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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2330

05/13/2015

Authored by Masin, Atkins, Loonan and Kresha

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

1.1

A bill for an act

1.2

relating to insurance; regulating long-term disability policies; prohibiting

1.3

standard of review provisions; proposing coding for new law in Minnesota

1.4

Statutes, chapter 60A.

1.5

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6

Section 1. [60A.255] LONG-TERM DISABILITY INSURANCE; PROHIBITED

1.7

PROVISION.

1.8

No long-term disability insurance policy may specify a standard of review upon

1.9

which a court may review denial of a claim or of any other decision made by an insurance

1.10

company with respect to an enrollee. This section prohibits limiting court review to a

1.11

determination of whether the insurance company's decision is arbitrary and capricious,

1.12

an abuse of discretion, or any other standard less favorable to the enrollee than a

1.13

preponderance of the evidence.

1.14

EFFECTIVE DATE. This section is effective January 1, 2016, and applies to

1.15

policies issued or renewed on or after that date.