THE MAJOR LEGAL REQUIREMENTS, BUT IT IS NOT INCLUSIVE OF ALL LAWS RELEVANT TO GROUP HEALTH INSURANCE CONTRACTS. IT IS THE CARRIER'S RESPONSIBILITY TO STAY INFORMED OF CHANGES TO KANSAS INSURANCE LAWS AND REGULATIONS.**

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<i>- MAJOR LEGAL REQUIREMENTS</i>		<i>- STANDARD PROVISIONS -</i> <i>K.S.A. 40-2209(g)(3) &amp;</i>	
Open enrollment	K.S.A. 40-2209a	Notice of claim	K.S.A. 40-2203(A)(5)
Waiting Period	K.S.A. 40-2209a(4)(A)&(G)	Proofs of loss	K.S.A. 40-2203(A)(7)
Late enrollee	K.S.A. 40-2209d(o)	Claim forms	K.S.A. 40-2203(A)(6)
Pregnancy (no pre-ex allowed)	K.S.A. 40-2209(a)(6)	Physical exam and autopsy	K.S.A. 40-2203(A)(10)
Continuation & Conversion	K.S.A. 40-2209(i)	Payment of claims	K.S.A. 40-2203(A)(8)
Subrogation (not allowed)	K.A.R. 40-1-20	Legal actions (5 years)	K.S.A. 40-2203(A)(11)
Arbitration (not allowed)	K.S.A. 5-401	Entire Contact; Changes	K.S.A. 40-2203(A)(1)
*Workers compensation	K.S.A. 40-2215(f)(2)	<i>- MANDATES -</i>	
Extension of hospital stay	K.S.A. 40-2254	Diabetes coverage	K.S.A. 40-2,163
Usual Customary & Reasonable charges	K.S.A. 40-2202a(8)	Cancer Rx (if Rx offered)	K.S.A. 40-2,167 & 40-2,168
Prohibitive eligibility requirements	K.S.A. 40-2209(e)	Prostate coverage	K.S.A. 40-2,164
Pre ex condition definition – LG Grp.	K.S.A. 40-2209(a)(4)(A)	Anesthesia coverage	K.S.A. 40-2,165
Pre ex condition definition - SM Grp	K.S.A. 40-2209(f)(a)	Mastectomy coverage	K.S.A. 40-2,166
Coordination of benefits (definition of Plan)	K.A.R. 40-4-34	Oral Cancer Medicine	K.S.A. 40-2,184
Spinal Manipulation (minimum benefit level)	K.S.A. 40-2,100	Newborn infant and adopted child	K.S.A. 40-2,102
Medicaid eligibility	K.S.A. 40-2,154	Osteoporosis Screening	K.S.A. 40-2,166a
	K.S.A. 40-2209(k)(1) & K.S.A. 40-2203(H)(1)	Clinical Trials	K.A.R. 40-4-43
Application of KS Insurance laws to out of state contracts	K.S.A. 40-216, K.S.A. 40-2215(b) & K.S.A. 40-2,103	Childhood immunizations	K.S.A. 40-2,102
Prohibition of abortion coverage, Exceptions	K.S.A. 40-2,190	Nervous & Mental Parity – Lg. Grp	K.S.A. 40-2258
*may only include persons who elect to participate, and those required to participate.		Nervous and Mental / Substance Abuse	K.S.A. 40-2,105
<i>- PROVIDER MANDATES -</i>		Psychotherapeutic drugs	K.S.A. 40-2,105b
K.S.A. 40-2,100	reimbursement for services by an optometrists, dentist, and podiatrist	OB/GYN (HMO) self-referral	K.S.A. 40-4609
K.S.A. 40-2,101	coverage for services performed by any practitioner licensed under the healing arts act of this state.	Autism Spectrum Disorders	K.S.A. 40-2,194
K.S.A. 40-2,104	Coverage for services performed by licensed psychologist	Mammogram & Pap smear	40-2229 & 40-2230
K.S.A. 40-2,114	Coverage for services performed by licensed specialist social workers		
K.S.A. 40-2250	service within the lawful scope of practice of an Advanced Registered Nurse Practitioner		

