

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Department of Health
Possible Amendment to Minn. R. 4764,
Rules Governing Health Care Homes,
Revisor's ID No. R-4548

**ORDER ON REQUEST TO OMIT
FROM THE NOTICE THE TEXT OF
PROPOSED RULES, PURSUANT TO
MINN. STAT. § 14.22, SUBD. 1(b)**

This matter came before Chief Administrative Law Judge Jenny L. Starr on February 9, 2022. The Minnesota Department of Health (Department) seeks an order authorizing the omission of the proposed rule text when it publishes the Notice of Intent to Adopt Rules Without a Hearing (Notice). The Department asserts that publication of the proposed rules in the *State Register* would be cumbersome, expensive, and inexpedient. The Department also asserts that knowledge of the rule is likely to be important to only a small class of people, many of whom have already received the rule.

As an alternative to publication, the Department pledges that the Notice will state that a free copy of the entire proposed rules will be available upon request to the Department and state how to make that request. The Notice also will identify the website link where a copy may be obtained. Finally, the Notice will state the subject matter of the omitted rules, cite the statutory authority for the proposed rules, and outline the proposed rules' purpose. In addition, the Department's Statement of Need and Reasonableness (SONAR) will be transmitted as outlined in the Notice Plan, which SONAR will be available free of charge by request and posted on the Department's website.

IT IS HEREBY ORDERED THAT:

Conditioned upon the Department's use of the procedures outlined in its petition of February 9, 2022, the petition to omit the proposed rule text is **GRANTED**.

Dated: February 14, 2022



Jenny L. Starr
Chief Administrative Law Judge