

**2765.0600 APPLICATION.**

Subpart 1. **Initial application.** Three or more separate employers may apply to the commissioner for authority to form a joint self-insurance plan, using forms available from the commissioner. Applications must be submitted not later than 60 days prior to the requested date for authority to self-insure. All reinsurance contracts must be submitted not later than 30 days prior to the requested date. Applications submitted without responses to certain questions, or with responses that are inadequate must be returned to the applicant for resubmission. Applications not returned to the applicant for resubmission within 14 days of receipt must be approved or disapproved within 60 days of receipt.

Subp. 2. **Renewal application.** Existing plans may apply for renewal of their self-insurance authority by so indicating on their annual status report preceding expiration of their current authority. Applications must be approved or disapproved within 60 days of receipt of the status report.

Subp. 3. **Exemptions.** Joint self-insurance plans that offer a program of coverage qualified under the Employees Retirement Income Security Act (ERISA), United States Code, title 29, sections 1001 et seq., are exempted from this chapter upon filing with the commissioner notice of this qualification from the United States Department of Labor.

Subp. 4. **Merger.** Two or more existing plans may apply to merge if the new plan assumes all obligations of the former plans. Merger applications are subject to the same requirements as prospective new plans.

Subp. 5. **Approval and disapproval.** Upon approval of an application, the commissioner shall issue an order authorizing the proposed joint self-insurance plan. Initial authorization orders for new plans are effective until the third May 1st after the initial authorization date. Renewal authorization orders are for two-year periods commencing May 1st. Approval of applications for authority to self-insure must be granted if the proposed plan conforms with:

- A. all requirements of this chapter;
- B. all applicable requirements of Minnesota Statutes, chapters 62A and 62E, and related rules, as described in part 2765.1000, subpart 1;
- C. Minnesota Statutes, sections 72A.19 to 72A.32; and
- D. other applicable Minnesota statutes and rules.

**Statutory Authority:** *MS s 62H.06*

**History:** *9 SR 989*

**Published Electronically:** *October 19, 2004*