

1.1 A bill for an act  
1.2 relating to workers' compensation insurance; modifying filing rates and rating  
1.3 information; amending Minnesota Statutes 2024, section 79.56, subdivision 1.  
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2024, section 79.56, subdivision 1, is amended to read:

1.6 Subdivision 1. **Prefiling of rates.** (a) Each insurer shall file with the commissioner a  
1.7 complete copy of its rates and rating plan, and all changes and amendments thereto, and  
1.8 such supporting data and information that the commissioner may by rule require, at least  
1.9 60 days prior to its effective date. The commissioner shall advise an insurer within 30 days  
1.10 of the filing if its submission is not accompanied with such supporting data and information  
1.11 that the commissioner by rule may require. The commissioner may extend the filing review  
1.12 period and effective date for an additional 30 days if an insurer, after having been advised  
1.13 of what supporting data and information is necessary to complete its filing, does not provide  
1.14 such information within 15 days of having been so notified. If any rate or rating plan filing  
1.15 or amendment thereto is not disapproved by the commissioner within the filing review  
1.16 period, the insurer may implement it. For the period August 1, 1995, to December 31, 1995,  
1.17 the filing shall be made at least 90 days prior to the effective date and the department shall  
1.18 advise an insurer within 60 days of such filing if the filing is insufficient under this section.

1.19 (b) A rating plan or rates are not subject to the requirements of paragraph (a), where the  
1.20 insurer files a certification verifying that it will use the mutually agreed-upon rating plan  
1.21 or rates only to write a specific employer that generates \$250,000 in annual written workers'  
1.22 compensation premiums before the application of any large deductible rating plan. The  
1.23 certification must be refiled upon each renewal of the employer's policy. The \$250,000

2.1 threshold includes premiums generated in any state. This paragraph does not apply to a  
2.2 controlled insurance program. The designation and certification must be submitted in  
2.3 substantially the following form:

2.4 Name and address of insurer:.....

2.5 Name and address of insured employer:.....

2.6 Policy period:.....

2.7 I certify that the employer named above generates \$250,000 or more in annual countrywide  
2.8 written workers' compensation premiums, and that the calculation of this threshold is based  
2.9 on the rates and rating plans that have been approved by the appropriate state regulatory  
2.10 authority. The filing of this certification authorizes the use of this rate or rating plan only  
2.11 for the named employer.

2.12 Name of responsible officer:.....

2.13 Title:.....

2.14 Signature:.....

2.15 (c) A rating plan or rates for a construction project's controlled insurance program are  
2.16 not subject to paragraph (a) if the insurer files a certification that verifies the insurer is using  
2.17 the mutually agreed-upon rating plan or rates only to write a controlled insurance program  
2.18 that generates a combined \$250,000 or more in annual written workers' compensation  
2.19 premiums for policies issued to employers enrolled in the program. The certification applies  
2.20 before a large deductible plan is applied. The certification must be refiled when the workers'  
2.21 compensation policies issued to the employers enrolled in the controlled insurance program  
2.22 are renewed. The \$250,000 threshold under this paragraph includes premiums generated in  
2.23 any state. The designation and certification must be submitted to the commissioner in  
2.24 substantially the following form:

2.25 Name and address of insurer:.....

2.26 Name and location of wrap-up construction project site:.....

2.27 Name and address of wrap-up construction project sponsor:.....

2.28 Wrap-up construction project period:.....

2.29 I certify that: (1) the controlled insurance program for the construction project named  
2.30 above generates a combined \$250,000 or more in annual countrywide written workers'  
2.31 compensation premiums for all policies issued to all employers enrolled in the program;  
2.32 and (2) the threshold calculation is based on the rates and rating plans that have been

- 3.1    approved by the appropriate state regulatory authority. Filing this certification authorizes
- 3.2    the rate or rating plan to be used only for the named wrap-up construction project.
- 3.3    Name of responsible officer:.....
- 3.4    Title:.....
- 3.5    Signature:.....
- 3.6        (d) For purposes of paragraphs (b) and (c), "controlled insurance program" means an
- 3.7    agreement or arrangement, including a contractor-controlled, owner-controlled, wrap-up,
- 3.8    or similar insurance program, under which some or all contractors working on a specific
- 3.9    construction project are required to enroll in a program to obtain workers' compensation
- 3.10   insurance specifically for an injury arising out of the specific construction project.