

HOUSE BILL No. 2241

By Committee on Insurance

2-5

1 AN ACT concerning insurance; relating to property and casualty
2 insurance; pertaining to the unfair trade practice law; prohibiting the
3 cancellation or nonrenewal of policies due to claims arising from
4 natural causes; amending K.S.A. 40-2,122 and K.S.A. 2014 Supp. 40-
5 2404 and repealing the existing sections.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 40-2,122 is hereby amended to read as follows: 40-
9 2,122. (a) Any insurance company doing business in this state shall
10 provide to an insured a written explanation specifically detailing the
11 reasons why such company canceled or denied renewal of an existing
12 policy of insurance. There shall be no liability on the part of and no cause
13 of action of any nature shall arise against any insurer, its authorized
14 representative, its agents, its employees, or any firm, person or corporation
15 furnishing to the insurer information as to reasons for cancellation or
16 denial of renewal of an existing policy of insurance, for any statement
17 made by any of them in any written notice of cancellation or denial of
18 renewal of an existing policy of insurance, for the providing of
19 information pertaining thereto, or for statements made or evidence
20 submitted at any hearings conducted in connection therewith, if such
21 information was provided in good faith and without malice.

22 (b) (1) *An insurance company shall not cancel or deny renewal of*
23 *any property and casualty insurance policy issued or renewed in this state*
24 *on or after July 1, 2015, based solely on claims arising from natural*
25 *causes.*

26 (2) *"Natural cause" means an act occasioned exclusively by the*
27 *violence of nature where all human agency is excluded from creating or*
28 *entering into the cause of the damage or injury.*

29 (3) *Any insurer which violates the provisions of this subsection shall*
30 *be deemed to have violated the unfair trade practice law.*

31 (c) *Nothing in this section shall prohibit an insurance company from*
32 *canceling or denying renewal of a property and casualty insurance policy*
33 *in the event of a claim arising from natural causes if there are additional*
34 *substantial reasons for such action such as concealment,*
35 *misrepresentation or fraud by the insured relating to such property and*
36 *casualty policy, whether before or after any claim.*

1 Sec. 2. K.S.A. 2014 Supp. 40-2404 is hereby amended to read as
2 follows: 40-2404. The following are hereby defined as unfair methods of
3 competition and unfair or deceptive acts or practices in the business of
4 insurance:

5 (1) *Misrepresentations and false advertising of insurance policies.*
6 Making, issuing, circulating or causing to be made, issued or circulated,
7 any estimate, illustration, circular, statement, sales presentation, omission
8 or comparison which:

9 (a) Misrepresents the benefits, advantages, conditions or terms of any
10 insurance policy;

11 (b) misrepresents the dividends or share of the surplus to be received
12 on any insurance policy;

13 (c) makes any false or misleading statements as to the dividends or
14 share of surplus previously paid on any insurance policy;

15 (d) is misleading or is a misrepresentation as to the financial
16 condition of any person, or as to the legal reserve system upon which any
17 life insurer operates;

18 (e) uses any name or title of any insurance policy or class of
19 insurance policies misrepresenting the true nature thereof;

20 (f) is a misrepresentation for the purpose of inducing or tending to
21 induce the lapse, forfeiture, exchange, conversion or surrender of any
22 insurance policy;

23 (g) is a misrepresentation for the purpose of effecting a pledge or
24 assignment of or effecting a loan against any insurance policy; or

25 (h) misrepresents any insurance policy as being shares of stock.

26 (2) *False information and advertising generally.* Making, publishing,
27 disseminating, circulating or placing before the public, or causing, directly
28 or indirectly, to be made, published, disseminated, circulated or placed
29 before the public, in a newspaper, magazine or other publication, or in the
30 form of a notice, circular, pamphlet, letter or poster, or over any radio or
31 television station, or in any other way, an advertisement, announcement or
32 statement containing any assertion, misrepresentation or statement with
33 respect to the business of insurance or with respect to any person in the
34 conduct of such person's insurance business, which is untrue, deceptive or
35 misleading.

36 (3) *Defamation.* Making, publishing, disseminating or circulating,
37 directly or indirectly, or aiding, abetting or encouraging the making,
38 publishing, disseminating or circulating of any oral or written statement or
39 any pamphlet, circular, article or literature which is false, or maliciously
40 critical of or derogatory to the financial condition of any person, and
41 which is calculated to injure such person.

