

2023 Kansas Statutes

74-7313. Compensation; method of payment; future economic loss; award not subject to process or assignable, exceptions. (a) The board may provide for the payment of an award in a lump sum or in installments. The portion of an award that equals the amount of economic loss accrued to the date when the award is made shall be paid in a lump sum. An award for allowable expense that would accrue after the date when the award is made shall not be paid in a lump sum. Except as otherwise provided in subsection (b), the portion of an award that is not to be paid in a lump sum shall be paid in installments.

(b) At the request of the claimant, the board may pay future economic loss, other than allowable expense, in a lump sum, but only upon a finding by the board that either:

(1) The award in a lump sum will promote the interests of the claimant; or
(2) the present value of all future economic loss, other than allowable expense, does not exceed \$1,000.

(c) An award payable in installments for future economic loss may be made only for a period for which the board can reasonably determine future economic loss. An award payable in installments for future economic loss may be modified by the board upon its finding that a material and substantial change of circumstances has occurred.

(d) An award shall not be subject to execution, attachment, garnishment or other process, except that an award for allowable expense shall not be exempt from a claim of a creditor to the extent that the creditor has provided products, services or accommodations the costs of which are included in the award.

(e) An assignment or agreement to assign any right to compensation for loss accruing in the future is unenforceable, except (1) an assignment of any right to compensation for work loss to secure payment of maintenance or child support; or (2) an assignment of any right to compensation for allowable expense to the extent that the benefits are for the cost of products, services or accommodations necessitated by the injury or death on which the claim is based and are provided or to be provided by the assignee.

History: L. 1978, ch. 130, § 13; L. 1982, ch. 152, § 27; L. 1989, ch. 239, § 18; July 1.