

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-NINTH SESSION**

**S.F. No. 2175**

(SENATE AUTHORS: CARLSON and Metzen)

DATE	D-PG	OFFICIAL STATUS
05/14/2015		Introduction and first reading Referred to Commerce

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.