

Kansas Administrative Regulations

Kansas Human Rights Commission

Article 34.—Discrimination Because of Disability

21-34-21. Health insurance, life insurance, and other benefit plans.

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

(b) A covered entity may establish, sponsor, observe or administer the terms of a bona fide benefit plan that are based on underwriting risks, classifying risks, or administering such risks that are based on or not inconsistent with state law.

(c) A covered entity 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 paragraphs (a), (b), and (c) are permitted unless these activities are a subterfuge to evade the purposes of this act.

(Authorized by K.S.A. 44-1004; implementing K.S.A. 44-1009, as amended by L. 1991, Chapter 147, Section 6; effective, T-21-3-27-92, March 27, 1992; effective April 27, 1992.)

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