

4653.0500 INDIVIDUAL VARIANCES.

A. The commissioner must grant a variance to a data submitter with respect to submission of a specific data element or submission specification if the data submitter demonstrates good cause. To request a variance, a data submitter must submit a petition, according to Minnesota Statutes, section 14.056, and demonstrate that it meets the criteria in subitems (1) to (3):

(1) failure to grant the variance would result in hardship or injustice to the data submitter;

(2) the variance would be consistent with the public interest; and

(3) the variance would not prejudice the substantial legal or economic rights of any person or entity.

B. The commissioner must grant a variance to a data submitter with respect to a threshold for one year if the data submitter demonstrates good cause. To request a variance, the data submitter must submit a petition stating the reason it is unable to meet the standard threshold, the proposed threshold, and the basis for the proposed threshold.

Statutory Authority: *MS s 62U.04; 62U.06*

History: *34 SR 10*

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