

Presented to the governor May 14, 1991

Signed by the governor May 17, 1991, 11:26 a.m.

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**CHAPTER 100—H.F.No. 178**

*An act relating to occupations and professions; increasing minimum insurance coverage required for abstracters; abolishing requirement of seals by impression; repealing an obsolete provision; amending Minnesota Statutes 1990, sections 386.66 and 386.67; repealing Minnesota Statutes 1990, section 386.65, subdivision 3.*

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

Section 1. Minnesota Statutes 1990, section 386.66, is amended to read:

**386.66 BOND OR ABTRACTER'S LIABILITY INSURANCE POLICY.**

Before a license shall be issued, the applicant shall file with the board a bond or abstracter's liability insurance policy to be approved by the chair or executive secretary, running to the state of Minnesota in the penal sum of at least ~~\$20,000~~ \$100,000 conditioned for the payment by such abstracter of any damages that may be sustained by or accrue to any person by reason of or on account of any error, deficiency or mistake arising wrongfully or negligently in any abstract, or continuation thereof, or in any certificate showing ownership of, or interest in, or liens upon any lands in the state of Minnesota, whether registered or not, made by and issued by such abstracter, provided however, that the aggregate liability of the surety to all persons under such bond shall in no event exceed the amount of such bond. In any county having more than 200,000 inhabitants the bond or insurance policy required herein shall be in the penal sum of at least ~~\$50,000~~ \$250,000. Applicants having cash or securities or deposit with the state of Minnesota in an amount equal to the said bond or insurance policy shall be exempt from furnishing the bond or an insurance policy herein required but shall be liable to the same extent as if a bond or insurance policy has been given and filed. The bond or insurance policy required hereunder shall be written by some surety or other company authorized to do business in this state issuing bonds or abstracter's liability insurance policies and shall be issued for a period of one or more years, and renewed for one or more years at the date of expiration as principal continues in business. The aggregate liability of such surety on such bond or insurance policy for all damages shall, in no event, exceed the sum of said bond or insurance policy.

Sec. 2. Minnesota Statutes 1990, section 386.67, is amended to read:

**386.67 LICENSED ABTRACTER, SEAL.**

A licensed abstracter furnishing abstracts of title to real property under the

New language is indicated by underline, deletions by ~~strikeout~~.

provisions hereof shall provide a seal, which seal shall show by ~~impression~~ the name of such licensed abstracter, and shall file with the executive secretary of the board an impression of or copy made by such seal and the signatures of persons authorized to sign certificates on abstracts and continuations of abstracts and certificates showing ownership of, or interest in, or liens upon any lands in the state of Minnesota, whether registered or not, issued by such licensed abstracter.

Sec. 3. **REPEALER.**

Minnesota Statutes 1990, section 386.65, subdivision 3, is repealed.

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**CHAPTER 101—H.F.No. 276**

*An act relating to insurance; accident and health; prohibiting the nondiagnostic use of X-rays; proposing coding for new law in Minnesota Statutes, chapter 62A.*

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

**Section 1. [62A.19] PROHIBITION AGAINST NONDIAGNOSTIC X-RAYS.**

No individual or group policy of dental insurance offered for sale to a Minnesota resident by an insurer regulated under this chapter, individual or group service plan or subscriber contract regulated under chapter 62C, health maintenance contract regulated under chapter 62D, or fraternal contract benefit regulated under chapter 64B, shall subject any policyholder, subscriber, or enrollee to undue exposure to radiation by requiring a health care provider to take or obtain X-rays that are not directly related to patient care.

Any health care provider receiving such a request may refuse to provide X-rays not necessary to the diagnosis and treatment of the patient. An insurer, nonprofit health service plan corporation, health maintenance organization, fraternal benefit society, or dental plan may not deny or withhold benefits based solely upon the refusal to provide X-rays. Nothing in this section prohibits requests for X-rays or other diagnostic aids routinely taken in conjunction with the diagnosis and treatment of injury or disease, or routinely required by the insurer for preapproval or predetermination of treatment. An insurer may not retroactively request new X-rays not taken in conjunction with the diagnosis or treatment of injury or disease.

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