

**2790.0100 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of this chapter the terms in this part have the meanings given them.

Subp. 2. **Advertisement.** "Advertisement" includes:

A. printed and published material, audio visual material, and descriptive literature of an insurer or agent used in direct mail, newspapers, magazines, other periodicals, radio scripts, television scripts, billboards and other similar displays, excluding advertisements prepared for the sole purpose of obtaining employees, agents, or agencies;

B. descriptive literature and sales ads of all kinds issued by an insurer or agent for presentation to members of the public, including but not limited to circulars, leaflets, booklets, depictions, illustrations, and form letters;

C. prepared sales talks, presentations, and material for use by agents and representations made by agents in accordance with these talks, presentations, and materials;

D. statements, written or oral, by an agent.

Subp. 3. **Agent, agents, or agencies.** "Agent," "agents," or "agencies" includes insurance agents and agencies licensed pursuant to Minnesota Statutes, chapter 60K, insurance agencies, and designated representatives of these agents or agencies.

Subp. 4. **Exception.** "Exception" includes any provision in a policy whereby coverage for a specified hazard is entirely eliminated; it is a statement of risk not assumed under the policy.

Subp. 5. **Insurer.** "Insurer" includes any individual, corporation, association, partnership, reciprocal exchange, Lloyd's, fraternal benefits society, self-insurer, surplus line insurer, pooled or joint self-insurance group, or self-insurance administrator, nonprofit service plan, and any other legal entity engaged in the advertisement of a policy. An insurer includes an affiliate of a group of insurers under common management and control.

Subp. 6. **Limitation.** "Limitation" means any provision which restricts coverage under the policy other than an exception or a reduction.

Subp. 7. **Policy.** "Policy" includes any policy, plan, certificate, contract, agreement, statement of coverage, rider or endorsement, binder, or other evidence of coverage which provides insurance or self-insurance, whether on an indemnity, reimbursement, service, or prepaid basis. "Policy" includes any subscriber contract issuing coverage under a self-insurance plan, annuity, group self-insurance, or pooled or joint self-insurance employee plan.

Subp. 8. **Reduction.** "Reduction" includes any provision which reduces the amount of a benefit; a risk of loss is assumed but payment upon the occurrence of the loss is limited

to some amount or period less than would be otherwise payable had the reduction not been used.

Subp. 9. **Self-insurer.** "Self-insurer" includes any entity authorized pursuant to Minnesota Statutes, sections 65B.48 and 176.181, Minnesota Statutes, chapter 62H, Laws of Minnesota 1983, chapter 290, section 171, or Minnesota Statutes, section 471.981 and includes any entity which, for compensation employs the services of vendors of risk management services in the administration of a self-insurance plan as defined by Minnesota Statutes, section 60A.23, subdivision 8.

Subp. 10. **Similar policies.** "Similar policies" include policies which provide similar benefits even though there may be differences in benefit amounts, elimination periods, renewal terms, or ancillary benefits.

**Statutory Authority:** *MS c 60A; 72A*

**History:** *9 SR 175*

**Published Electronically:** *September 14, 2007*