42 (4) *Boycott, coercion and intimidation.* Entering into any agreement
43 to commit, or by any concerted action committing, any act of boycott,

1 coercion or intimidation resulting in or tending to result in unreasonable
2 restraint of the business of insurance, or by any act of boycott, coercion or
3 intimidation monopolizing or attempting to monopolize any part of the
4 business of insurance.

5 (5) *False statements and entries.* (a) Knowingly filing with any
6 supervisory or other public official, or knowingly making, publishing,
7 disseminating, circulating or delivering to any person, or placing before
8 the public, or knowingly causing directly or indirectly, to be made,
9 published, disseminated, circulated, delivered to any person, or placed
10 before the public, any false material statement of fact as to the financial
11 condition of a person.

12 (b) Knowingly making any false entry of a material fact in any book,
13 report or statement of any person or knowingly omitting to make a true
14 entry of any material fact pertaining to the business of such person in any
15 book, report or statement of such person.

16 (6) *Stock operations and advisory board contracts.* Issuing or
17 delivering or permitting agents, officers or employees to issue or deliver,
18 agency company stock or other capital stock, or benefit certificates or
19 shares in any common-law corporation, or securities or any special or
20 advisory board contracts or other contracts of any kind promising returns
21 and profits as an inducement to insurance. Nothing herein shall prohibit
22 the acts permitted by K.S.A. 40-232, and amendments thereto.

23 (7) *Unfair discrimination.* (a) Making or permitting any unfair
24 discrimination between individuals of the same class and equal expectation
25 of life in the rates charged for any contract of life insurance or life annuity
26 or in the dividends or other benefits payable thereon, or in any other of the
27 terms and conditions of such contract.

28 (b) Making or permitting any unfair discrimination between
29 individuals of the same class and of essentially the same hazard in the
30 amount of premium, policy fees or rates charged for any policy or contract
31 of accident or health insurance or in the benefits payable thereunder, or in
32 any of the terms or conditions of such contract, or in any other manner
33 whatever.

34 (c) Refusing to insure, or refusing to continue to insure, or limiting
35 the amount, extent or kind of coverage available to an individual, or
36 charging an individual a different rate for the same coverage solely
37 because of blindness or partial blindness. With respect to all other
38 conditions, including the underlying cause of the blindness or partial
39 blindness, persons who are blind or partially blind shall be subject to the
40 same standards of sound actuarial principles or actual or reasonably
41 anticipated experience as are sighted persons. Refusal to insure includes
42 denial by an insurer of disability insurance coverage on the grounds that
43 the policy defines "disability" as being presumed in the event that the

1 insured loses such person's eyesight. However, an insurer may exclude
2 from coverage disabilities consisting solely of blindness or partial
3 blindness when such condition existed at the time the policy was issued.

4 (d) Refusing to insure, or refusing to continue to insure, or limiting
5 the amount, extent or kind of coverage available for accident and health
6 and life insurance to an applicant who is the proposed insured or charge a
7 different rate for the same coverage or excluding or limiting coverage for
8 losses or denying a claim incurred by an insured as a result of abuse based
9 on the fact that the applicant who is the proposed insured is, has been, or
10 may be the subject of domestic abuse, except as provided in subpart (v).
11 "Abuse" as used in this subsection (7)(d) means one or more acts defined
12 in ~~subsection (a) or (b)~~ of K.S.A. 60-3102(a) or (b), and amendments
13 thereto, between family members, current or former household members,
14 or current or former intimate partners.

15 (i) An insurer may not ask an applicant for life or accident and health
16 insurance who is the proposed insured if the individual is, has been or may
17 be the subject of domestic abuse or seeks, has sought or had reason to seek
18 medical or psychological treatment or counseling specifically for abuse,
19 protection from abuse or shelter from abuse.

20 (ii) Nothing in this section shall be construed to prohibit a person
21 from declining to issue an insurance policy insuring the life of an
22 individual who is, has been or has the potential to be the subject of abuse if
23 the perpetrator of the abuse is the applicant or would be the owner of the
24 insurance policy.

25 (iii) No insurer that issues a life or accident and health policy to an
26 individual who is, has been or may be the subject of domestic abuse shall
27 be subject to civil or criminal liability for the death or any injuries suffered
28 by that individual as a result of domestic abuse.

