



Protecting, maintaining and improving the health of all Minnesotans

November 30, 2005

Governor Tim Pawlenty

Greg Hubinger, Director
Legislative Coordinating Commission

Michele Timmons
Revisor of Statutes

Policy and Funding Committees and Divisions with
Jurisdiction over the Minnesota Department of Health
[A complete list of addressees is at the end of the letter.]

Subject: 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 The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules.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 1 report must state that conclusion.”

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We have identified the following Minnesota Department of Health (MDH) rules as obsolete for this report:

- 2005 (1) Parts 4763.0310, 4763.0320, and 4763.0330 - Loan Forgiveness Programs. These rules are no longer needed due to statute change in 2003. The rest of the chapter was repealed in Laws 2003, but these three sections were not listed due to an oversight. These rules are recommended for repeal.

MDH intends to repeal these obsolete rules using the expedited process for repealing obsolete rules found in Minnesota Statutes, section 14.3895.

In last year's report, we identified six sections of MDH rules as being obsolete, unnecessary, or duplicative. The current status of these rules is:

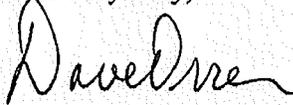
- 2004 (1) ✓ Chapter 4656 – Case Mix Classification System for the Medical Assistance Program. The Minnesota Department of Human Services expressed concerns about repealing these rules, so we removed them from our rule repealer.
- 2004 (2) ✓ Certain parts and subparts of Chapter 4685 – Health Maintenance Organizations. These rules are in the process of being repealed using Minnesota Statutes, section 14.3895, except for part 4685.3300, subparts 6 and 7, which are not being repealed because the Minnesota Council of Health Plans expressed concerns about repealing these rules.
- 2004 (3) ✓ Part 4736.0100 – Indian Health Grants to Community Health Boards. These rules are in the process of being repealed using Minnesota Statutes, section 14.3895.
- 2004 (4) ✓ Chapter 4763 – Medical Education Assistance Programs. These rules are in the process of being repealed using Minnesota Statutes, section 14.3895.
- 2004 (5) Certain parts and subparts of Chapter 4747 - Alcohol And Drug Counselor Licensing. MDH did not repeal these rules because the responsibility for these rules was transferred to the new Board of Behavioral Health and Therapy on July 1, 2005.
- 2004 (6) Certain parts of chapter 4617 - WIC Program. These rules were repealed as part of the rulemaking process for updating other parts of chapter 4617.

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

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Yours very truly,



Dave Orren, Rules Coordinator
Minnesota Department of Health

This is a complete list of addressees for MDH's 2005 Annual Obsolete Rules Report.

Governor Tim Pawlenty

Greg Hubinger, Director
Legislative Coordinating Commission

Michele Timmons
Revisor of Statutes

Senator Becky Lourey, Chair
Senator Michelle Fischbach, Ranking Minority
Party Member
Senate Health and Family Security Committee

Senator Linda Berglin, Chair
Senator Brian LeClair, Ranking Minority Party
Member
Senate Finance Committee, Health and Human
Services Budget Division

Senator John Marty, Chair
Senator Pat Pariseau, Ranking Minority Party
Member
Senate Environment and Natural Resources
Committee

Senator Dallas Sams, Chair
Senator Steve Dille and Senator Dennis
Fredrickson, Ranking Minority Party
Members
Senate Environment, Agriculture, and Economic
Development Budget Division

Senator Linda Higgins, Chair
Senator Claire Robling, Ranking Minority Party
Member
Senate State and Local Government Operations
Committee

Senator Sheila Kiscaden, Chair
Senator Geoff Michel, Ranking Minority Party
Member
Senate State Government Budget Division
Committee

Representative Jim Abeler, Chair
Representative Paul Thissen, Lead-DFL
House Healthcare Cost Containment Division
Committee

Representative Fran Bradley, Chair
Representative Thomas Huntley, Lead-DFL
House Health Policy and Finance Committee

Representative Tom Hackbarth, Chair
Representative Karen Clarke, Lead-DFL
House Environment and Natural Resources Policy
Committee

Representative Dennis Ozment, Chair
Representative Jean Wagenius, Lead-DFL
House Environment and Natural Resources
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Representative Kathy Tingelstad, Chair
Representative Phyllis Kahn, Lead-DFL
House Governmental Operations and Veterans
Affairs Policy Committee

Representative Bob Gunther, Chair
Representative John Dorn, Lead-DFL
House Jobs and Economic Opportunity Finance
Committee