

HOUSE OF REPRESENTATIVES  
INSURANCE COMMITTEE MEMBERS  
1984

Chairman . . . . . Rep. Rex B. Hoy  
Vice Chairman. . . . . Rep. Dennis Spaniol  
Ranking Minority Member. . . . . Rep. Larry Turnquist

Members:

- Rep. Theo Cribbs
- Rep. Burt DeBaun
- Rep. Bill Fuller
- Rep. Leary Johnson
- Rep. Mary Jane Johnson
- Rep. Marvin Littlejohn
- Rep. J. C. Long
- Rep. Mike Peterson
- Rep. Dale Sprague
- Rep. John Sutter
- Rep. Patt Weaver
- Rep. David Webb

Legislative Staff:

- Wayne Morris, Legislative Research
- Gordon Self, Revisor of Statute's Office

Committee Secretary:

- Mary Sorensen



BILL NO DATE PONSOR	SYNOPSIS	FIRST HOUSE			SECOND HOUSE			CONFERENCE COMMITTEE	GOVERNOR
		HEARINGS	COMM. ACTION	HOUSE ACTION	HEARINGS	COMM. ACTION	HOUSE ACTION		
S.B. 434 3-20-83 Ways & Means	Regarding Insurance--Errors and Omissions policy requirements	1-17-84	1-17-84 Passed	1-19-84 Passed as amended	3-13-84	3-13-84	3-13-84 Passed		3-30-84 Signed by Gov.
S.B. 551 1-23-84 By C & FI Committee	Regarding Foreign Insurance Companies, raising certain fees	2-15-84	2-21-84 Passed as Amended	2-23-84 Passed as Amended	3-13-84	3-20-84 Passed as Amended	3-29-84 Passed as Amended	4-5-84	
S.B. 560 1-24-84 By C & FI Committee	Concerning Financial requirements for foreign and domestic insurance companies	2-20-84	2-29-84 Passed as Amended	3-6-84 Passed as Amended	3-20-84	3-20-84 Passed as Amended	3-30-84 Passed as Amended		4-9-84 to Gov.
S.B. 697 2-8-84 By C & FI Committee	Regarding Nonprofit Dental Service Corporations, Contracts	2-22-84	2-29-84 Passed	3-6-84 Passed	3-13-84	3-21-84 Passed	3-30-84 Passed		4-3-84 to Gov.
S. B. 704 2-8-84 by Sen. Jan Meyers	Concerning Accident and Sickness Insurance, continuation and conversion	2-28-84	2-29-84 Passed as Amended	3-6-84 Passed as Amended	3-15-84	3-21-84 Passed as Amended	3-28-84 Passed as Amended		4-6-84 Signed by Gov.
S.B. 765 2-20-84 by Judiciary	Concerning Direct action against Insuror when Insured files bankruptcy	2-27-84	2-29-84 Passed as Amended	3-6-84 Passed as Amended	3-15-84 3-19-84				

BILLS AND RESOLUTIONS REFERRED TO INSURANCE COMMITTEE

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BILL NO DATE SPONSOR	SYNOPSIS	FIRST HOUSE			SECOND HOUSE			CONFERENCE COMMITTEE	GOVERNOR
		HEARINGS	COMM. ACTION	HOUSE ACTION	HEARINGS	COMM. ACTION	HOUSE ACTION		
H.B. 2061 1-20-83 Vancrum	Amends K.S.A. 60-1903, relating to wrongful death actions, to provide that the damages for nonpecuniary loss cannot exceed \$100,000, rather than the current \$25,000. Non-pecuniary losses include mental anguish, grief, loss of companionship, etc. Pecuniary losses, such as support, services, etc., are unlimited.	2-10-83; 2-23-84	3-3-83; Be passed	3-9-83; With- drawn; re- referred to Ins. Comm.					
H.B. 2062 1-20-83 Vancrum	Enacts a new section to authorize insurance coverage for punitive damages.	2-22-83; 2-22-84	3-3-83; Be passed as amended.	3-9-83; Withdrawn; rereferred to Ins. Comm.					
H.B. 2111 1-25-83 Dean	Amends K.S.A. 40-3104 regarding enforcement of the mandatory auto insurance provision to require proof of financial security within ten days or to have the failure to do so be prima facie evidence of the lack of such average.	2-2-83; 3-1-84							
H.B. 2118 1-25-83 Ins. Comm.	Amends K.S.A. 40-2-2 by adding the Kansas Association of School Boards to the list of organizations which are exempt from the Insurance Code (requested by K.A.S.B.).	2-2-83							
H.B. 2247 2-8-83 Ins. Comm.	Enacts a new section to impose reserve requirements for health maintenance organizations (Ins. Dept. Pro. No. 3).	2-8,10-83	2-28-83; tabled; rec. for interim						

