

August 30, 2023

VIA EFILING ONLY

Byron Millea
Attorney at Law
Department of Labor and Industry
443 Lafayette Rd N
Saint Paul, MN 55155
Byron.Millea@state.mn.us

Re: *In the Matter of the Adopted Exempt Permanent Rules Relating to Workers' Compensation; 2023 Adjustment to Relative Value Fee Schedule Conversion Factors and Amendments to Rules Implementing the Workers' Compensation Relative Value Fee Schedule Tables in Minnesota Rules, Chapter 5221*
OAH 23-9001-39454; Revisor R-4821

Dear Mr. Millea:

Enclosed herewith and served upon you is the **ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.386 AND MINN. R. 1400.2400** in the above-entitled matter.

With the approval of the adopted rules, the Office of Administrative Hearings has closed this file and is returning the rule record to the Department of Labor and Industry (Department) so that the Department can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365 (2022). Upon submission to the Office of Administrative Hearings of the Department's signed order approving the rules, the Office of Administrative Hearings will file the rules with the Secretary of State. The Department's next step is to arrange for publication of the proposed amendments in the State Register as required by Minn. Stat. § 14.386(a)(4) (2022).

If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,


DARA XIONG
Legal Assistant

ST:dx
Enclosure
cc: Legislative Coordinating Commission
Ryan Inman

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Adopted Exempt Permanent Rules Relating to Workers' Compensation; 2023 Adjustment to Relative Value Fee Schedule Conversion Factors and Amendments to Rules Implementing the Workers' Compensation Relative Value Fee Schedule Tables in Minnesota Rules, Chapter 5221

**ORDER ON REVIEW
OF RULES UNDER
MINN. STAT. § 14.386
AND MINN. R. 1400.2400**

This matter came before Administrative Law Judge Suzanne Todnem upon the application of the Minnesota Department of Labor and Industry (Department) for a legal review under Minn. Stat. § 14.386 (2022).

On August 18, 2023, the Department filed documents with the Office of Administrative Hearings seeking review and approval of the above-entitled rules under Minn. Stat. § 14.386 and Minn. R. 1400.2400 (2023).

The Department submitted for review:

1. The rule, including the Revisor's approval;
2. A proposed order adopting the rule, which included an explanation needed to support the legality of the rule; and
3. A citation to the rule's statutory exemption from the rulemaking procedures of Minnesota Statutes, chapter 14, and any argument needed to support the claim of exemption.

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

IT IS HEREBY DETERMINED THAT:

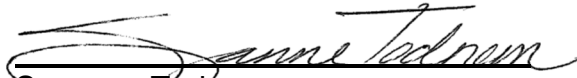
1. The Department has complied with the applicable procedural requirements of Minnesota Statutes, chapter 14 (2022), and Minnesota Rules, chapter 1400 (2023).
2. The rule does not violate the standards of Minn. R. 1400.2100, items A and D to G.

3. Pursuant to Minn. Stat. § 176.136, subd. 1a (2022), the Department has the statutory authority to adopt these proposed rules using the exempt rulemaking process.

IT IS HEREBY ORDERED THAT:

The adopted rules are **APPROVED**.

Dated: August 30, 2023


Suzanne Todnem
Administrative Law Judge