

S.F. No. 590, 1st Engrossment - 87th Legislative Session (2011-2012) [S0590-1]

2.1 Sec. 3. Minnesota Statutes 2010, section 72A.491, is amended by adding a subdivision
2.2 to read:

2.3 Subd. 20a. **Signed.** "Signed" means a written signature or an electronic signature as
2.4 defined in section 325L.02, paragraph (h).

2.5 Sec. 4. Minnesota Statutes 2010, section 72A.501, subdivision 1, is amended to read:

2.6 Subdivision 1. **Requirement; content.** An authorization used by an insurer,
2.7 insurance-support organization, or insurance agent to disclose or collect personal or
2.8 privileged information ~~must be in writing and must meet the following requirements~~ is
2.9 valid if it:

2.10 (1) is ~~written~~ in plain language;

2.11 (2) is dated;

2.12 (3) specifies the types of persons authorized to disclose information about the person;

2.13 (4) specifies the nature of the information authorized to be disclosed;

2.14 (5) names the insurer or insurance agent and identifies by generic reference
2.15 representatives of the insurer to whom the person is authorizing information to be
2.16 disclosed;

2.17 (6) specifies the purposes for which the information is collected; and

2.18 (7) specifies the length of time the authorization remains valid.

2.19 If the insurer, insurance-support organization, or insurance agent determines to disclose or
2.20 collect a kind of information not specified in a previous authorization, a new authorization
2.21 specifying that kind of information must be obtained.

2.22 Sec. 5. Minnesota Statutes 2010, section 72A.501, is amended by adding a subdivision
2.23 to read:

2.24 Subd. 5. **Verbal authorization in lieu of signed authorization.** For purposes of
2.25 this section, verbal authorization may be given in lieu of a signed authorization, provided
2.26 that an electronic record of the verbal authorization is retained in compliance with section
2.27 325L.12.

2.28 Sec. 6. Minnesota Statutes 2010, section 72A.502, subdivision 1, is amended to read:

2.29 Subdivision 1. **Requirement.** An insurer, insurance agent, or insurance-support
2.30 organization must not disclose any personal or privileged information about a person
2.31 collected or received in connection with an insurance transaction without the ~~written~~
2.32 authorization of that person except as authorized by this section. An insurer, insurance
2.33 agent, or insurance-support organization must not collect personal information about a

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- 3.1 policyholder or an applicant not relating to a claim from sources other than public records
3.2 without ~~a written~~ an authorization from the person. The authorization to collect personal
3.3 information must be in writing or in the same medium as the application for insurance.