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The Minnesota

State Register

Department of Administration—Print Communications Division

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State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, state and non-state contracts, contract awards, grants, a monthly calendar of cases to be heard by the state supreme court, and announcements.

***A Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.**

Printing Schedule and Submission Deadlines

Vol. 17 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
22	Monday 16 November	Friday 20 November	Monday 30 November
23	Monday 23 November	Monday 30 November	Monday 7 December
24	Monday 30 November	Monday 7 December	Monday 14 December
25	Monday 7 December	Monday 14 December	Monday 21 December

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the ***State Register*** editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-0929.

The ***State Register*** is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A ***State Register*** *Contracts Supplement* is published every Tuesday, Wednesday and Friday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The *State Register* Contracts Supplement contains additional state contracts and advertised bids.

In accordance with expressed legislative intent that the ***State Register*** be self-supporting, the following subscription rates have been established: the Monday edition costs $150.00 per year and includes an index issue published in August (single issues are available at the address listed above for $3.50 per copy); the combined four editions cost $195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for $60.00, includes four editions, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

Subscribers who do not receive a copy of an issue should notify the ***State Register*** circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

Arne H. Carlson, Governor

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FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

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Perspectives—Publication about the Senate.

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Contact: Senate Public Information Office
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Session Summary—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the *State Register*

The ***State Register*** is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the ***State Register***. Published every Monday, the ***State Register*** makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific ***Minnesota Rule*** chapter numbers. Every odd-numbered year the ***Minnesota Rules*** are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the ***State Register***.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the ***Official Notices*** section of the ***State Register***. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the ***State Register***. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the ***State Register*** as **Adopted Rules**. These final adopted rules are not printed in their entirety in the ***State Register,*** only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the ***State Register***, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the ***Minnesota Guidebook to State Agency Services.***

The ***State Register*** features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the ***State Register***, a subscription, the annual index, the ***Minnesota Rules*** or the ***Minnesota Guidebook to State Agency Services***, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-657-3757.

Issues 14-22 inclusive Vol. 17

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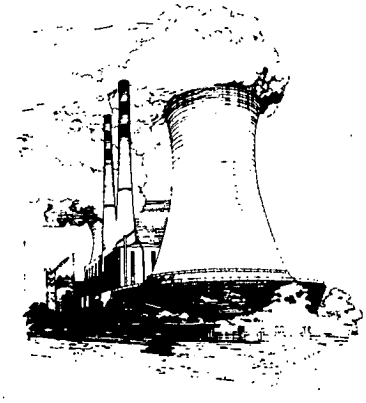

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the date of submission to the Attorney General. Persons who wish to be advised of the submission to the Attorney General, or who wish to receive a copy of the adopted rules, must submit a written request to Len Nachman.

Dated: 9 June 1992

State Board of Education
State of Minnesota

Thomas Lindquist
President, State Board of Education

Rules as Proposed

3520.0400 TRANSPORTATION DATA REPORTING REQUIREMENTS.

Subpart 1. **Regular category.** An elementary or secondary pupil for which a school district is entitled to transportation aid under *Minnesota Statutes*, ~~sections~~ section 124.223, ~~clauses (1) and (2)~~ subdivision 1, must be transported 20 or more days to be eligible for state aid. A kindergarten pupil attending full-day, every other day classes must be transported ten or more days to be eligible for state aid. A district shall report annual mileage for regular category transportation.

Subp. 2. **Other authorized categories.** A district that transports pupils under *Minnesota Statutes*, sections 123.223, ~~clauses (1) and (3) to (10)~~ subdivisions 1 to 10, and 275.125, subdivision ~~5d~~ 5e, must report the number of pupils transported. Annual mileage must be reported only when separate routes are set up to provide this transportation.

[For text of subps 3 and 4, see M.R.]

Subp. 5. **Duplication of pupil counts.** A district must not report a pupil in more than one to and from school category. These categories are: regular, ~~handicapped~~ disabled, secondary one to two miles, traffic hazards, and ineligible.

3520.2400 OPERATION OF TYPE I AND TYPE II SCHOOL BUSES.

[For text of subpart 1, see M.R.]

Subp. 2. **Transportation of pupils.** Only pupils assigned to the school bus by the school board or designated administrative officer of the school district shall be transported at district expense.

Pupils are not to be evicted from the bus along the route for a breach of discipline. All breaches of discipline shall be reported by the bus driver to the administrative officer.

The entrance door shall be closed at all times when transporting pupils and the bus is in motion.

All buses shall load and unload in the right lane of the roadway, at pupil stops on bus routes approved by the administrative officer. Loading or unloading in a designated turn lane or in a lane immediately adjacent to a designated turn lane is prohibited.

There shall be no pupils in the bus while the gas tank is being filled. On leaving the vehicle when pupils are in the bus, the driver shall stop the motor, remove the ignition key, set the brakes, and otherwise render the bus immobile.

The administrative officer shall see that no materials, including guns, loaded or unloaded; gasoline cans, empty or full; animals, except service dogs accompanying the disabled; or any other object of a dangerous or objectionable nature are transported in the school bus when children are being transported.

[For text of subps 3 and 4, see M.R.]

3520.2500 DRIVER OF TYPE I BUSES.

The driver:

[For text of item A, see M.R.]

B. Shall use the prewarning amber flashing signals, flashing red signals, and stop signal arm in accordance with *Minnesota Statutes*, section ~~169.44~~ 169.443.

[For text of items C to E, see M.R.]

F. Shall stop at all railroad crossings whether carrying passengers or not in accordance with *Minnesota Statutes*, section 169.28. The driver shall activate the four-way hazard warning lights not less than 100 feet from the nearest rail, and stop not less than ten feet from the nearest rail. While so stopped, the driver shall open the driver window and service door to look and listen in both directions along the track for any approaching train. Eight-lamp prewarning alternately flashing amber signals and flashing red stop signals shall not be used at railroad crossings.

A school bus shall not be flagged across railroad grade crossings except at ~~such~~ railroad grade crossings ~~as~~ the local school administrative officer may designate.

3520.3680 INCORPORATIONS BY REFERENCE.

Part or all of the documents and standards referred to in this part are incorporated by reference in chapter 3520. The documents are subject to frequent change and are conveniently available to the public through the Minitex interlibrary loan system. The latest edition available at the time the amendments to chapter 3520 are proposed is cited. Unless a later rulemaking by the Department of Education specifically restricts application of material incorporated by reference to a specific edition, later editions are incorporated by reference as they are published and made conveniently available to the public.

National Minimum Standards for School Buses and Operations, ~~1985~~ 1990 Revised Edition, National Safety Council, 444 North Michigan Avenue, Chicago, IL 60611.

SBMI School Bus Design Objectives, ~~January 1985~~ May 1990, School Bus Manufacturers Institute, ~~4907 Cordell Avenue~~ 7508 Ben Avon Road, Bethesda, MD ~~20814~~ 20817.

Standard for Safety for Dry Chemical Fire Extinguishers ANSI-UL ~~299-1984~~ 299-1990, Approved ~~March 2~~ August 6, ~~1984~~ 1990, American National Standard/Underwriter Laboratories, Inc., 333 Pfingsten Road, Northbrook, IL ~~60062~~ 60062-2096.

School Bus Warning Lamps - SAE J887, ~~May 1982~~ August 1987, Society of Automotive Engineers ~~Standards~~ Inc., 400 Commonwealth Drive, Warrendale, PA 15096.

Standard Method of Salt Spray ~~(706)~~ (Fog) Testing - Designation ~~B117-85~~ B117-90, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

~~Windshield Defrosting Systems Test Procedure - Trucks, Buses, and Multipurpose Vehicles - SAE J381 and SAE J382, June 1984, Society of Automotive Engineers Standards.~~

Standard for the Storage and Handling of Liquefied Petroleum Gases NFPA58, ~~1986~~ 1992 Edition, National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA ~~02269~~ 02269-9904.

School Bus Stop Arm - Recommended Practice - SAE J1133, ~~April 1984~~ July 1989, Society of Automotive Engineers ~~Standards~~ Inc.

Windshield Defrosting Systems Performance Guidelines - Trucks, Buses, and Multipurpose Vehicles - Recommended Practice - SAE J382, October 1984, Society of Automotive Engineers ~~Standards~~ Inc.

Turn Signal Lamps for Use on Motor Vehicles Less Than 2032 MM in Overall Width - SAE J588, ~~November 1984 and SAE J588l~~ June 1991, Society of Automotive Engineers ~~Standards~~ Inc.

Manual on Uniform Traffic Control Devices for Streets and Highways, ~~1987~~ 1988 Edition, Federal Highway Administration, 400 7th Street S.W., Washington, D.C. 20590.

United States Standard Alphabets for Highway Signs, Series B and Series D, Federal Highway Administration.

Federal Specification TT-C-520B, Coating Compound, Bituminous Solvent Type Underbody (for Motor Vehicles), General Services Administration, Specification and Consumer Information, Distribution Center, Washington Navy Yard, Building 197, Washington, D.C. 20407.