29 (iv) No person shall refuse to insure, refuse to continue to insure,
30 limit the amount, extent or kind of coverage available to an individual or
31 charge a different rate for the same coverage solely because of physical or
32 mental condition, except where the refusal, limitation or rate differential is
33 based on sound actuarial principles.

34 (v) Nothing in this section shall be construed to prohibit a person
35 from underwriting or rating a risk on the basis of a preexisting physical or
36 mental condition, even if such condition has been caused by abuse,
37 provided that:

38 (A) The person routinely underwrites or rates such condition in the
39 same manner with respect to an insured or an applicant who is not a victim
40 of abuse;

41 (B) the fact that an individual is, has been or may be the subject of
42 abuse may not be considered a physical or mental condition; and

43 (C) such underwriting or rating is not used to evade the intent of this

1 section or any other provision of the Kansas insurance code.

2 (vi) Any person who underwrites or rates a risk on the basis of
3 preexisting physical or mental condition as set forth in subsection (7)(d)
4 (v), shall treat such underwriting or rating as an adverse underwriting
5 decision pursuant to K.S.A. 40-2,112, and amendments thereto.

6 (vii) The provisions of subsection (d) shall apply to all policies of life
7 and accident and health insurance issued in this state after the effective
8 date of this act and all existing contracts which are renewed on or after the
9 effective date of this act.

10 (8) *Rebates.* (a) Except as otherwise expressly provided by law,
11 knowingly permitting, offering to make or making any contract of life
12 insurance, life annuity or accident and health insurance, or agreement as to
13 such contract other than as plainly expressed in the insurance contract
14 issued thereon; paying, allowing, giving or offering to pay, allow or give,
15 directly or indirectly, as inducement to such insurance, or annuity, any
16 rebate of premiums payable on the contract, any special favor or advantage
17 in the dividends or other benefits thereon, or any valuable consideration or
18 inducement whatever not specified in the contract; or giving, selling,
19 purchasing or offering to give, sell or purchase as inducement to such
20 insurance contract or annuity or in connection therewith, any stocks, bonds
21 or other securities of any insurance company or other corporation,
22 association or partnership, or any dividends or profits accrued thereon, or
23 anything of value whatsoever not specified in the contract.

24 (b) Nothing in subsection (7) or (8)(a) shall be construed as including
25 within the definition of discrimination or rebates any of the following
26 practices:

27 (i) In the case of any contract of life insurance or life annuity, paying
28 bonuses to policyholders or otherwise abating their premiums in whole or
29 in part out of surplus accumulated from nonparticipating insurance. Any
30 such bonuses or abatement of premiums shall be fair and equitable to
31 policyholders and for the best interests of the company and its
32 policyholders;

33 (ii) in the case of life insurance policies issued on the industrial debit
34 plan, making allowance to policyholders who have continuously for a
35 specified period made premium payments directly to an office of the
36 insurer in an amount which fairly represents the saving in collection
37 expenses; or

38 (iii) readjustment of the rate of premium for a group insurance policy
39 based on the loss or expense experience thereunder, at the end of the first
40 or any subsequent policy year of insurance thereunder, which may be
41 made retroactive only for such policy year.

42 (9) *Unfair claim settlement practices.* It is an unfair claim settlement
43 practice if any of the following or any rules and regulations pertaining

1 thereto are: (A) Committed flagrantly and in conscious disregard of such
2 provisions; or (B) committed with such frequency as to indicate a general
3 business practice.

4 (a) Misrepresenting pertinent facts or insurance policy provisions
5 relating to coverages at issue;

6 (b) failing to acknowledge and act reasonably promptly upon
7 communications with respect to claims arising under insurance policies;

8 (c) failing to adopt and implement reasonable standards for the
9 prompt investigation of claims arising under insurance policies;

10 (d) refusing to pay claims without conducting a reasonable
11 investigation based upon all available information;

12 (e) failing to affirm or deny coverage of claims within a reasonable
13 time after proof of loss statements have been completed;

14 (f) not attempting in good faith to effectuate prompt, fair and
15 equitable settlements of claims in which liability has become reasonably
16 clear;

17 (g) compelling insureds to institute litigation to recover amounts due
18 under an insurance policy by offering substantially less than the amounts
19 ultimately recovered in actions brought by such insureds;

20 (h) attempting to settle a claim for less than the amount to which a
21 reasonable person would have believed that such person was entitled by
22 reference to written or printed advertising material accompanying or made
23 part of an application;

24 (i) attempting to settle claims on the basis of an application which
25 was altered without notice to, or knowledge or consent of the insured;

