

**INSURANCE DEPARTMENT
STATE OF KANSAS**

**GENERAL INSTRUCTIONS – 2009 ANNUAL STATEMENT
AND RELATED TAX MATERIAL**

Any questions relative to P&C Company filings, please contact David Isaacs at 785-296-3428
Any questions relative to Life Company filings, please contact Diane Haverkamp at 785-296-7855.

This year's premium, fire marshal, firefighters relief and retaliatory tax forms shall be completed online and electronically submitted through the Kansas Insurance Department Company Desktop website. You will need to acquire a login to Company Desktop with "filing" rights enabled from your company administrator to access the online form. If you have a Company Desktop ID and password and need to have filing or other rights enabled, your administrator's name and contact information is shown in the left column of Company Desktop. If you do not have an ID and do not know who your company administrator is, go to <https://login.ksinsurance.org/kid/> and click on "How do I get a Company ID and password".

We will accept as on-time filings electronically submitted on or before March 1, 2010. Your online tax packet contains a checklist of documents to be uploaded or mailed to the department. Until you check that you have uploaded or are mailing documents that are required by the content of your tax forms, online submission will not be possible. Please make certain that all required forms are completed, uploaded or mailed to this department. PLEASE NOTE THE SPECIAL INSTRUCTIONS CONTAINED ON EACH FORM RELATIVE TO ITS PROPER COMPLETION.

TAX YEAR 2009 CHANGES:

There are few substantive changes in this year's forms. One more document that we previously required you upload or send by postal mail has been eliminated. Companies taking the Kansas Insurance Guaranty Association credit are no longer required to submit certificates. We have that data available electronically.

As in prior years, you can pay additional money owed online and upload any other required documentation. We require electronic submission of the tax form itself, and we encourage you to make your 2009 submission entirely electronic.

Companies that receive any health insurance premiums are required to submit an expanded Form 100. Data requested breaks out the traditional Form 100 data requested into a number of categories. It also requests by category data regarding other health premiums received. Section I totals of the expanded Form 100 will continue to be used to determine Kansas Health Insurance Association and Kansas Health Insurance Information System assessments. The detail requested in Section I and data requested in Section II will be used to help respond to questions the department is receiving related to health premiums and the impact of proposed legislation.

Other changes for 2009 are merely cosmetic.

INSTRUCTIONS

TAX REMITTANCE STATEMENT: The total tax, fee and retaliatory amount due as reported on Line 22 of the Estimated/Actual Tax, Fee and Retaliatory Adjustment Form will be carried forward to the proper space on the Tax Remittance Statement. If money is due, an electronic check or credit card payment must be completed as part of your electronic submission, or a paper check must be issued for the total amount owed. You must select your payment option on the Tax Remittance Statement. Paper checks must be made payable to the Commissioner of Insurance, State of Kansas. Please enclose a copy of your Tax Remittance Statement with your paper check to ensure that it is credited to the proper accounts. If paying by paper check, your single check for all taxes, fees and retaliatory amounts due must be postmarked on or before March 1, 2010.

UPLOAD DOCUMENTATION: Anywhere documentation is called for in the tax form just click the upload link and attach the file electronically. You will be asked to associate the file with a particular form or schedule and provide a description. You cannot delete a file once uploaded, but you can upload an amended copy of the document. Please be mindful of file

size when uploading. While we can accept files up to 15 MB, even voluminous reports can be reduced to significantly less than this. Large files may take a very long time to upload. File types allowed for upload are pdf, jpg, png, gif, bmp, tif, doc, rtf, xls, csv and txt.

CREDIT CARD PAYMENT AVAILABLE: In addition to making e-check payments online, for smaller sums (less than \$10,000) credit card payments will be accepted. Convenience fees added by our state payment service provider apply to all online payments; however the department pays the first \$3 of all such convenience fees. Since the convenience fee for all e-checks is \$3, no matter what the amount, this means companies never pay an additional fee for using e-checks. Credit card fees begin to be added to company payments that are \$100 or more and range from an additional \$3 for amounts from \$100 to \$199.99, up to an additional \$248 for amounts from \$9,900 to \$9,999.99. To make online payments, a Company Desktop user must have payment rights enabled by their Company Administrator.

INCLUDE TAX FILE NOTES: Company Desktop users have the ability to attach notes and explanations to their tax forms. Simply click the Create/View Notes. You will be able to view notes already added and add new ones. Company and department users can also use this feature to exchange information on files that have been reopened for amendment.

VIEW MULTIPLE TAX FILE VERSIONS, MULTIPLE YEARS: The Company user can view all versions of the tax file submitted where the file has been amended or an auditor's version has been created. This same feature allows the viewing of prior year tax files. The department will maintain three prior years' filings online, including the ability to make online amendments. Contact the department to have a previously submitted tax filing reopened for amendment.

RETALIATORY DATA PREPOPULATED: On the retaliatory form, the Kansas basis for most fees are pre-populated from department records on your tax filing itself. This includes resident and non-resident agent and agency appointment fees paid for the year. The numbers of appointments and renewals included in each category are being provided for the company's information. This form also is being made available for domestic companies to view, even though they don't file it. Please note that many of these fields cannot be pre-populated until mid-January, after end-of-year appointment transactions have been processed and other December invoices have been issued. We will post a notice on the Company Desktop home page when these numbers have been posted. We expect companies to list ALL taxes, fees, charges, etc., that are a proper subject of retaliation. List these in Column 3 of the Retaliatory Summary Sheet, which is entitled "Company's Home State Basis For Kansas Companies." Please note that the only items that may be included under Column 2 of this form are for those taxes and fees shown on Lines 1 through 12 of Column 1.