Product Standard PS 1-83, Construction and Industrial Plywood, United States Department of Commerce, National ~~Bureau~~ Institute of Standards and Technology, ~~Washington, D.C. 20234~~ Office of Standards Services, Building 101, Room A625, Gaithersburg, MD 20899.

3520.3701 VEHICLE DESCRIPTIONS.

[For text of subps 1 to 5, see M.R.]

Subp. 6. [See repealer.]

[For text of subps 7 to 9, see M.R.]

Subp. 10. ~~**No depreciation; exception**~~ **Remounting.** A new bus body may be remounted on a used chassis ~~that is not more than three years old~~ provided that the remounted vehicle meets state and federal standards for new buses which are current at the time of the remounting. Permission must be obtained from the commissioner of education in coordination with the commissioner of public safety before the remounting is done. A used bus body must not be remounted on a new or used chassis.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

3520.4100 BATTERY.

Subpart 1. **General requirement.** The storage battery, as established by the manufacturer's rating, must be of sufficient capacity to care for starting, lighting, signal devices, heating, and other electrical equipment in Minnesota.

A. In a bus with a gas-powered chassis, the battery or batteries must provide a minimum of 800 cold cranking amperes.

B. In a bus with a diesel-powered chassis, the battery or batteries must provide a minimum of ~~1,070~~ 1,050 cold cranking amperes.

[For text of subp 2, see M.R.]

Subp. 3. **Mounting of battery.** When a battery is to be mounted on a sliding tray rather than the standard installation provided by the chassis manufacturer, the battery must be temporarily mounted on the chassis frame by the chassis manufacturer. The final location of the battery and the appropriate cable lengths shall agree with the SBMI Design Objectives, January ~~1985~~ 1990 Edition.

3520.4201 BRAKES.

[For text of subps 1 to 9, see M.R.]

Subp. 10. **Air or vacuum applied or assisted.** A bus having a braking system in which hydraulically activated service brakes are applied or assisted by compressed air or vacuum must be equipped with both a warning signal that conforms to the requirements of subpart 9, item A and a warning device that conforms to the requirements of subpart 9, item B or C. All buses equipped with air brakes, and manufactured after July 1, 1993, shall have automatic slack adjusters.

3520.4301 FRONT BUMPER.

~~The front bumper must be furnished by the chassis manufacturer as part of the chassis.~~

Subpart 1. **General requirements.** The front bumper must extend beyond the forwardmost part of the body, grille, hood, and fenders and must extend to the outer edges of the fenders at the bumper top line. The front bumper, except the breakaway bumper ends, must be of sufficient strength to permit pushing a vehicle of equal gross vehicle weight without permanent distortion to the bumper, bumper braces, chassis, or body.

Subp. 2. **Option.** An energy absorbing bumper may be used providing its design shall incorporate a self-restoring energy absorbing system of sufficient strength to:

A. push another vehicle of similar gross vehicle weight without permanent distortion of the bumper, chassis, or body; and

B. withstand repeated impacts without damage to the bumper, chassis, or body according to the following performance standards:

(1) 7.5 miles per hour fixed barrier impact, federal motor vehicle safety standard cart and barrier test;

(2) 4.0 miles per hour corner impact at 30 degrees, *Code of Federal Regulations*, title 49, part 581;

(3) 20.0 miles per hour into parked passenger car.

The manufacturer of the energy absorbing system shall provide evidence from an approved test facility referred to in this part that its product conforms to federal motor vehicle safety standard tests referred to in this part. A test facility must be approved if it is capable of performing the federal motor vehicle safety standard tests referred to in this part.

3520.4510 COLOR.

[For text of subp 3, see M.R.]

Subp. 4. **Color options.** Items A to C list color options for specific parts of a school bus.

A. Front fenders may be painted glossy yellow or glossy black.

B. The following may be other than yellow or black: wheel rims; chassis grills; mirror backs, rims, and mounting brackets; reflector housings; window frames; accessories and other minor trim items.

C. ~~Silver, black, or yellow retroflective~~ Reflective material may be used on the front bumper for increased night visibility. When used, reflective material shall comply with part 3520.4900.

3520.4600 FUEL TANK.

[For text of subps 1 and 6, see M.R.]

Subp. 7. ~~**Fuel, liquefied petroleum, compressed and liquefied natural gas**~~ **Alternative fuels.** Liquefied petroleum gas (LPG), ~~or~~ compressed or liquefied natural gas ~~installations on school buses,~~ and any fuels other than gasoline or diesel fuel are alternative fuels. Alternative fueled school buses must meet requirements of National Fire Protection Association ~~Standard Number 58 for "Installation of LP Gas Systems on Vehicles,"~~ standards as adopted by reference in the Minnesota Uniform Fire Code applicable to the fuel being used.

A school bus powered by liquefied petroleum or natural gas, or compressed liquefied natural gas must display markings as required by *Minnesota Statutes*, section 169.762 and parts 7510.4500 to 7510.4900.

3520.4711 SPRINGS.

Capacity of springs or suspension assemblies must be commensurate with the chassis manufacturer's gross vehicle weight rating. ~~If rear springs are used on a chassis of 15,000 pounds and over, they must be of the progressive type.~~

3520.4731 TIRES AND RIMS.

Subpart 1. **Tires and rims.** Tires and rims of proper size and tires with a load rating commensurate with the chassis manufacturer's gross vehicle weight rating must be provided.

Dual rear tires must be provided on Type I school buses.

Tires of different size or ply rating may be used except that all tires on an axle must be the same size. Radial and bias tires must not be used on the same axle. If a spare tire is carried, it must be suitably mounted in an accessible location outside the passenger compartment.

Subp. 2. **Condition, damage, tread depth.**

A. Tires must be free from chunking, bumps, knots, or bulges evidencing cord, ply, or tread separation from the casing.

B. Tire cords or belting materials must not be exposed, either to the naked eye or when cuts on the tire are probed. Reinforcement repairs to the cord body are allowable on tires other than front mounted tires. Reinforcement repair restrictions on front tires do not include nail hole punctures.

C. The tread depth must not be less than 4/32 of an inch on each front tire and not less than 2/32 of an inch on any rear tire.

Subp. 3. **Special purpose tires.** Tires marked "not for highway use" or "farm use only" or other such restrictions shall not be used on any school bus.

3520.4850 REAR BUMPER.

Subpart 1. [See repealer.]

Subp. 3. **Rear.** The rear bumper must be of pressed steel channel at least 3/16 inch thick and eight inches wide (high) and be of sufficient strength to permit being pushed by another vehicle without permanent distortion to bumper, bumper braces, chassis, or body. It must be wrapped around back corners of the bus. It must extend forward at least 12 inches, measured from rearmost point of body at the floor line. The bumper must be attached to the chassis frame ~~so that it may be easily removed,~~ and must be braced to develop full strength of bumper section from rear or side impact~~, and must be attached to prevent hitching of rides~~. The rear bumper must extend beyond rearmost part of body surface, excluding lights, at least one inch, measured at floor line.

Subp. 5. **Option.** An energy absorbing bumper may be used providing its design shall incorporate a self-restoring energy absorbing system of sufficient strength to:

A. permit pushing by another vehicle without permanent distortion of the bumper, chassis, or body;

B. withstand repeated impacts without damage to the bumper, chassis, or body according to the following federal motor vehicle safety standard performance standards:

(1) 2.0 miles per hour fixed barrier impact, federal motor vehicle safety standard cart and barrier test;

(2) 4.0 miles per hour corner impact at 30 degrees, *Code of Federal Regulations*, title 49, part 581; and

(3) 5.0 miles per hour center impact, *Code of Federal Regulations*, title 49, part 581.

Subp. 6. **Reflective material.** When reflective material is used on bumpers, it shall comply with part 3520.4900.

3520.4900 COLOR.

[For text of subp 6, see M.R.]

Subp. 7. **Options.** The following color options may be used.

A. The front fenders may be painted glossy yellow or glossy black.

B. The hood may be lusterless yellow or black.

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C. The following may be other than yellow or black: wheel rims; chassis grills; mirror backs, rims, and mounting brackets; reflector housings; window frames; accessories and other minor trim items. See part 3520.4510.

D. ~~The use of yellow or red~~ Reflective material may be used on the ~~rear bumper~~ bus for increased night visibility. Material, if used, must be automotive engineering grade or better, meeting initial reflectance values of high intensity 6281 retaining at least 50 percent of those values for a minimum of six years. Reflective materials and markings, if used, shall include any or all of the following:

(1) Bumpers must be marked diagonally 45 degrees down to centerline of pavement with two inch wide strips of yellow reflective material set approximately two inches apart.

(2) "SCHOOL BUS" signs must be marked with national school bus yellow material comprising background for lettering of the front and rear "SCHOOL BUS" signs.