26 (j) making claims payments to insureds or beneficiaries not
27 accompanied by a statement setting forth the coverage under which
28 payments are being made;

29 (k) making known to insureds or claimants a policy of appealing from
30 arbitration awards in favor of insureds or claimants for the purpose of
31 compelling them to accept settlements or compromises less than the
32 amount awarded in arbitration;

33 (l) delaying the investigation or payment of claims by requiring an
34 insured, claimant or the physician of either to submit a preliminary claim
35 report and then requiring the subsequent submission of formal proof of
36 loss forms, both of which submissions contain substantially the same
37 information;

38 (m) failing to promptly settle claims, where liability has become
39 reasonably clear, under one portion of the insurance policy coverage in
40 order to influence settlements under other portions of the insurance policy
41 coverage; or

42 (n) failing to promptly provide a reasonable explanation of the basis
43 in the insurance policy in relation to the facts or applicable law for denial

1 of a claim or for the offer of a compromise settlement.

2 (10) *Failure to maintain complaint handling procedures.* Failure of
3 any person, who is an insurer on an insurance policy, to maintain a
4 complete record of all the complaints which it has received since the date
5 of its last examination under K.S.A. 40-222, and amendments thereto; but
6 no such records shall be required for complaints received prior to the
7 effective date of this act. The record shall indicate the total number of
8 complaints, their classification by line of insurance, the nature of each
9 complaint, the disposition of the complaints, the date each complaint was
10 originally received by the insurer and the date of final disposition of each
11 complaint. For purposes of this subsection, "complaint" means any written
12 communication primarily expressing a grievance related to the acts and
13 practices set out in this section.

14 (11) *Misrepresentation in insurance applications.* Making false or
15 fraudulent statements or representations on or relative to an application for
16 an insurance policy, for the purpose of obtaining a fee, commission,
17 money or other benefit from any insurer, agent, broker or individual.

18 (12) *Statutory violations.* Any violation of any of the provisions of
19 K.S.A. 40-216, 40-2,122(b), 40-276a, 40-2,155 or 40-1515, and
20 amendments thereto.

21 (13) *Disclosure of information relating to adverse underwriting*
22 *decisions and refund of premiums.* Failing to comply with the provisions of
23 K.S.A. 40-2,112, and amendments thereto, within the time prescribed in
24 such section.

25 (14) *Rebates and other inducements in title insurance.* (a) No title
26 insurance company or title insurance agent, or any officer, employee,
27 attorney, agent or solicitor thereof, may pay, allow or give, or offer to pay,
28 allow or give, directly or indirectly, as an inducement to obtaining any title
29 insurance business, any rebate, reduction or abatement of any rate or
30 charge made incident to the issuance of such insurance, any special favor
31 or advantage not generally available to others of the same classification, or
32 any money, thing of value or other consideration or material inducement.
33 The words "charge made incident to the issuance of such insurance"
34 includes, without limitations, escrow, settlement and closing charges.

35 (b) No insured named in a title insurance policy or contract nor any
36 other person directly or indirectly connected with the transaction involving
37 the issuance of the policy or contract, including, but not limited to,
38 mortgage lender, real estate broker, builder, attorney or any officer,
39 employee, agent representative or solicitor thereof, or any other person
40 may knowingly receive or accept, directly or indirectly, any rebate,
41 reduction or abatement of any charge, or any special favor or advantage or
42 any monetary consideration or inducement referred to in (14)(a).

43 (c) Nothing in this section shall be construed as prohibiting:

1 (i) The payment of reasonable fees for services actually rendered to a
2 title insurance agent in connection with a title insurance transaction;

3 (ii) the payment of an earned commission to a duly appointed title
4 insurance agent for services actually performed in the issuance of the
5 policy of title insurance; or

6 (iii) the payment of reasonable entertainment and advertising
7 expenses.

8 (d) Nothing in this section prohibits the division of rates and charges
9 between or among a title insurance company and its agent, or one or more
10 title insurance companies and one or more title insurance agents, if such
11 division of rates and charges does not constitute an unlawful rebate under
12 the provisions of this section and is not in payment of a forwarding fee or a
13 finder's fee.

