

## 2018 Kansas Statutes

**40-5802. Same; consent required to send electronic notices and documents, exceptions.** (a) This act allows the use of electronic notices and documents in lieu of any other provision of law for the sending of insurance notices and documents. Except as provided in subsection (b), in order to send electronic notices and documents to another party the insurer must obtain the consent of the other party as provided in this act.

(b) (1) Notwithstanding any other provision of law, a health benefit plan may utilize electronic delivery as its standard method to send the explanation of benefits and policy, including federally required summary of benefit and coverage documents, to a party only if: (A) Paper documents are readily available; and (B) notification has been provided to the party explaining the party's option to receive paper documents via U.S. mail.

(2) If a party notifies a health benefit plan that the party wishes to receive paper documents via U.S. mail, the health benefit plan shall comply.

**History:** L. 2013, ch. 97, § 2; L. 2018, ch. 76, § 1; May 17.