

Fair Access to Insurance Requirements; SB 17

SB 17 amends law and adds a section relating to the Fair Access to Insurance Requirements (FAIR) Plan. The bill creates the FAIR Plan Act (Act).

The bill states the purpose of the Act is to make available basic property and casualty insurance to persons who have property interests in Kansas and are in good faith entitled, but unable, to obtain coverage through the voluntary market. The bill also requires the FAIR Plan to operate under the Act and provide equitable distribution and placement of risks among all member insurers who have chosen to participate.

The bill requires policies to be issued for a term of one year and on forms and in accordance with the reasonable rates and rating procedures approved by the Kansas Insurance Commissioner (Commissioner).

The bill requires the Commissioner to enter an order regarding the rate plan within 60 days of the filing of proposed rates, but the Commissioner may extend the period for entering an order for an additional 30 days with notice provided to the facility. An order disapproving a rate must state the grounds for disapproval and those findings. The Commissioner is required to approve proposed insurance rates before policies or endorsements can be issued.

The bill grants the Commissioner authority to adopt rules and regulations, no later than January 1, 2018, necessary to administer provisions of the Act.