

2021 Kansas Statutes

75-5367. **Matching child support debtors and insurance claimants; requirements; procedure.** (a) As used in K.S.A. 75-5366 and 75-5367, and amendments thereto:

(1) "Insurer" means any entity regulated under chapter 40 of the Kansas Statutes Annotated, and amendments thereto, that provides coverage for liability insurance.

(2) "Claimant" means any individual who has submitted a claim for payment under a liability insurance contract.

(b) An insurer shall be required to comply with the provisions of this section only after the secretary for children and families has entered into an agreement pursuant to K.S.A. 75-5366, and amendments thereto. The secretary for children and families shall make available to insurers information about the data matching process, including instructions for disclosing claimant information.

(c) (1) An insurer shall have the option of receiving request for information about an identified claimant from either the secretary for children and families or from the entity responsible for the data matching pursuant to K.S.A. 75-5366, and amendments thereto.

(2) An insurer shall respond by disclosing the requested information about the claimant only if the amount of the claim totals \$1,000 or more.

(d) A disclosure required pursuant to subsection (c) shall be made as soon as reasonably possible after the first submission of the claim.

(e) An insurer, including any agent of the insurer, shall not be liable under any state law to any person for any disclosure required or authorized by this section, or for any other action taken in good faith in accordance with this section.

(f) At the insurer's discretion, an insurer may disclose information as provided in this section about a claimant whose aggregate claim is less than \$1,000.

(g) Nothing in K.S.A. 75-5366 or 75-5367, and amendments thereto, shall require an insurer to make any payment that is not otherwise required under the contract of insurance. An insurer shall not be assessed any fee by the secretary for children and families or by any entity that has entered into an agreement pursuant to K.S.A. 75-5366, and amendments thereto.

History: L. 2008, ch. 136, § 2; L. 2014, ch. 115, § 361; July 1.