14 (e) As used in paragraphs (e) through (i)(7) of this subpart, unless the
15 context otherwise requires:

16 (i) "Associate" means any firm, association, organization, partnership,
17 business trust, corporation or other legal entity organized for profit in
18 which a producer of title business is a director, officer or partner thereof,
19 or owner of a financial interest; the spouse or any relative within the
20 second degree by blood or marriage of a producer of title business who is a
21 natural person; any director, officer or employee of a producer of title
22 business or associate; any legal entity that controls, is controlled by, or is
23 under common control with a producer of title business or associate; and
24 any natural person or legal entity with whom a producer of title business or
25 associate has any agreement, arrangement or understanding or pursues any
26 course of conduct, the purpose or effect of which is to evade the provisions
27 of this section.

28 (ii) "Financial interest" means any direct or indirect interest, legal or
29 beneficial, where the holder thereof is or will be entitled to 1% or more of
30 the net profits or net worth of the entity in which such interest is held.
31 Notwithstanding the foregoing, an interest of less than 1% or any other
32 type of interest shall constitute a "financial interest" if the primary purpose
33 of the acquisition or retention of that interest is the financial benefit to be
34 obtained as a consequence of that interest from the referral of title
35 business.

36 (iii) "Person" means any natural person, partnership, association,
37 cooperative, corporation, trust or other legal entity.

38 (iv) "Producer of title business" or "producer" means any person,
39 including any officer, director or owner of 5% or more of the equity or
40 capital or both of any person, engaged in this state in the trade, business,
41 occupation or profession of:

42 (A) Buying or selling interests in real property;

43 (B) making loans secured by interests in real property; or

1 (C) acting as broker, agent, representative or attorney for a person
2 who buys or sells any interest in real property or who lends or borrows
3 money with such interest as security.

4 (v) "Refer" means to direct or cause to be directed or to exercise any
5 power or influence over the direction of title insurance business, whether
6 or not the consent or approval of any other person is sought or obtained
7 with respect to the referral.

8 (f) No title insurer or title agent may accept any order for, issue a title
9 insurance policy to, or provide services to, an applicant if it knows or has
10 reason to believe that the applicant was referred to it by any producer of
11 title business or by any associate of such producer, where the producer, the
12 associate, or both, have a financial interest in the title insurer or title agent
13 to which business is referred unless the producer has disclosed to the
14 buyer, seller and lender the financial interest of the producer of title
15 business or associate referring the title insurance business.

16 (g) No title insurer or title agent may accept an order for title
17 insurance business, issue a title insurance policy, or receive or retain any
18 premium, or charge in connection with any transaction if: (i) The title
19 insurer or title agent knows or has reason to believe that the transaction
20 will constitute controlled business for that title insurer or title agent;; and
21 (ii) 70% or more of the closed title orders of that title insurer or title agent
22 during the 12 full calendar months immediately preceding the month in
23 which the transaction takes place is derived from controlled business. The
24 prohibitions contained in this subparagraph shall not apply to transactions
25 involving real estate located in a county that has a population, as shown by
26 the last preceding decennial census, of 10,000 or less.

27 (h) Within 90 days following the end of each business year, as
28 established by the title insurer or title agent, each title insurer or title agent
29 shall file with the department of insurance and any title insurer with which
30 the title agent maintains an underwriting agreement, a report executed by
31 the title insurer's or title agent's chief executive officer or designee, under
32 penalty of perjury, stating the percent of closed title orders originating
33 from controlled business. The failure of a title insurer or title agent to
34 comply with the requirements of this section, at the discretion of the
35 commissioner, shall be grounds for the suspension or revocation of a
36 license or other disciplinary action, with the commissioner able to mitigate
37 any such disciplinary action if the title insurer or title agent is found to be
38 in substantial compliance with competitive behavior as defined by federal
39 housing and urban development statement of policy 1996-2.

40 (i) (1) No title insurer or title agent may accept any title insurance
41 order or issue a title insurance policy to any person if it knows or has
42 reason to believe that such person was referred to it by any producer of
43 title business or by any associate of such producer, where the producer, the

1 associate, or both, have a financial interest in the title insurer or title agent
2 to which business is referred unless the producer has disclosed in writing
3 to the person so referred the fact that such producer or associate has a
4 financial interest in the title insurer or title agent, the nature of the
5 financial interest and a written estimate of the charge or range of charges
6 generally made by the title insurer or agent for the title services. Such
7 disclosure shall include language stating that the consumer is not obligated
8 to use the title insurer or agent in which the referring producer or associate
9 has a financial interest and shall include the names and telephone numbers
10 of not less than three other title insurers or agents which operate in the
11 county in which the property is located. If fewer than three insurers or
12 agents operate in that county, the disclosure shall include all title insurers
13 or agents operating in that county. Such written disclosure shall be signed
14 by the person so referred and must have occurred prior to any commitment
15 having been made to such title insurer or agent.