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H.B. 2248 2-8-83 Ins. Comm.	Amends K.S.A. 40-3103 to increase P.I.P. benefits, amends K.S.A. 40-3117 to increase the tort threshold to \$2,500 and enacts a new section to provide for automatic adjustment of such benefits and threshold amounts (Ins. Dept. Pro. No. 1).	2-15-83; 2-21; 22-83; 2-6-84	2-28-83; Be passed	3-9-83; Withdrawn; rereferred to Ins. Comm.					
H.B. 2251 2-8-83 Moore	Enacts a new act regulating continuing care contracts. (Subject of 1983 interim Pro. No. 30.)	2-24-83; 1-23; 2-7-84	2-28-84; Be passed as amended	3-7-84; FA passed as amended.					
H.B. 2255 2-8-83 Heinemann	Limits application of K.S.A. 40-2,102 regarding coverage of newborn children.	2-23-83	2-28-83; Be passed as amended	3-7-83;FA passed as amended.	3-23-83	3-12-84; Be not passed.			
H.B. 2336 2-9-83 Spaniol	Enacts a new act requiring the licensure of insurance adjusters.	2-23-83	3-3-83;Be passed as amended	3-9-83; EFA passed as amended		1-17-84; Be not passed.			
H.B. 2363 2-9-83 D. Miller	Amends K.S.A. 40-2209 to mandate the offering of continued or converted group disability income insurance.								
H.B. 2411 2-9-83 Branson	Amends K.S.A. 40-1707 to allow local firemen's relief associations to pay administrative and legal expenses out of their funds.	2-24-83							
H.B. 2435 2-10-83 Ins. Comm.	Enacts new sections to require that insurers provide "an appropriate reduction" in premiums for drivers aged 55 and over who participate in an accident prevention course (Re Ins. Dept. Pro. No. 6).	3-2-83							

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H.B. 2437 2-10-83 Ins. Comm.	Amends K.S.A. 40-284, 3107, 3109, and 3117 concerning exceptions to application of, and limitations of automobile liability insurance.	3-1-83	3-3-83; Be passed as amended	3-8-83; FA passed as amended by C.O.W.	3-28-83	3-14-84; Be passed as am.	3-22-84; EFA passed as further am. by COW.	4-3-84; H. concurred.	4-13-84; Approved.
H.B. 2460 2-16-83 Ins. Comm.	Amends K.S.A. 40-2203 to prevent a person from being denied insurance benefits because of nonpayment of premium if such nonpayment was due to a physical or mental condition, for up to 90 days (Insurance Dept. Pro. No. 5).	3-2-83							
H.B. 2485 2-22-83 Ins. Comm.	Amends K.S.A. 40-282 to allow agents to cancel insurance on a pro rata basis for the nonpayment of a policyholder's account (I.I.A.K. request).	3-2-83	3-3-83; Be passed as amended	3-8-83; FA passed as amended	3-29-83	3-12-84; Be passed as am.	3-14-84; EFA passed.	3-20-84; H. concurred.	3-30-84; Approved.
H.B. 2517 2-23-83 Ins. Comm.	Enacts a new section to require that persons with dental service in their health insurance be allowed to choose any dentist and that any dentist, upon request, may participate in any health care plan covering dental service (request of Kansas Dental Association).	3-2-83							
H.B. 2518 2-23-83 Ins. Comm.	Amends K.S.A. 40-2209 and other sections pertaining to continued and converted group health insurance policy requirements.	3-2-83; 1-25-84							
H.B. 2519 2-23-83 Ins. Comm.	Amends K.S.A. 40-1102 to allow credit life insurance to be purchased to cover automobile leasing agreements.	1-25-84							

