

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Exempt  
Rules of the Department of Human  
Services Relating to Legal Non-Licensed  
Child Care Provider Capacity Limits,  
Minn. R. 3400.0120

**ORDER ON REVIEW  
OF RULES UNDER  
MINN. STAT. § 14.388  
AND MINN. R. 1400.2400**

This matter came before Administrative Law Judge Ann C. O'Reilly upon the application of the Minnesota Department of Human Services (Department) for a legal review under Minn. Stat. § 14.388 (2020) and Minn. R. 1400.2400 (2019).

On June 28, 2021, the Department filed all required documents with the Office of Administrative Hearings seeking review and approval of the above-entitled rules.

Based upon a review of the written submissions by the Department,

**IT IS HEREBY DETERMINED THAT:**

1. The proposed rules comply with the procedural requirements of Minn. Stat. § 14.388 and Minn. R. 1400.2100 A, D - G, and .2400 (2019).
2. The Department has the statutory authority to adopt these proposed rules using the exempt rulemaking process pursuant to Minn. Stat. § 14.388, subd. 1(2) and (3).

**IT IS HEREBY ORDERED THAT:**

The adopted rules are **APPROVED**.

Dated: July 1, 2021



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ANN C. O'REILLY  
Administrative Law Judge