(3) Sides of the bus body must be marked with one horizontal line of national school bus yellow material at least one inch but not more than two inches in width, extending the length of the bus body and located (vertically) as close as practicable to the seatline rub rail.

E. The roof of the bus may be white extending down no lower than 12 inches above the drip rails on the sides of the body except that front and rear roof caps shall remain national school bus yellow.

3520.4930 FLOOR CONSTRUCTION.

Subpart 1. **Requirements.** The floor must be of prime commercial quality steel or other metal of at least 14-gauge. The metal floor must be covered with plywood in the passenger area excluding wheel housings. The plywood must be ~~five-ply,~~ at least five-eighths inch thick and it must equal or exceed properties of exterior-type softwood plywood, grade C-D, as specified in product standard PS 1-83 issued by the United States Department of Commerce. The floor must be level from front to back and from side to side except in wheel housing, toeboard, and driver's seat platform areas.

Subp. 2. **Option.** The underside of the metal floor may be undercoated with polyurethane floor insulation, foamed in place. The polyurethane floor insulation must be combustible resistant. This option does not replace the plywood required in subpart 1.

3520.5000 DEFROSTERS.

Defrosters and two auxiliary fans with metal blades and adequate guards shall be of sufficient capacity to keep the windshield, window to left of driver, and glass in entrance door clear of fog, frost, and snow. This may be done by taking the heat directly from an approved heater or auxiliary heaters. Defrosters must conform to Society of Automotive Engineers ~~Standards J-381 and 382~~ Standard J-382.

3520.5010 DOORS.

[For text of subpart 1, see M.R.]

Subp. 2. **Emergency door and emergency window.** An emergency door must be located in the center of the rear end of the bus or in the rear half of the left side of the bus.

The emergency door must have a minimum horizontal opening of 24 inches and a minimum vertical opening of 48 inches measured from floor level.

The emergency door must be hinged on the right side if it is in the rear end of the bus and on the front side if it is on the left side of the bus. The door must open outward and must be labeled inside to indicate how it operates.

All the glass in the emergency door must be approved safety glass. The exposed area of the safety glass must be not less than 400 square inches. See part 3520.5551.

There must be no steps leading to the emergency door. Option: A stirrup may be installed by the end user only on the rear bumper provided it is designed and attached in the following manner. A strap steel stirrup may be fastened to the bottom of the rear bumper at the center. The strap steel must be one-fourth inch by one inch formed to provide an inside height opening of four inches plus or minus one-half inch and an inside width opening of six inches plus or minus one-half inch. The stirrup must be fastened to the bottom of the bumper with two 5/16-inch grade eight bolts and nuts with lock washers. The stirrup step shall have no sharp edges and must not protrude beyond the vertical surface of the bumper nor protrude more than five inches below the bottom of the bumper.

A seat or other object must not be placed in the bus to restrict any part of the passageway leading to the emergency door to an opening smaller than a rectangle 12 inches in width and 48 inches in height, measured from floor level.

The words "EMERGENCY DOOR" or "EMERGENCY EXIT" both inside and outside in letters at least two inches high, must be placed at the top of or directly above the emergency door or on the door in the metal panel above the top glass.

If the emergency door is located on the left side of the bus, it must conform to Federal Motor Vehicle Safety Standard Number 217, *Code of Federal Regulations*, title 49, part 571, and the window at the rear must be designed as an emergency exit and must be no smaller than 16 inches in height and 54 inches in width on buses 80 inches or more in width; it must be no smaller than 16 inches in

height and 49 inches in width on buses less than 80 inches in width. The window must be hinged from the top and devised and operated to ensure against an accidental closing in an emergency.

The emergency window in the rear must be equipped with a latch or latches on the inside connected with an electrical buzzer located in the driver's compartment that will go off when the latch is being released.

The emergency window must also be equipped on the outside with a nondetachable fastening device designed to prevent hitching-to, but to permit opening from the outside.

Paneling is required to cover the space between the top of the rear divan seat and the inside surface of emergency window at rear.

The words "EMERGENCY EXIT" in letters at least two inches high must be placed directly above the emergency window on the inside and directly below the window on the outside.

The emergency door and emergency window must be designed to be opened from the inside and the outside of the bus and must be equipped with a fastening device that may be quickly released but is designed to offer protection against accidental release. The opening of the emergency door and window must not be controllable from the driver's seat. The providing for opening from the outside must consist of a nondetachable device designed to prevent hitching-to but to permit opening when necessary.

The emergency door must be equipped with a slide-bar cam-operated lock. The slide bar must have a minimum stroke of one inch. The emergency door lock must be equipped with a suitable electric plunger type switch connected with a buzzer located in the driver's compartment. The switch must be enclosed ~~in a metal case~~, and the wires leading from the switch must be concealed in the bus body. The switch must be installed so that the plunger contacts the farthest edge of the slide bar so that any movement of the slide bar immediately closes the circuit on the switch and sets off the buzzer.

The emergency door lock must be equipped with an interior handle that extends approximately to the center of the emergency door. The handle shall lift up to release the lock.

The service door and the emergency door (side or rear) may be equipped with ~~vandal~~ locks if the locks comply with Federal Motor Vehicle Safety Standard Number 217, *Code of Federal Regulations*, title 49, part 571.

Option. A slide bolt or key type lock may be used on the interior of an emergency door if the locks meet applicable federal standards.

3520.5120 FIRST AID KIT AND BODY FLUIDS CLEANUP KIT.

Subpart 1. **First aid kit.** The bus must carry a removable Grade A metal, or other material of equal strength, dustproof first aid kit, mounted in full view or in a labeled accessible place in the driver's compartment.

The first aid kit must have the following units and packages per unit:

A. ten units for vehicles of 16 or less capacity;

B. 24 units for buses with passenger capacity in excess of 16 and up to and including 42 passengers; or

C. 36 units for buses of passenger capacity in excess of 42.

D. The table of required items and packages for items A to C:

~~Unit~~ Size	Item	Required ~~Packages~~ Units 10 Unit	24 Unit	36 Unit
1	Compress Bandage, 4 inch	2	6	8
1	Compress Bandage, 2 inch	1	3	7
1	Adhesive Compress, 1 inch	2	2	4
1	Triangular Bandage, 40 inch with 2 safety pins	1	2	4
1	Gauze Bandage, 4 inch	—	2	4
1	Absorbant Gauze Compress	—	2	2
1	Gauze Compress, 24 by 72 inches	1	2	2
1	~~Padded Tongue Blades~~ Pair Latex Gloves	1	1	1

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~~Unit Size~~	Item	Required ~~Packages~~ Units 10 Unit	24 Unit	36 Unit
2	Adhesive Tape, 1 inch by 2½ yards	2	2	2
1	Wire Splint	—	2	2

Subp. 2. **Body fluids cleanup kit.** Each new bus shall have a removable and moisture proof body fluids cleanup kit. It must be properly mounted and identified as a body fluids cleanup kit.

The body fluids cleanup kit shall contain:

A. one pair disposable latex gloves;

B. one disposable towel;

C. one three-ounce package of absorbent material;

D. one plastic scoop;

E. two plastic bags with twist ties; and

F. one odor reducing mask.

Subp. 3. **Seat belt cutter.** Every school bus equipped with seat belts for pupil passengers shall contain a belt cutter for use in emergencies, including evacuations. The belt cutter must be designed to eliminate the possibility of the operator or others being cut during use, and should be secured in a location of safekeeping such as a first aid kit.

3520.5160 IDENTIFICATION.

Subpart 1. **Requirements.** The body must bear the words "SCHOOL BUS" in black letters at least eight inches high on both front and rear of the body or on attached signs. The lettering must be placed as high as possible without impairment of its visibility. The lettering must conform to "Series B" of Standard Alphabets for Highway Signs.

Only signs and lettering approved or required by state law or rule~~, limited to name of owner or operator and home post office address, city, or town~~ may appear on the sides of the bus ~~, in accordance with *Minnesota Statutes*, section 221.031, subdivision 6~~. A school bus operated under charter authority must conform to the identification requirements of *Minnesota Statutes*, section 221.031, by placing the name of owner or operator, the home town and state abbreviation, on both sides of the bus in letters that contrast sharply in color with the background, be readily legible during daylight hours from a distance of 50 feet while the vehicle is stationary, and be maintained in a manner that retains the legibility of the markings. Any number or symbol necessary for identification may also appear on the sides of the bus.

[For text of subp 2, see M.R.]

Subp. 3. **Option. Rear emergency door may bear the message, "UNLAWFUL TO PASS WHEN RED LIGHTS ARE FLASHING." If used, the lettering must be in two inch black letters on school bus yellow background.**

3520.5200 LAMPS AND SIGNALS FOR NEW BUSES ONLY.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Interior lamps.** Interior lamps that adequately illuminate the aisle and the step well must be provided. The step well light must be turned on with the opening of the entrance door, and turned off with the closing of the entrance door.

[For text of subp 4, see M.R.]