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H.B. 2614 12-19-83 Special Com. C.&F.I.	Amends K.S.A. 8-1604 and 40-3104 to require that drivers exhibit the name of their insurer and policy number at an accident or when requested to do so by a police officer; drivers would have 20 days to produce such evidence. (1983 Interim Proposal No. 7)	1-23, 25-84	2-16-84; Be passed as amended	3-6-84; FA passed as amended by COW.		3-26-84; Be passed as am.	4-2-84; EFA passed as amended	4-3-84; H. nonconcurr.	
H.B. 2635 12-19-83 Special Com. W.&M.	Amends the Kansas Firemen's Relief Act, K.S.A. 40-1701- 1707 to: (1) apply the tax to all fire insurance premiums statewide; (2) credit 20% of the receipts to the State General Fund; (3) provide state-paid workers' compensation coverage for all firefighters; (4) provide state administrative expenses (up to 1.5%); and (5) distribute the remainder to each firemen's relief association in proportion to 1982 receipts. (1983 Interim Proposal No. 50) (Separately referred also to Ways and Means)	1-31-84							
H.B. 2753 1-23-84 Ins. Comm.	Amends K.S.A. 40-222 to delete the requirement that the Commissioner examine each company on a periodic basis, and amends K.S.A. 40-223 to permit the deferral or waiver of the examination fee. (Insurance Department 1984 Pro. No. 3.)	2-1-84	2-7-84; Be passed.	2-23-84; EFA passed		3-16-84; Be passed as am.	3-22-84; EFA passed as am.	3-27-84; H. concurr.	4-6-84; Approved.
H.B. 2754 1-23-84 Ins. Comm.	Amends K.S.A. 40-246 to permit a nonresident agent to countersign if that state's countersignature law permits Kansas residents to countersign there (requested by I.I.A. K.)	2-1-84	2-7-84; Be passed.	2-23-84; EFA passed		3-15-84; Be passed	3-24-84; EFA passed		4-2-84; Approved.

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H.B. 2755 1-23-84 Ins. Comm.	Amends K.S.A. 40-3413 in the Health Care Provider Insurance Availability Act by deleting the July 1, 1984 Sunset date on the malpractice insurance pool. (1984 Ins. Dept. Pro. No. 5.)	2-1-84	2-16-84; Be passed as amended	2-28-84; FA passed.		3-20-84; Be passed.	3-29-84; FA passed as am. by COW.	4-2-84; H. concurred.	4-12-84; Approved.
H.B. 2756 1-23-84 Ins. Comm.	Amends K.S.A. 40-3202 and adds a new section imposing reserve requirements on HMO's (replaces H.B. 2247). (1984 Ins. Dept. Pro. No. 2.)	2-1-84	2-7-84; Be passed	2-23-84; EFA passed		3-16-84; Be passed	3-22-84; EFA passed as am. by COW.	3-27-84; H. concurred.	4-5-84; Approved.
H.B. 2795 1-27-84 Ins. Comm.	Amends K.S.A. 40-2,105 to require that all individual and group health insurance policies contain certain coverages for treatment of mental illness, alcoholism, and drug abuse (requested by Rep. Blumenthal).	2-13,14-84	2-23-84; Tabled & rec. for interim study						
H.B. 2833 2-2-84 Ins. Comm.	Amends K.S.A. 40-3103 to increase P.I.P. benefits, amends K.S.A. 40-3117 to increase the tort threshold to \$5,000, enacts a new section to provide that benefits under Act be deducted from uninsured or under-insured motorist coverage, and another section to index benefits and threshold amounts. (Compare with H.B. 2248.)	2-6,9-84	2-23-84; Be passed	3-5-84;FA passed as amended by COW.		3-20-84; Be passed as am.	3-29-84; EFA passed.	4-3-84; H. concurred.	4-16-84; Vetoed.
H.B. 2861 2-6-84 Turnquist	Amends K.S.A. 40-3107 to require that new and renewed auto insurance policies contain an informational statement outlining the legal and financial consequences of operating a vehicle while under the influence of alcohol or drugs.	2-15-84	2-21-84; Be passed	2-28-84; FA passed as amended by COW		3-26-84; Be not passed.			





