

5220.1710 REHABILITATION VENDORS: REQUIREMENTS AND PROCEDURES FOR REGISTRATION.

Subpart 1. **Requirements for rehabilitation vendors.** At all times while registered with the commissioner, a rehabilitation vendor must meet the requirements in items A to K.

A. The rehabilitation vendor must be owned by:

- (1) an individual; or
- (2) an entity registered with and in good standing with the Minnesota secretary of state.

B. The rehabilitation vendor must maintain workers' compensation insurance if required by Minnesota Statutes, chapter 176.

C. The rehabilitation vendor must maintain at least one office where services to injured employees are provided in Minnesota or within 100 miles by road from the Minnesota border. If a vendor does not maintain at least one office in Minnesota or within 100 miles by road from the Minnesota border on the effective date of this part, the vendor must comply with this part within 90 days of receiving written notice of the requirement from the department.

D. The rehabilitation vendor must cooperate in any request for information or investigation by the department.

E. The rehabilitation vendor may only provide rehabilitation services to injured employees under an approved rehabilitation plan.

F. The rehabilitation vendor must promptly communicate with the assigned qualified rehabilitation consultant or qualified rehabilitation consultant intern regarding all rehabilitation services that the rehabilitation vendor provides to injured employees.

G. Each employee of the rehabilitation vendor who provides rehabilitation services to injured employees must attend all department rehabilitation provider update sessions.

H. If the rehabilitation vendor hires a new employee who will provide rehabilitation services to injured employees, that employee must, within 12 months of employment, complete the department's orientation session.

I. If the rehabilitation vendor is no longer providing services to injured employees, the rehabilitation vendor must provide any active or closed case file to the qualified rehabilitation consultant firm that last employed the qualified rehabilitation consultant or qualified rehabilitation consultant intern assigned to the file.

J. Within two weeks of the change, the rehabilitation vendor must report to the department any change in any of the information provided to the department on the rehabilitation vendor's registration application, including any change in employees who provide rehabilitation services to injured employees.

K. The rehabilitation vendor must not employ or otherwise engage the services of a qualified rehabilitation consultant.

Subp. 2. **Rehabilitation vendor registration.** For registration as a rehabilitation vendor, the applicant must meet the following requirements.

A. The applicant must file a complete application for rehabilitation vendor registration in the format prescribed by the commissioner that includes:

(1) the applicant's name and every business address where the applicant will provide rehabilitation services to injured employees;

(2) the applicant's taxpayer identification number and Minnesota business identification number, as required by Minnesota Statutes, section 270C.72, subdivision 4;

(3) if the rehabilitation vendor is owned by an individual, that individual's phone number, email address, home address, Social Security number, and any state and federal employer identification numbers;

(4) if the rehabilitation vendor is not owned by an individual:

(a) the name, address, phone number, and email address of the rehabilitation vendor's agent registered with the secretary of state;

(b) a different name and address for legal service on the rehabilitation vendor, if the rehabilitation vendor chooses to accept legal service from the department at an address different from the registered address;

(5) the name and job title of each current employee of the rehabilitation vendor and an indication of whether each employee will provide rehabilitation services to injured employees;

(6) for each employee who has provided or will provide rehabilitation services to injured employees, the most recent date the employee completed the department's rehabilitation provider update session;

(7) the name of each manager of the rehabilitation vendor;

(8) proof of workers' compensation insurance or an explanation of why no workers' compensation insurance is required;

(9) affirmation that one of the offices where the applicant will provide rehabilitation services to injured employees is located in Minnesota or within 100 miles by road from the Minnesota border; and

(10) the registration fee of \$280.

B. If the application is for renewal of rehabilitation vendor registration and the applicant wants no gap in registration, the applicant must submit the renewal application at least 60 days before expiration of the applicant's current registration.

C. The applicant must not provide rehabilitation services to injured workers if the applicant's registration expires before submission of a complete renewal application or before the commissioner has approved or denied the application.

D. The applicant must attest that all information in the application is true and that the applicant meets or will meet all the requirements of subpart 1.

E. The rehabilitation vendor registration must be renewed annually, in accordance with subpart 3, item C.

Subp. 3. Approval or denial of application.

A. Within 60 days after receiving a complete application for rehabilitation vendor registration, the commissioner must approve or deny the application and notify the applicant whether the application is approved or denied. The following constitute grounds for denial of the application:

- (1) the applicant failed to comply with the requirements of subpart 2;
- (2) the applicant failed to comply with the provisions of Minnesota Statutes, chapter 176, and parts 5220.0100 to 5220.1900, or any orders issued under those statutes or rules; or
- (3) the applicant has outstanding fines or penalties with the department.

B. If the commissioner approves the application, the commissioner shall assign a registration number to the rehabilitation vendor.

C. The registration expires one year from the date the applicant's current registration was set to expire, unless the applicant was not registered as a rehabilitation vendor on the date that the commissioner received the application, in which case the registration expires one year after the application is approved.

Subp. 4. Appeal process for denials.

A. An applicant may appeal the commissioner's order denying an application for rehabilitation vendor registration.

B. To appeal the commissioner's order, the applicant must file a written request for hearing with the commissioner within 30 days of service of the order denying the application.

C. The request for hearing will be referred to the rehabilitation review panel according to Minnesota Statutes, section 176.102, subdivision 3.

D. The filing of a timely request for hearing on an order denying an application must stay the effect of the denial until final disposition of the appeal.

Statutory Authority: *MS s 176.102; 176.83*

History: *49 SR 1383*

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