Subp. 4a. **Wiring, flashing.** The system must be wired so that the amber signal lamps are activated only by hand operation, and if activated, are automatically deactivated and red signal lamps are automatically activated when the bus entrance door is opened. Right and left signal lamps must flash alternately. Each signal lamp must flash not less than 60 nor more than 120 flashes per minute. The "on" period must be long enough to permit bulb filament to come up to full brightness. A brake-operated switch is not permitted.

There must be a red pilot lamp (or red and amber pilot lamps) which must go on when the respective amber or red systems are actuated. The pilot must either go out or flash at an altered rate in the event the system is not functioning normally.

[For text of subps 6 and 7, see M.R.]

Subp. 8. **Installation requirements.** Each alternately flashing signal lamp must be mounted with its axis substantially parallel to the longitudinal axis of the vehicle.

Front and rear alternately flashing signal lamps must be spaced as far apart laterally as practicable.

Alternately flashing signal lamps must be mounted at the front on the same horizontal center line and above the windshield, and at the rear on the same horizontal center line so that the lower edge of the lens is not lower than the top line of the side window.

The vertical and lateral vision of the front and rear alternately flashing warning lamps must not be obstructed by any part of the body or lamphouse insofar as standard bus body construction permits.

The area around the lens of each alternately flashing signal lamp and extending outward approximately three inches must be painted black. In installations where there is no flat vertical portion of body immediately surrounding entire lens of lamp, circular or square band of black approximately three inches wide, immediately below and to both sides of lens, must be painted on body or roof area against which signal lamp is seen from a distance of 500 feet along axis of vehicle.

A separate fuse or circuit breaker, adequate to prevent damage to the system in the event of a dead short, must be provided between the power source and the master switch.

~~All wiring must be a minimum of 14 gauge.~~

Subp. 9. **Options.** School buses may be equipped with the following safety equipment devices.

[For text of items A to C, see M.R.]

D. The use of a roof mounted white double flash strobe light described in *Minnesota Statutes*, section ~~169.64~~ 169.442, subdivision ~~7~~ 5.

E. The use of electronic sensing devices.

3520.5220 TURN SIGNAL LAMPS AND STOP LAMPS.

Subpart 1. **Turn signal lamps.** The school bus must have turn signal indicators of an automatic type. The bus body must be equipped with amber or red rear turn signal lamps that are at least seven inches in diameter and meet specifications of the Society of Automotive Engineers (SAE J588). The turn signal lamps must be connected to the chassis hazard warning switch to cause simultaneous flashing of turn signal lamps when needed as a vehicular traffic hazard warning. The turn signal lamps must be placed as wide apart as practical ~~and their center line must be approximately eight inches below the rear windows~~.

Effective September 1, 1993, all Type I and Type II Minnesota school buses shall have amber turn signals.

Subp. 1a. **Clearance lamps.** All Type I and Type II school buses shall have an amber clearance lamp with a minimum of four candlepower mounted on the right side of the body at approximately seat level rub rail height just to the rear of the service door and another one at approximately opposite the driver's seat on the left side. These lamps are to be connected to operate only with the regular turn signal lamps.

[For text of subps 2 and 3, see M.R.]

3520.5310 MIRRORS.

Subpart 1. ~~**Required equipment**~~ **Interior mirror.** The interior clear view mirror must be at least 6 by 30 inches overall to afford good view of pupils and roadway to rear. If not metal-backed and framed, the mirror must be of laminated plate safety glass. It must have rounded corners and protected edges.

~~Two exterior clear-view, rearview mirrors must be provided, one to the left and one to the right of the driver. The area of each mirror must be not less than 70 square inches overall. Each mirror must be firmly supported and adjustable to give the driver a clear view past the left rear and right rear of the bus.~~

Subp. 2. ~~**Optional equipment**~~ **Exterior mirror.** ~~Small convex mirrors may be used in conjunction with the equipment required under subpart 1.~~ Each school bus shall be equipped with a system of exterior mirrors, as defined in federal motor vehicle safety standard number 111.

A. The rear vision mirror system must be capable of providing a view along the left and right sides of the vehicle that will provide the driver with a view of the rear tires at ground level, a minimum distance of 200 feet to the rear of the bus and at least 12 feet perpendicular to the side of the bus at a distance of 32 feet back from the front bumper.

B. The crossview mirror system shall provide the driver with indirect vision of an area at ground level from the front bumper forward and the entire width of the bus to a point where the driver can see by direct vision. The crossview system shall also provide the driver with indirect vision of the area at ground level around the left and right front corners of the bus to include the tires and service entrance on all types of buses to a point where it overlaps with the rear vision mirror system.

C. This system of mirrors must be easily adjustable but be rigidly braced so as to reduce vibration.

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Subp. 3. ~~**Required convex**~~ Crossover **mirrors.** ~~Four exterior convex mirrors at least 7-1/2 inches in diameter must be located as follows: two on the left and two on the right side of the bus in such a manner that the seated driver may observe, through their use, areas to front or side of bus where direct observation, as prescribed in Federal Motor Vehicle Safety Standard Number 17, *Code of Federal Regulations*, title 49, part 571, is not possible. The mirrors must comply with Federal Motor Vehicle Safety Standard Number 111, *Code of Federal Regulations*, title 49, part 571.~~

~~Transit-type buses must have at least three mirrors, two crossover mirrors, one in each corner, and one rearview mirror on the right side.~~ All school buses used to transport children in Minnesota, after September 1, 1993, must be equipped with a minimum of two crossover mirrors, mounted to the left and right sides of the bus in such a manner that the seated driver may observe, through their use, the area ahead of the bus where direct observation is not possible.

Subp. 4. [See repealer.]

3520.5380 SEAT BELT FOR DRIVER.

A type 2 lap belt/shoulder harness seat belt must be provided for the driver ~~must be provided~~. The ~~belt and mounting must comply with Federal Motor Vehicle Safety Standard Numbers 207 to 210, *Code of Federal Regulations*, title 49, part 571. Each belt section must be booted so as to keep the buckle and latch off the floor and within easy reach of the driver~~ assembly must be equipped with an emergency locking retractor for the continuous belt system. The lap portion of the belt must be anchored or guided at the seat frame so as to prevent the driver from sliding sideways under the belt.

3520.5450 STEPS.

[For text of subps 1 and 3, see M.R.]

Subp. 4. **Barrier or stanchion.** A padded barrier or stanchion meeting federal standards must be installed to the rear of the main service door.

3520.5520 VENTILATION.

Subpart 1. **General requirement.** The body must be equipped with a suitable, controlled ventilating system of sufficient capacity to maintain proper quantity of air under operating conditions without opening of windows except in extremely warm weather.

~~If static-type exhaust roof ventilators are desired, they must be installed in a low-pressure area of the roof panel.~~

[For text of subps 2 and 3, see M.R.]

Subp. 4. **Rear roof ventilator.** The rear roof ventilator must not be installed ~~beyond the rear axle~~ within three feet of the rear of the bus nor rearward of any strobe light.

Roof ventilators may also include auxiliary release handles to permit operation as emergency exits in compliance with Federal Motor Vehicle Safety Standard Number 217, *Code of Federal Regulations*, title 49, part 571.

Exit release handles, if used, must be equipped with an electric plunger-type switch connected with a buzzer located in the driver's compartment to indicate when the exit is opened.

3520.5551 WINDSHIELD AND WINDOWS.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Side and rear windows.** ~~The first two sections of the side windows, rear door, and rear windows must be of clear glass.~~ The use of ~~approved~~ tinted glass, as approved by *Minnesota Statutes*, section 169.71, is permitted on ~~other~~ side and rear windows except that the first window behind the service door shall be clear.

Subp. 4. **Side window.** Each full side window must provide an unobstructed emergency opening at least nine inches high and 22 inches wide, obtained by lowering of the window.

Subp. 5. **Thermal glass.** The window to the left of the driver and the upper service door window must be thermal glass.

3520.5580 WIRING.

Subpart 1. **Standard.** All wiring must conform to the current standards of the Society of Automotive Engineers.

Subp. 2. **Circuits.** Wiring must be arranged in at least eight regular circuits, as follows: head, tail, stop (brake), and instrument panel lamps; clearance lamps; dome and step-well lamps; starter motor; ignition and emergency door signal; turn signal lamps; alternately flashing red signal lamps; and horn.

Any of the circuits may be subdivided into additional independent circuits.

If heaters and defrosters are used, at least one additional circuit must be installed.

If installed, all other electrical functions must be provided with independent and properly protected circuits.

Each body circuit must be coded by number or letter on a diagram of circuits. The diagrams must be furnished ~~with~~ by the bus

body manufacturer and need not be affixed to the bus.

[For text of subp 2a, see M.R.]

3520.5611 EQUIPMENT.

[For text of subps 1 to 10, see M.R.]

