STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
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Minneapolis, Minnesota 55401-2138

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November 29, 2004

The Honorable Tim Pawlenty
Office of the Governor
130 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Senator Linda Higgins, Chair
State and Local Government Operations Committee
328 State Capitol
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Senator Claire A. Robling
Ranking Minority Member
State and Local Government Operations Committee
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Greg Hubinger, Director
Legislative Coordinating Commission
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Representative Jim Rhodes, Chair
Governmental Operations and Veterans Affairs Policy Committee
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Representative Phyllis Kahn
Ranking Minority Member
Governmental Operations and Veterans Affairs Policy Committee
255 State Office Building
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Saint Paul, MN 55155

Subject: Annual Report on Obsolete, Unnecessary, or Duplicative Rules, as Required by Minnesota Statutes, Section 14.05, Subdivision 5.

Office of Administrative Hearings' Workers' Compensation Litigation Procedural Rules

As reported in the 2003, virtually every part or a portion of every part of Chapter 1415 is obsolete, unnecessary, or duplicative of other statutes and rules. The rules have not been updated since 1984. Since 1984, there have been numerous changes in the governing statute, case law, and government structure. One of those changes was the 1998 government reorganization that moved the Settlement Division at the Department of Labor and Industry to the Office of Administrative Hearings. In addition, the Workers' Compensation Act was significantly revised by the legislature in 1992, 1995, and 2000.

The Workers Compensation Division of the Office of Administrative Hearings is currently in the process of amending Chapter 1415, to address the obsolete, unnecessary and duplicative rules parts or portions thereof, as listed below:

Obsolete, Unnecessary or Duplicative Rule Parts:

1415.0200
1415.0400
1415.0600
1415.0900
1415.1400
1415.1600
1415.1700
1415.2100
1415.3000
1415.3100
1415.3400

Portions of the following Rule Parts are Obsolete, Unnecessary or Duplicative:

1415.0300
1415.0800
1415.1000
1415.1100
1415.1200
1415.1300
1415.1800
1415.1900
1415.2000
1415.2200
1415.2300
1415.2400
1415.2500
1415.2600
1415.2700
1415.2800
1415.2900
1415.3200
1415.3300

The Office of Administrative Hearings published its Notice of Intent to Adopt Rules without a Public Hearing in November. The timetable for final adoption of the rules will depend upon whether the proposed amendments are controversial, but final adoption is anticipated in 2005.

Office of Administrative Hearings' APA Proceedings; Expenses and Attorney Fees Rules

These rules were amended in 2001. None of these rules is obsolete, unnecessary, or duplicative.

If you have any questions regarding this report, please contact:

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Yours very truly,

RAYMOND R. KRAUSE
Chief Administrative Law Judge