

Kansas Administrative Regulations

Kansas Human Rights Commission

Article 70.—Nondiscrimination on the Basis of Disability by Public Accommodations

21-70-48. Health insurance, life insurance and other benefit plans.

(a) Any insurer, hospital, medical service company, health maintenance organization, or any similar entity or agent of an entity that administers benefit plans may underwrite risks, classify risks, or administer risks in a manner based on or not inconsistent with state law.

(b) Any person or organization covered by the act may establish or administer the terms of a bona fide benefit plan that are based on underwriting risks, classifying risks, or administering such risks in a manner based on or not inconsistent with state law.

(c) Any person or organization covered by the act may establish, sponsor, observe, or administer the terms of a bona fide benefit plan that is not subject to state laws that regulate insurance.

(d) The activities described in subsections paragraphs (a), (b), and (c) shall be permitted unless these activities are a subterfuge to evade the purposes of the act.

(e) A public accommodation shall not refuse to serve an individual with a disability because its insurance company conditions coverage or rates on the absence of individuals with disabilities.

(Authorized by K.S.A. 44-1004; implementing K.S.A. 44-1009; effective Dec. 19, 1994.)

***** Authenticated Kansas Administrative Regulation *****