Subp. 11. **First aid kit.** The bus must carry a removable Grade A metal, or other material of equal strength, ~~dust-proof~~ dustproof first aid kit, mounted in full view or in a labeled accessible place in the driver's compartment. Required units and required packages per unit first aid kit is to include: ten units for Type II vehicles of 16 or less capacity; and 24 units for Type II buses with passenger capacity in excess of 16.

Option: First aid kit may be stored outside the driver's compartment if a label in the driver and front passenger area clearly indicates the location of the first aid kit.

[For text of subps 12 and 13, see M.R.]

Subp. 14. **Glazing.** Laminated or tempered glass is permitted in all side windows except that windshield, entrance, and rear emergency exit doors must be of approved safety glass and be federally approved and marked.

The use of approved tinted glass is permitted.

The window to the left of the driver need not be thermal glass.

[For text of subps 15 to 29, see M.R.]

Subp. 30. [See repealer.]

3520.5900 CONSTRUCTION OF VEHICLES FOR CHILDREN WITH MOBILITY PROBLEMS.

[For text of subps 1 to 3, see M.R.]

Subp. 4. [See repealer.]

[For text of subps 5 to 14, see M.R.]

Subp. 15. **Power lift controls.** All power lift controls must be portable and conveniently located on the inside of the bus lift door. A ~~master~~ cut-off switch must be located in the driver's compartment or at the lift door.

[For text of subps 16 to 22, see M.R.]

REPEALER. *Minnesota Rules*, parts 3520.2700; 3520.3701, subpart 6; 3520.4831; 3520.4850, subpart 1; 3520.5310, subpart 4; 3520.5461; 3520.5611, subpart 30; and 3520.5900, subpart 4, are repealed.

Board of Pharmacy

Proposed Permanent Rules Relating to Pharmacists' Licensing and Operation

Notice of Intent to Adopt a Rule Without a Public Hearing

The Minnesota Board of Pharmacy intends to adopt a permanent rule without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You have 30 days to submit written comments on the proposed rule and may also request that a hearing be held on the rule.

Agency Contact Person. Comments or questions on the rule and written requests for a public hearing on the rule must be submitted to:

David E. Holmstrom
Executive Director
Minnesota Board of Pharmacy
2400 University Avenue West, Suite 107
St. Paul, MN 55114-1079
Telephone: (612) 642-0541
Fax: (612) 643-3530

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Subject of Rule and Statutory Authority. The proposed rule is about the Proposed Adoption of Rule Amendments and New Rules Relating to the Licensing of Pharmacies, Patient Counseling, Pharmaceutical Care, Standards of Practice, Inactive Status Licensure, Registration of Preceptors, and Dispensing by Non-Pharmacist Practitioners. The statutory authority to adopt this rule is found in *Minnesota Statutes* 151.06 and *Laws of Minnesota 1992*, Chapter 513, Article 7, Section 10. A copy of the proposed rule is published in the *State Register*. A free copy of the rule is available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m., on December 18, 1992 to submit written comment in support of or in opposition to the proposed rule and any part or subpart of the rule. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m., on December 31, 1992.

Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rule which caused your request, the reason for the request, and any changes you want made to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Modifications. The proposed rule may be modified as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in a substantial change in the proposed rules as printed in the *State Register*. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule.

Small Business Considerations. It is not believed the changes will have quantitative or qualitative impact on any small business. Persons representing small businesses are, nevertheless, invited to participate in the rulemaking process.

Expenditure of Public Money by Local Public Bodies. Promulgation of the proposed rule will not result in the expenditure of public monies by local public bodies.

Impact on Agriculture Lands. Promulgation of the proposed rule will not affect agricultural land in the state.

Adoption and Review of Rule. If no hearing is required, after the end of the comment period the agency may adopt the rule. The rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rule is submitted to the attorney general or be notified of the attorney general's decision on the rule. If you wish to be so notified, or wish to receive a copy of the adopted rule, submit your request to the agency contact person listed above.

Dated: 16 November 1992

David E. Holmstrom
Executive Director
Minnesota Board of Pharmacy

Rules as Proposed

6800.0100 DEFINITIONS.

Subpart 1. ~~**Pharmacist-in-charge.** The term "pharmacist-in-charge" means a duly licensed pharmacist in the state of Minnesota who has been so designated.~~ **Scope.** The terms in this chapter have the meanings given in this part and in *Minnesota Statutes*, section 151.01.

Subp. 2. **Community/retail pharmacy.** ~~The term~~ "Community/retail pharmacy" means an established place ~~regularly licensed by the Board of Pharmacy~~ in which prescriptions, drugs, medicines, chemicals, and poisons are prepared, compounded, dispensed, vended, distributed, or sold to ~~the consuming public~~ or for the use of nonhospitalized patients and from which related pharmaceutical care services are provided.

Subp. 3. **Hospital pharmacy.** "Hospital pharmacy" means an established place located in a licensed hospital in which prescriptions, drugs, medicines, chemicals, and poisons are prepared, compounded, dispensed, vended, distributed, or sold to hospitalized patients and from which related pharmaceutical care services are delivered.

Subp. 4. **Long-term care pharmacy.** "Long-term care pharmacy" means an established place, whether or not in conjunction with a hospital pharmacy or a community/retail pharmacy, in which prescriptions, drugs, medicines, chemicals, or poisons are prepared, compounded, dispensed, vended, distributed, or sold on a regular and recurring basis to or for the use of residents of a long-term care facility and from which related pharmaceutical care services are delivered.

Subp. 5. **Nuclear pharmacy.** "Nuclear pharmacy" is an area, place, or premises described in a license issued by the board with reference to plans approved by the board where radioactive drugs are stored, prepared, manufactured, derived, manipulated, compounded, or dispensed and from which related clinical services are provided.

Subp. 6. **Parenteral-enteral/home health care pharmacy.** "Parenteral-enteral/home health care pharmacy" means an established place, whether or not in conjunction with a hospital pharmacy or a community retail pharmacy, in which parenteral or enteral drugs or medicines are prepared, compounded, and dispensed for the use of nonhospitalized patients and from which related pharmaceutical care services are provided.

Subp. 7. **Pharmaceutical care.** "Pharmaceutical care" means the responsible provision of drug therapy and other pharmaceutical patient care services by a pharmacist intended to achieve definite outcomes related to the cure or prevention of a disease, the elimination or reduction of a patient's symptoms, or the arresting or slowing of a disease process.

Subp. 8. **Pharmacist-in-charge.** "Pharmacist-in-charge" means a licensed pharmacist in Minnesota who has been so designated.

Subp. 9. **Pharmacist-intern; intern.** "Pharmacist-intern" and "intern" has the meaning given in part 6800.5100, subpart 5.

Subp. 10. **Poisons.** ~~For the purpose of parts 6800.0100 to 6800.9700,~~ "Poisons" ~~shall be deemed to mean~~ means any substance except drugs or medicines which has the inherent capability to produce bodily harm, injury, or morbidity to ~~man~~ humans or ~~beast~~ animals through ingestion, inhalation, or absorption through or from any body organ or surface and shall include, but not be limited to, substances that are toxic, caustic, corrosive, sensitizing, extremely flammable or explosive, alone or in mixtures, and whose label bears the signal word "Poison" or cautionary words such as "Caution," "Warning," or "Danger," ~~etc.,~~ intended to signal a use alert.

Subp. 11. **Prescription drug order.** "Prescription drug order" means a lawful written or oral order of a practitioner for a drug for a specific patient.

Subp. 12. **Prospective drug review.** "Prospective drug review" means a review of a patient's drug therapy record and prescription drug order prior to the time of dispensing for purposes of promoting therapeutic appropriateness.

Subp. 13. **Satellite pharmacy.** "Satellite pharmacy" means a location in a licensed hospital under the direction of a licensed pharmacist that is remote from the centrally licensed pharmacy but within the same facility or location and is dependent on the centrally licensed pharmacy for administrative control, staffing, and drug procurement and that provides pharmacy services only to hospitalized patients.

LICENSING PHARMACIES

6800.0300 PHARMACY LICENSE AND FEE REQUIRED.

No person or persons shall conduct a pharmacy in ~~the state~~ or outside of Minnesota that dispenses medications for Minnesota residents and mails, ships, or delivers the prescription medications into this state unless ~~such~~ the pharmacy is licensed by the Board of Pharmacy. A fee set by the board and indicated in part 6800.0400 shall be charged for ~~each~~ a license.

A completed new pharmacy license application together with a blueprint of the proposed pharmacy showing size, layout, and security and a check for the proper fee amount must be received in the board office at least 60 days prior to the proposed opening date of the pharmacy.

6800.0350 LICENSE CATEGORIES.

A pharmacy must be licensed in one or more of the following categories:

A. community/retail;

B. hospital;

C. parenteral-enteral/home health care;

D. nursing home; and

E. nuclear.

Licensing of a pharmacy in more than one category shall not result in an increase in the license fee.

No pharmacy may engage in providing products or services in categories for which it is not licensed. A pharmacy must designate its category or categories on license renewal or application for an initial license.

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6800.0500 SEPARATE LICENSE REQUIRED.