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H.B. 2932 2-8-84 Vancrum	Amends K.S.A. 60-1903 to increase damages for nonpecuniary loss in a wrongful death action from \$25,000 to \$100,000 and require the jury to separately state pecuniary and nonpecuniary damage award and also K.S.A. 60-1904 to allow evidence of remarriage for mitigation of damages.	2-23-84	2-29-84; Be passed as amended	3-7-84; FA passed as amended by COW.		3-19-84; Be passed (by Jud.)	3-29-84; FA passed.		4-11-84 Approved.
H.B. 2943 2-8-84 Sprague	Amends K.S.A. 40-414 to allow the nonforfeiture values of life insurance policies to be subject to certain claims.	2-29-84							
H.B. 2954 2-8-84 Mainey	Amends the Firemen's Relief Act, K.S.A. 40-1701 through 1707 to: (1) apply the tax to all fire insurance premiums statewide; (2) provide 5 percent for use as a death benefit fund for benefits of \$100,000; (3) provide 1.5 percent for state administrative expenses; (4) \$500 to each association; and (5) distribute the remainder to each association in proportion to 1982 receipts (compare with H.B. 2635).								
H.B. 2998 2-14-84 Public Health	Enacts a new section to require that all health care plans annually have a 30-day open enrollment period for providers and that subscribers be able to receive treatment from any health care provider.	2-27-84							

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H.B. 2999 2-14-84 Public Health	Enacts a new section prohibiting the exclusion of treatment of emotionally handicapped children eligible for care under an SRS plan and requiring coverage for treating such children in a boarding home if the policy provides inpatient hospital medical coverage.	2-27-84							
H.B. 3008 2-14-84 Ins. Com.	Amends K.S.A. 40-3113a regarding payment of attorney fees in case of subrogation.	2-21-84	2-28-84; Be passed as amended 3-29-84;	3-7-84; Withdrawn & re- ferred to Fed. & State.					
H.B. 3009 2-14-84 Ins. Com.	Amends K.S.A. 40-2406 regarding continuing education requirements to allow the Commissioner to approve similar and substantial courses with the same hourly requirements.	2-29-84	Be not passed.						
H.B. 3010 2-14-84 Ins. Com.	Amends K.S.A. 40-2221 to prohibit insurance companies from age rating Medicare supplemental policies (requested by the Secretary on Aging).	2-27-84							
H.B. 3011 2-14-84 Ins. Comm.	Repeals 40-240a, 240b, 240c, 240d, and 240e regarding continuing education requirements.	2-29-84							
H.B. 3064 2-22-84 Ins. Com.	Amends K.S.A. 40-2,103 to apply 40-2,100 (optometrist, dentist, and podiatrist), 40-2,101 (licensed practitioners), 40-2,102 (newborn children), and 40-2,104 (certified psychologist) to policies issued within or without state to residents in Kansas.	2-27-84							

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H.B. 3065 2-22-84 Ins. Com.	Amends K.S.A. 40-1805, 1905, 19c06, and 2209 regarding conversion and continuation requirements (similar to S.B. 704).	2-28-84							
H.B. 3087 2-22-84 Ins. Com.	Amends K.S.A. 40-1805, 1905, 19c06, and 2209 regarding conversion and continuation requirements (similar to S.B. 704).	2-28-84							