TWO RELATED FORMS INCLUDED IN TAX WIZARD: Kansas Form 100, on which companies report health premiums, and Kansas Supplement to Annual Statement Exhibit of Premiums and Losses (Statutory Page 14 Data), completed by all property and casualty companies, are included with the tax forms and are available through the tax wizard, where they may be applicable. On Form 100, all companies must respond once in the wizard as to whether they have health premiums to report. Please read the form and its explanations carefully for what must be reported. If you answer is no to whether your company received health premiums, the wizard will stop displaying the form. If you answer yes, however, you will not be allowed to submit the tax form until a dollar amounts totaling other than \$0 are entered. Once a property and casualty company completes the Exhibit of Premiums and Losses Supplemental form and checks a box signifying completion (even if it might have no data to report on many if not all of the lines), it too will then be hidden in the wizard, so as to not break up the flow of the other tax documents. Both forms always will be available to applicable companies as a direct link from the Tax Form Home page.

Property and Casualty Companies Specific Instructions:

Please complete online our Supplement to the Annual Statement Exhibit of Premiums and Losses (Statutory Page 14 Data).

FIRE MARSHAL TAX STATEMENT: Please note that the Fire Marshal Tax rate is 1.25%.

FIREFIGHTERS RELIEF FUND TAX STATEMENT: Please note that the Firefighters Relief Fund Tax rate is 2.00%.

SPECIAL NOTE TO COMPANIES WRITING MULTIPLE-PERIL CROP INSURANCE: Due to a Federal court decision, Kansas does not assess or collect Premium Taxes, Fire Marshal Taxes, Firefighters Relief Fund Taxes or any retaliatory amounts due on Multiple Peril Crop Insurance (MPCI) premiums. DO NOT include the premium reported on line 2.4 of the

Supplement to Exhibit of Premiums and Losses on your Premium Tax Statement, Fire Marshal Tax Statement, Firefighters Relief Fund Tax Statement or Retaliatory Summary Sheet.

INSURANCE COMPANIES DOMICILED IN CALIFORNIA: Pursuant to [K.S.A. 40-253](#), it will be necessary to provide the Kansas Insurance Department with a schedule of Workers' Compensation losses for Kansas business similar to the "Special California Schedule P for Unpaid Workers' Compensation Losses." The purpose of the schedule is to provide the basis for your bond or deposit requirements in Kansas resulting from Kansas Workers' Compensation Losses. For simplicity, please utilize the same schedule as is required to be filed in California; however, it will be necessary to utilize Kansas business data in lieu of California business. This schedule should accompany the other tax and fee materials submitted in conjunction with your annual statement. If the "Computation of Bond or Deposit Requirement" shown on the reverse side of the "Special California Schedule P for Unpaid Workers' Compensation Losses" indicates that additional bond or deposit is required, an appropriate increase in your Kansas bond or deposit should be initiated. **NOTE: SPECIAL CALIFORNIA SCHEDULE P MUST BE FILED WITH THE KANSAS INSURANCE DEPARTMENT ON OR BEFORE MARCH 1 OF EACH YEAR.**

SPECIAL NOTE FOR ALIEN FIRE AND CASUALTY INSURERS: Alien Fire and Casualty insurers should take note of the special requirements set forth in [K.S.A. 40-210](#).

Send any supporting documents you did not upload, any paper checks, and a copy of your Tax Remittance Statement, if required, to:

Life Division or P&C Division (whichever is appropriate), Kansas Insurance Department, 420 SW 9th Street, Topeka, KS 66612-1678.

FURTHER INSTRUCTIONS

OTHER ANNUAL FILING FORMS: Other annual filing forms can be downloaded from Company Desktop (Other Filings Tab), completed and filed by uploading them.

ONLINE COMPANY CONTACT UPDATES: Companies are required to submit online any changes to their address and contact information, using the Maintain Company Addresses link under the Company Desktop Company Contacts tab. Users must have rights assigned by their Company Administrator to update each of the seven categories of addresses and contacts maintained by the department. The department requires information under all seven categories be kept current. Users may be assigned the rights to update any one or all of these. Among the fields that can be updated under the Statutory Address are company president and secretary. Statutory city and state cannot be updated, as these can only be changed by amending your current certificate of authority through the UCAA process.

CONSUMER CREDIT COMPANIES: Each company doing consumer credit Insurance business in this state is reminded to conduct a reasonable annual review of its credit insurance operations as required by [K.A.R. 40-5-110](#).

CERTIFICATES OF AUTHORITY: In accordance with [K.S.A. 40-215](#), Certificates of Authority for life insurance companies, fraternal benefit societies, nonprofit service corporations and health maintenance organizations continue in force until suspended, revoked, or otherwise terminated by the Commissioner of Insurance. New certificates will not be issued annually.

In accordance with [K.S.A. 40-5003\(c\)](#), any license for a viatical company shall expire on the anniversary of its date of issuance unless the licensee pays the renewal fee

Other Notices for All Companies:

UNCLAIMED PROPERTY LAW: Insurance Companies should be aware of the following unclaimed property laws. [K.S.A. 58-3950\(i\)](#), [K.S.A. 58-3950\(k\)](#), [K.S.A. 58-3963\(b\)](#). For more information contact the State Treasurer, Landon State Office Building, 900 S.W. Jackson, Topeka, Kansas 66612-1235. Also you can go to web site: <http://kansasstatetreasurer.com>.

COMPANIES ARE NOT REQUIRED TO MAIL TO THE DEPARTMENT A COMPLAINT REGISTER OR CLOSED CLAIM SUMMARY: The Kansas Insurance Department has repealed K.A.R. 40-1-35. Companies must still maintain a complaint register which will be available to the Commissioner upon request. See [K.S.A. 40-2404\(10\)](#).