A separate license shall be required for each pharmacy and is not transferable. The following shall be ~~deemed~~ considered a transfer requiring relicensure:

[For text of item A, see M.R.]

B. the addition or deletion of one or more partners in a partnership~~,~~ to which a pharmacy license has been issued;

C. the change of ownership of 20 percent or more of the issued voting stock of a corporation pharmacy since the issuance of the license or the last renewal ~~thereof,~~; this ~~shall~~ does not apply to any corporation the voting stock of which is actively traded on any securities exchange or in any over the counter market; ~~or~~

D. the change in ownership from one form to another: sole proprietor, partnership, or corporation; or

E. the addition, deletion, or change of categories of licensure.

6800.0700 ~~ACCESS~~ PHARMACY, SPACE, AND SECURITY.

Subpart 1. **Minimum requirements.** No person shall be issued a license to conduct a pharmacy located in Minnesota unless ~~such~~ the pharmacy:

A. ~~has an entrance which affords the public reasonable access to the pharmacy;~~

~~B.~~ contains more than 400 ~~and less than 12,500~~ square feet; ~~and~~

~~C.~~ B. is surrounded by a continuous partition or wall extending from the floor to the permanent ceiling, ~~which wall shall contain~~ containing doors capable of being securely locked to prevent entry when the pharmacy is closed; and

C. in the case of a community/retail pharmacy, contains an area where consultation between the patient and the pharmacist may be conducted with a reasonable expectation of privacy. Community/retail pharmacies in existence on the effective date of this subpart have until January 1, 1994, to comply with this item.

Subp. 2. **~~Hospital~~ Satellite waiver.** In the interest of public health, the board may waive ~~any of these provisions~~ subpart 1, item A, for satellite pharmacies located in hospitals.

6800.0800 LOCATION, DIMENSION, OR SECURITY CHANGES.

Subpart 1. **Change in location.** Before a ~~duly~~ licensed pharmacy changes the location of its business, it shall first submit to the Board of Pharmacy a new application for a license setting forth ~~such~~ the changes~~,~~ and shall submit ~~therewith~~ the information and documents required in an initial application for license. The new application and supporting documents shall be submitted at least 60 days ~~prior to~~ before the proposed change in location. If the Board of Pharmacy approves ~~such~~ the application, no additional charge shall be made for ~~such~~ the new license.

Subp. 2. **Change in dimension or security.** No ~~duly~~ licensed pharmacy in Minnesota shall change its physical dimensions or elements of physical security until it has submitted documents and plans of the proposed changes to the Board of Pharmacy. ~~Such~~ The documents and plans shall be submitted at least 60 days ~~prior to~~ before the proposed changes. The board shall, within 30 days after receipt of the proposed changes, notify the licensee that the proposed changes either comply or do not comply with part 6800.0700. ~~The~~ Failure of the board to respond in writing within ~~said~~ 30 days shall be ~~deemed~~ considered to be approval of the proposed changes.

Subp. 3. **Establishment of satellite pharmacy.** No licensed pharmacy in Minnesota shall establish a satellite pharmacy until it has submitted documents and plans for the proposed satellite to the Board of Pharmacy. The documents and plans must be submitted at least 60 days before the proposed establishment of the satellite. The board must, within 60 days after receipt of the proposal, notify the licensee that the proposed satellite either complies or does not comply with parts 6800.0100, subpart 13, and 6800.0700. Failure of the board to respond in writing within 60 days shall be considered to be approval of the proposed satellite.

6800.0910 PATIENT ACCESS TO PHARMACIST.

Subpart 1. **Patient consultation procedure required.** Each licensed pharmacy in Minnesota must develop and maintain a written patient consultation procedure providing for direct oral communication between the patient and the pharmacist designed to improve the patient's understanding of and compliance with the patient's drug therapy to enhance or optimize the outcome of the patient's drug therapy.

Subp. 2. **Description of procedure.** When dispensing a prescription, a pharmacist must attempt to consult with the patient or the patient's agent or caregiver and inquire about the patient's understanding of the use of the medication.

Upon receipt of a prescription or a prescription drug order and following a review of the patient's record, a pharmacist shall personally initiate discussion of matters which in the professional judgment of the pharmacist will enhance or optimize drug therapy with each patient or the agent or caregiver of the patient. The discussion shall be in person, whenever practicable, may be supplemented with written material, and shall include appropriate elements of patient counseling. These elements include the following:

A. the name and description of the drug;

B. the dosage form, dose, route of administration, and duration of drug therapy;

C. intended use of the drug and expected action;

D. special directions and precautions for preparation, administration, and use by the patient;

E. common severe side effects, adverse effects, or interactions and therapeutic contraindications that may be encountered, including their avoidance, and the action required if they occur;

F. techniques for self-monitoring of drug therapy;

G. proper storage;

H. prescription refill information;

I. action to be taken in the event of a missed dose; and

J. pharmacist comments relevant to the patient's drug therapy, including any other information peculiar to the specific patient or drug.

For refill prescriptions, the pharmacist shall attempt to determine if the patient has experienced any unexpected or unusual reactions or changes in health, whether the patient has experienced the expected outcome, whether the patient is using the medication as prescribed, and whether the patient has been using any over-the-counter or prescription drugs not in the patient's record since the last visit to the pharmacy, and advise the patient accordingly.

A pharmacist may vary or omit the patient information if, in the pharmacist's professional judgment, the variation or omission serves the best interest of the patient because of the particular individual circumstances involved. If there is any material variation from the minimal information required by this subpart in the information provided or, if consultation is not provided, that fact and the circumstances involved shall be noted on the prescription, in the patient's records, or in both.

Personal communication by the pharmacist is not required for inpatients of a hospital or other institution where other licensed health care professionals are authorized to administer the drugs or where a patient or patient's agent or caregiver has expressed a desire not to receive the consultation. When the prescription is being mailed or delivered to the patient by common carrier or delivery services, the consultation must still be provided but may be accomplished by telephone or in writing.

6800.0950 SALE RESTRICTED TO LIMITED AREA UNDER SUPERVISION.

~~Hereafter,~~ The Board of Pharmacy shall refuse to grant a license to any pharmacy or proposed pharmacy unless there is provided in ~~such~~ the pharmacy a prescription department and a drug area which ~~shall be~~ is used exclusively for the display, sale, compounding, and dispensing of drugs, medicines, chemicals, and poisons, and for the display and sale of other items used in the cure, mitigation, treatment, or prevention of disease in ~~man~~ humans or other animals.

6800.1010 CLOSING A PHARMACY.

Subpart 1. **Before closing.** At least 14 days before a licensed pharmacy closes and ceases operation it shall:

A. notify the board of the intended closing; and

B. notify the Drug Enforcement Administration, 110 South 4th Street #402, Minneapolis, Minnesota 55401, (612) 348-1700, in person or by registered or certified mail with the return receipt requested, of the following information:

(1) name, address, registration number, and authorized business activity of the licensee discontinuing the business;

(2) name, address, registration number, and authorized business activity of the person acquiring the business, if any;

(3) whether the business activities will be continued at the same location or moved to another location, and if moved, the address of the new location; and

(4) the date on which the transfer of controlled substances will occur.

Subp. 2. **At time of closing.** Effective with the closing date, the pharmacist-in-charge shall:

A. return the pharmacy license to the board office, noting the closing date;

B. notify the board as to the disposition of the prescription files, prescription drugs, insulin, hypodermic syringes and needles, contraceptive drugs and devices, and nonprescription drugs;

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C. if the pharmacy that is closing has been computerized, give a printout of all patient profiles to the pharmacy that is receiving the prescription files;

D. ensure that all legend drugs are removed from the pharmacy at the time of closing and stored in a licensed pharmacy; legend drugs must not be stored elsewhere, including in the custody of a pharmacist;

E. return the pharmacy's Drug Enforcement Administration Certificate and any unused narcotic order forms to the Drug Enforcement Administration, 110 South 4th Street #402, Minneapolis, Minnesota 55401;

F. inform the succeeding business occupying the premises and the landlord, if any, that it is unlawful to use the words "drugs," "drug store," or "pharmacy," or similar words in connection with the place of business unless it is a licensed pharmacy; and

G. take a controlled substances inventory as described in subitems (1) to (4). The inventory shall serve as the final inventory of the closing pharmacy and the initial inventory of the pharmacy receiving the controlled substances, and a copy of the inventory shall be included in the records of both. It is not necessary to file a copy of the inventory with the Drug Enforcement Administration unless requested by the regional administrator.

(1) If controlled substance drugs are to be destroyed, the pharmacist-in-charge must contact the local Drug Enforcement Administration for instructions.

(2) If controlled substance drugs, Schedule III-V, are being transferred, they shall be transferred on duplicate invoices, with each pharmacy keeping a copy.

(3) If Schedule II narcotics are being transferred, the transferee must submit a new Drug Enforcement Administration 222 Form to the transferor for the Schedule II substances only.