16 (2) No producer of title business or associate of such producer shall
17 require, directly or indirectly, as a condition to selling or furnishing any
18 other person any loan or extension thereof, credit, sale, property, contract,
19 lease or service, that such other person shall purchase title insurance of any
20 kind through any title agent or title insurer if such producer has a financial
21 interest in such title agent or title insurer.

22 (3) No title insurer or title agent may accept any title insurance order
23 or issue a title insurance policy to any person it knows or has reason to
24 believe that the name of the title company was pre-printed in the sales
25 contract, prior to the buyer or seller selecting that title company.

26 (4) Nothing in this subpart (i) shall prohibit any producer of title
27 business or associate of such producer from referring title business to any
28 title insurer or title agent of such producer's or associate's choice, and, if
29 such producer or associate of such producer has any financial interest in
30 the title insurer, from receiving income, profits or dividends produced or
31 realized from such financial interest, so long as:

32 (a) Such financial interest is disclosed to the purchaser of the title
33 insurance in accordance with part (i)(1) through (4) of this subpart;

34 (b) the payment of income, profits or dividends is not in exchange for
35 the referral of business; and

36 (c) the receipt of income, profits or dividends constitutes only a return
37 on the investment of the producer or associate.

38 (5) Any producer of title business or associate of such producer who
39 violates the provisions of paragraphs (i)(2) through (i)(4), or any title
40 insurer or title agent who accepts an order for title insurance knowing that
41 it is in violation of paragraphs (i)(2) through (i)(4), in addition to any other
42 action which may be taken by the commissioner of insurance, shall be
43 subject to a fine by the commissioner in an amount equal to five times the

1 premium for the title insurance and, if licensed pursuant to K.S.A. 58-3034
2 et seq., and amendments thereto, shall be deemed to have committed a
3 prohibited act pursuant to K.S.A. 58-3602, and amendments thereto, and
4 shall be liable to the purchaser of such title insurance in an amount equal
5 to the premium for the title insurance.

6 (6) Any title insurer or title agent that is a competitor of any title
7 insurer or title agent that, subsequent to the effective date of this act, has
8 violated or is violating the provisions of subpart (i), shall have a cause of
9 action against such title insurer or title agent and, upon establishing the
10 existence of a violation of any such provision, shall be entitled, in addition
11 to any other damages or remedies provided by law, to such equitable or
12 injunctive relief as the court deems proper. In any such action under this
13 subsection, the court may award to the successful party the court costs of
14 the action together with reasonable attorney fees.

15 (7) The commissioner shall also require each title agent to provide
16 core title services as required by the real estate settlement procedures act.

17 (j) The commissioner shall adopt any regulations necessary to carry
18 out the provisions of this act.

19 (15) *Disclosure of nonpublic personal information.* (a) No person
20 shall disclose any nonpublic personal information contrary to the
21 provisions of title V of the Gramm-Leach-Bliley act of 1999 (public law
22 106-102). The commissioner may adopt rules and regulations necessary to
23 carry out this section. Such rules and regulations shall be consistent with
24 and not more restrictive than the model regulation adopted on September
25 26, 2000, by the national association of insurance commissioners entitled
26 "Privacy of consumer financial and health information regulation."

27 (b) Any rules and regulations adopted by the commissioner which
28 implement article V of the model regulation adopted on September 26,
29 2000, by the national association of insurance commissioners entitled
30 "Privacy of consumer financial and health information regulation" shall
31 become effective on and after February 1, 2002.

32 (c) Nothing in this paragraph (15) shall be deemed or construed to
33 authorize the promulgation or adoption of any regulation which preempts,
34 supersedes or is inconsistent with any provision of Kansas law concerning
35 requirements for notification of, or obtaining consent from, a parent,
36 guardian or other legal custodian of a minor relating to any matter
37 pertaining to the health and medical treatment for such minor.

38 Sec. 3. K.S.A. 40-2,122 and K.S.A. 2014 Supp. 40-2404 are hereby
39 repealed.

40 Sec. 4. This act shall take effect and be in force from and after its
41 publication in the statute book.