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November 20, 2001

Governor Jesse Ventura
Office of the Governor
130 State Capitol
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St. Paul, Minnesota 55155

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Legislative Coordinating Commission
85 State Office Building
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Legislative Revisor of Statutes
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Senator Dallas C. Sams, Chair
Senate Health and Family Security Committee
328 Capitol Building
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Senator Linda Berglin, Chair
Senate Health, Human Services & Corrections Budget Division
309 Capitol Building
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Representative Fran Bradley, Chair
House Health and Human Services Policy Committee
559 State Office Building
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St. Paul, Minnesota 55155

Representative Kevin Goodno, Chair
House Health and Human Services Finance Committee
563 State Office Building
100 Constitution Avenue
St. Paul, Minnesota 55155

"To provide leadership which optimizes the quality of emergency medical care for the people of Minnesota – in collaboration with our communities – through policy development, regulation, system design, education, and medical direction"

Subject: 2001 Annual Report on Obsolete, Unnecessary, or Duplicative Rules, as Required by Minnesota Statutes, section 14.05, subdivision 5.

Minnesota Statutes, section 14.05, subdivision 5, states:

By December 1 of each year, an agency must submit to the governor, the legislative coordinating commission, the policy and funding committees and divisions with jurisdiction over the agency, and the revisor of statutes, a list of any rules or portions of rules that are obsolete, unnecessary, or duplicative of other state or federal statutes or rules. The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules. By December 1, the agency must either report a timetable for repeal of the rule or portion of the rule, or must develop a bill for submission to the appropriate policy committee to repeal the obsolete, unnecessary, or duplicative rule. Such a bill must include proposed authorization to use the expedited procedures of section 14.389 to repeal or amend the obsolete, unnecessary, or duplicative rule. A report submitted under this subdivision must be signed by the person in the agency who is responsible for identifying and initiating repeal of obsolete rules. The report also must identify the status of any rules identified in the prior year's report as obsolete, unnecessary, or duplicative. If none of an agency's rules are obsolete, unnecessary, or duplicative, an agency's December report must state that conclusion.

We have identified the following rules that are obsolete, unnecessary, or duplicative and should be repealed:

Minnesota Rules, part 4690.1500, subpart 3 – Ambulances in Service Before June 30, 1981

Minnesota Rules, part 4690.7900, subpart 6 – Extension of Renewal Date

Minn. R. 4690.1500, subpart 3 is obsolete because there are few if any ambulance vehicles still in active use in the state that were placed into service prior to 1981.

Minn. R. 4690.7900, subpart 6 is obsolete because it was intended to address the temporary gap in licensure created for ambulance services in 1982 when the current ambulance renewal system was first implemented.

The above-referenced rules are to be included for repeal in the EMSRB-proposed 2002 legislation.

In the 2000 report, we identified one rule, 4690.3800 (Compliance with Approved Local Ordinances) as currently being repealed in accordance with procedures set forth in the Administrative Procedure Act, Minnesota Statutes, sections 14.22 to 14.28. This rule has been repealed.

In the 2000 report, two additional rules were also identified for possible repeal: 4690.0100, subpart 30 (Scheduled Ambulance Service) and 4690.1400 (G.) (Maintenance, Sanitation, and Testing of Equipment). Upon further consideration, the former rule is not considered obsolete and will not be repealed; the latter rule cannot be repealed because it is one item of a subpart, and only a complete subpart can be considered for repeal through legislation.

2001 Annual Report on Obsolete, Unnecessary, or Duplicative Rules
Minnesota Emergency Medical Services Regulatory Board
November 20, 2001
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If you have questions regarding this report, please contact me at (612) 627-5424.

Sincerely,

A handwritten signature in black ink that reads "Mary Hedges". The signature is written in a cursive, flowing style.

Mary Hedges
Executive Director

Cc: Dan Hankins, M.D., Chair, EMSRB
Michael Gurthrie, NREMT-P, Chair, EMSRB Legislative Committee
Michael Wilcox, M.D., State EMS Medical Director