(4) If the Drug Enforcement Administration responds to the previous notice in subpart 1, item B, and does not approve of the transfer, instructions must be given to the pharmacy that is closing to dispose of the drugs according to the written instructions provided by the regional director.

6800.1050 REQUIRED REFERENCE BOOKS AND MINIMUM EQUIPMENT FOR PHARMACIES.

Subpart 1. **Reference books.** In addition to the most recent editions of the laws relating to the practice of pharmacy and the rules of the Board of Pharmacy, each pharmacy in Minnesota must have on file at least one current reference from each of the categories in items A to C. An equivalent reference approved by the board in writing may be ~~utilized~~ used in an appropriate category.

A. Examples of ~~pharmacology~~ pharmacotherapy references are:

(1) Pharmacology in Medicine;

(2) Pharmacological Basis of Therapeutics;

(3) Merck Manual;

(4) ~~Pharmindex~~ Applied Therapeutics;

(5) ~~United States Dispensatory~~ Pharmacotherapy: A Pathophysiologic Approach; ~~and~~

(6) United States Pharmacopeia - Dispensing Information; and

(7) Conn's Current Therapy.

B. Examples of dosage and toxicology references are:

(1) Hazards of Medications;

(2) American Hospital Formulary Service;

(3) Facts and Comparisons;

(4) Pediatric Dosage Handbook; ~~and~~

(5) Evaluation of Drug Interactions; and

(6) American Medical Association Drug Evaluations.

C. Examples of general references are:

(1) Handbook of Nonprescription Drugs;

(2) ~~Modern Drug Encyclopedia~~ Handbook on Injectable Drugs;

(3) Physician's Desk Reference;

(4) Remington's Pharmaceutical Sciences; and

(5) United States Pharmacopeia - National Formulary.

In addition to items A to C, long-term care pharmacies must have on file the most recent edition of Minnesota Department of Health rules pertaining to medication handling in long-term care facilities and a current general reference on geriatric pharmacotherapy.

Subp. 2. **Equipment.** Each pharmacy must have the following minimum equipment, clean and in good working order:

[For text of items A to D, see M.R.]

E. refrigerator with a thermometer ~~suitable~~ used only for drug storage or a separate compartment used only for drug storage within a general use refrigerator;

[For text of items F and G, see M.R.]

Subp. 3. **Equipment for parenteral-enteral/home health care and hospital pharmacies.** In addition to the requirements of subparts 1 and 2, a pharmacy licensed as a parenteral-enteral or hospital pharmacy and involved in an intravenous therapy program must have the following minimum equipment, clean and in good working order:

A. appropriate environmental control devices capable of maintaining an atmospheric environment with less than 100 particles 0.5 microns in diameter per cubic foot of air in the workspace where critical objects are exposed and critical activities performed and during normal activity. Examples of appropriate devices include laminar or vertical airflow hoods and zonal laminar flow of HEPA filtered air;

B. disposable equipment for compounding the parenteral or enteral product such as administration sets, filters, needles, and syringes;

C. sterile disposable items for personnel such as gloves, masks, hats, and gowns;

D. cleaning equipment;

E. appropriate disposal containers for used needles, syringes, and, if applicable, cytotoxic waste from preparation of chemotherapy agents, and infectious wastes from patients' homes consistent with Occupational Safety and Health Administration standards; and

F. two current intravenous reference materials or books for sterile products or intravenous incompatibilities such as "Handbook on Injectable Drugs" (ASHP), "Cutter's Guide to Parenteral Admixtures" or "Procedures for Handling Cytotoxic Drugs" (ASHP).

LICENSING PHARMACISTS

6800.1150 ANNUAL RENEWAL, FEES, AND POSTING.

~~Each~~ A pharmacist license ~~shall expire~~ expires on March 1 of each year and shall be renewed annually by filing an application for license renewal on or before February 1 of each year, together with a fee of $75. ~~Any~~ A pharmacist license renewal application ~~submitted~~ received after March 1 ~~shall be~~ is subject to a late filing fee of an amount equal to 50 percent of the renewal fee in addition to the renewal fee.

~~Each~~ A pharmacist shall post the license or renewal most recently issued by the board or a copy of it in a conspicuous place within the pharmacy in which the pharmacist is practicing. For community pharmacies, this place shall be a place which is readily visible to the public.

6800.1210 INACTIVE STATUS AND EMERITUS LICENSE.

Subpart 1. **Inactive status.** A pharmacist currently licensed in Minnesota who is not in active practice in Minnesota may apply for an inactive status license with the board. Requests for inactive status licensure shall be made at the time of license renewal.

The board shall grant an inactive status license to a pharmacist making the request on submission of a sworn statement stating that the pharmacist is not in active practice in Minnesota.

A pharmacist granted an inactive status license must continue to pay the renewal fee for licensure but shall not be required to comply with the continuing education requirements of the board. A pharmacist granted inactive status is not authorized to practice pharmacy in Minnesota while on inactive status.

If an individual's license is on inactive status and that individual maintains an active status license in good standing in another state that requires continuing education, the individual may reactivate the Minnesota license by showing compliance with the continuing education requirements of the other state. If an individual in this category has been on inactive status in Minnesota for longer than five years, the individual must also take and pass the jurisprudence examination described in part 6800.1300, subpart 5, offered to candidates for licensure by reciprocity.

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If an individual's license is on inactive status in Minnesota and that individual is not licensed in another state that requires continuing education and now seeks to reactivate the license in Minnesota, the individual must show that continuing pharmaceutical education has been completed at a rate of 15 hours per year for each year that the license has been on inactive status up to a maximum of 75 hours. If the license has been on inactive status for longer than five years, the individual must also take and pass the jurisprudence examination described in part 6800.1300, subpart 5, offered to candidates for licensure by reciprocity.

An individual whose license has lapsed before the effective date of this part and who wishes to be relicensed must apply under *Minnesota Statutes*, section 151.14.

Subp. 2. **Emeritus.** A pharmacist who is completely retired from active pharmacy practice may apply to the board for an emeritus license providing the pharmacist has not been disciplined by the board. An emeritus license is not a license to practice, but is a formal recognition of completion of that individual's pharmacy career in good standing.

An emeritus pharmacist is not subject to renewal fees or continuing education requirements.

A pharmacist interested in an emeritus license may obtain an application form by requesting it on the annual renewal form or by writing or calling the board office.

6800.1250 APPLICATIONS FOR LICENSURE.

Subpart 1. **Submitting.** ~~Applicants~~ An applicant for licensure by examination shall submit a completed application for examination including affidavits of internship, a copy of applicant's birth certificate, and a recent photograph. ~~All applicants~~ An applicant shall show evidence of graduation with a bachelor of science degree or doctor of pharmacy degree, as the first professional undergraduate degree in pharmacy, from a college of pharmacy or a department of pharmacy of a university approved by the board and meeting at least the minimum standards set by the American Council on Pharmaceutical Education in the current edition of its accreditation manual. The evidence shall be shown by submitting an official final transcript showing the date on which degree was conferred. The above listed documents together with a check for $250 must be ~~submitted to~~ received by the board at least 45 days prior to the examination. An applicant who is a graduate of a school or college of pharmacy located outside the United States, which has not been recognized and approved by the board, but who is otherwise qualified to apply for a license to practice pharmacy in this state, is considered to have satisfied the requirements of graduation if the applicant verifies to the board the applicant's academic record and the applicant's graduation. Before taking the licensing examination, a foreign graduate applicant shall pass the Foreign Pharmacy Graduate Equivalency Examination, which is recognized and approved by the board, given by the Foreign Pharmacy Graduate Examination Commission and demonstrate proficiency in the English language by passing the Test of English as a Foreign Language, which is recognized and approved by the board, given by the Educational Testing Service as a prerequisite to taking the licensure examination.

[For text of subps 2 and 3, see M.R.]

6800.1300 RECIPROCITY.

Subpart 1. **Applications.** ~~Applications~~ An application for reciprocal licensure (licensure as a pharmacist on the basis of licensure as a pharmacist in another state) together with a fee of $175 shall be filed with the ~~secretary~~ director of the board at least 30 days before the date the application is to be considered by the board. The board will consider applications for reciprocity in at least January and June of each calendar year.

Subp. 2. **Eligibility.** To be found eligible for consideration by the board:

A. An applicant must have practiced in the profession for at least one year after licensure in another state which is an active member of the National Association of Boards of Pharmacy before the applicant will be ~~deemed~~ considered eligible to reciprocate to Minnesota~~.~~;

B. An applicant, if examined and licensed before January 1, 1973, shall show that ~~he or she~~ the applicant has acquired 2,080 hours of practical pharmacy experience under the instruction of a licensed pharmacist~~.~~;

C. An applicant, if examined and licensed after January 1, 1973, shall show that the applicant has acquired 1,500 hours of practical pharmacy experience under the instruction of a licensed pharmacist~~; said 1,500 hours,~~ to be acquired after the successful completion of the third year of the standard five-year or six-year pharmacy curriculum, 400 hours of which may be acquired: concurrently with college attendance, in clinical pharmacy programs, or in demonstration projects which have been approved by the Tripartite Committee on Internship and the board of the active member state from which the applicant applies.

Subp. 3. **Substitution for internship.** Defects in internship experience will not preclude an applicant from being ~~deemed~~ considered eligible provided that the applicant ~~shall have~~ has practiced as a licensed pharmacist for ~~one year, plus~~ one week at 40 hours per week for each week or portion ~~thereof~~ of a week that the applicant is deficient in internship experience, ~~(~~for example, the number of weeks ~~in excess of one year~~ the applicant has practiced as a licensed pharmacist before applying for reciprocity must be equal to or greater than the number of weeks or portions ~~thereof~~ of weeks that the applicant is deficient in internship experience~~)~~.

[For text of subps 4 to 6, see M.R.]

LICENSING MANUFACTURERS AND WHOLESALERS

6800.1460 MANUFACTURING PROCEDURES.

A person engaged in the manufacturing of drugs, medicines, chemicals, or poisons for medicinal purposes whose place of business is located in Minnesota must comply with the current Good Manufacturing Practices regulations for finished pharmaceuticals published by the United States Food and Drug Administration.

CONTINUING EDUCATION

6800.1500 CONTINUING PHARMACEUTICAL EDUCATION.

[For text of subpart 1, see M.R.]

Subp. 2. **Minimum hours required; reporting.** ~~Commencing~~ Beginning March 4, 1975, no annual license renewal shall be issued to a pharmacist ~~pursuant to~~ under *Minnesota Statutes, section 151.13*, until ~~such~~ the pharmacist ~~shall have~~ has submitted to the board satisfactory evidence that ~~he or she has~~ the pharmacist has completed at least 30 hours of approved continuing education during the previous two-year period. Thereafter, ~~each~~ a pharmacist shall submit ~~such~~ the evidence every two years. Beginning with the 1981-1983 reporting period, participation in continuing education shall be reported on October 1 of each even-numbered year. The board may grant a pharmacist, ~~upon~~ on application, an extension of time not to exceed one year to comply with the requirements of this subpart. ~~Such~~ The extension shall not relieve the pharmacist from complying with the continuing education requirements for any other two-year period. Each pharmacist is responsible for maintaining a complete record of the pharmacist's continuing education participation during each continuing education reporting cycle.

[For text of subp 3, see M.R.]

Subp. 3a. **Approval of programs.** Application may be made by an association, corporation, educational institution, organization, group, or person, not presently approved as a provider, to have a program designated as an approved program. The board shall approve a continuing education program if it complies with the following criteria:

[For text of items A to G, see M.R.]

H. The provider has developed and will employ evaluation techniques that assess the effectiveness of the continuing education activities, and the level of fulfillment of the stated objectives for the purpose of provider and activity improvement if indicated.

Applications for program approval must be submitted not less than 45 days prior to the commencement of the program. The board shall assign the number of credit hours to each program and shall grant approval or deny approval of such application within ~~30~~ 60 days of receiving the application.

[For text of subp 4, see M.R.]

Subp. 4a. **Programs not previously submitted for approval.** ~~Pharmacists~~ A pharmacist may apply for credit for attendance at programs not previously submitted to the board for approval provided that the pharmacist completes a continuing education program approval form, obtainable from the board, and submits it to the board within 45 days after completing the program. The applicant shall provide, at a minimum, the title, site, date, type, and length of the program being proposed for approval, a program outline, and a description of the type of evaluation mechanism used at the program. Approval of the program is subject to all the standards of *Minnesota Statutes*, section 214.12, and subparts 1, item C, and ~~4~~ 3a, items B to G.

[For text of subps 5 and 6, see M.R.]

Subp. 6a. **Credit for preceptor training program.** A pharmacist who applies shall be given continuing education credit for participation in the Board of Pharmacy's instructional program for pharmacist preceptors.

[For text of subps 7 and 9, see M.R.]

OPERATION OF PHARMACY

6800.2150 PHARMACIST ON DUTY.

~~Each~~ A pharmacy or satellite pharmacy shall have at least one licensed pharmacist on duty and physically present in the pharmacy at all times that the pharmacy is open for the transaction of business except that brief absences of the pharmacist arising out of and in the course of pharmacy practice are allowable.

Except as provided in part 6800.7530, when a pharmacy is closed and there is no pharmacist on duty, other individuals shall not be allowed access to the pharmacy.

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6800.2250 UNPROFESSIONAL CONDUCT.

Subpart 1. **Prohibited conduct.** Unprofessional conduct shall include, but is not limited to, the following acts of a pharmacist or pharmacy:

[For text of items A to D, see M.R.]

E. Discriminating in any manner between patients or groups of patients, for reasons of religion, race, creed, color, sex, age, ~~or~~ national origin, or disease.

F. Refusing to consult with patrons or patients, attempting to circumvent the consulting requirements, or discouraging the patient from receiving consultation concerning contents, therapeutic values, ~~and~~ uses, and prices of prescription or nonprescription drugs, chemicals, or poisons.

[For text of items G and H, see M.R.]

I. Divulging or revealing to others the nature of professional pharmaceutical services rendered to a patient without ~~his~~ the patient's expressed consent orally or in writing or by order or direction of a court (this shall not prevent pharmacies from providing information copies of prescriptions to other pharmacies or to the person to whom the prescription was issued and shall not prevent pharmacists from providing drug therapy information to physicians for their patients).

[For text of item J, see M.R.]

[For text of subp 2, see M.R.]

Subp. 3. **Accessories to illegal drug traffic.** The selling, giving away, or otherwise disposing of accessories (i.e., glassine papers, empty capsules, quinine, lactose, or similar products), chemicals, or drugs found in illegal drug traffic is unprofessional conduct by a pharmacist when ~~he or she~~ the pharmacist knows or should have known of their intended use in illegal activities.

Subp. 4. **Drug diversion.** It is unprofessional conduct for a pharmacist to sell, purchase, or trade, or offer to sell, purchase, or trade, any drug that was purchased by a public or private hospital or other health care entity or that was donated or supplied at a reduced price to a charitable organization. This subpart does not apply to:

A. a sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug among hospitals or other health care entities that are under common control;

B. a sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug for emergency medical reasons; or

C. a sale, purchase, or trade of a drug, an offer to sell, purchase, or trade a drug, or the dispensing of a drug pursuant to a prescription.

For purposes of this subpart, "entity" does not include a wholesale distributor of drugs or a retail pharmacy licensed by the board, and "emergency medical reasons" includes transfers of a drug between health care entities or from a health care entity to a retail pharmacy undertaken to alleviate temporary shortages of the drug arising from delays in or interruptions of regular distribution schedules.

6800.2300 SANITATION.

~~Each~~ A pharmacy shall maintain orderly, clean, and sanitary conditions at all times.

6800.2400 PHARMACIST-IN-CHARGE.

Subpart 1. **Responsibilities and duties.** No person shall conduct a pharmacy without a pharmacist-in-charge, who shall be a pharmacist regularly employed in the pharmacy department and shall be designated in the application for license, each renewal thereof or pursuant to subpart 4. It ~~shall be his~~ is the pharmacist-in-charge's duty and responsibility, consistent with the accepted standards of professional conduct and practice and in compliance with all applicable laws:

[For text of items A and B, see M.R.]

C. to assure that all persons participating in an internship, residency, or fellowship program at the pharmacy are appropriately licensed or registered with the board;

D. to supervise all of the nonprofessional employees of the pharmacy insofar as their duties relate to the procurement, sale, and/or storage of drugs;

~~D.~~ E. to develop appropriate detailed written procedures directing activities of supportive personnel and to submit these procedures to the board in accordance with part 6800.3850;

~~E.~~ F. to establish and supervise the method and manner for the storing and safekeeping of drugs;

~~F~~ G. to establish and supervise the record keeping system for the purchase, sale, possession, storage, safekeeping, and return of drugs;

~~G.~~ H. to notify the board immediately upon ~~his~~ receiving knowledge that his or her services as pharmacist-in-charge have been or will be terminated; and

~~H.~~ I. to respond to deficiency reports.

[For text of subps 2 to 4, see M.R.]

6800.2500 NOTIFICATION OF CHANGE OF BUSINESS OR RESIDENCE ADDRESS.

~~Each~~ A pharmacist~~, assistant pharmacist, and registered~~ or pharmacist-intern shall notify the Board of Pharmacy immediately of any change in location of ~~his~~ employment or any change of ~~his~~ residence address.

6800.2700 RETURN OF DRUGS AND DEVICES.

[For text of subpart 1, see M.R.]

Subp. 2. **Drugs from nursing homes.** Drugs from nursing homes may be returned to the dispensing pharmacy if:

A. the consultant pharmacist can assure proper storage conditions for the drugs in the facility as specified in the United States Pharmacopeia, (~~Rockville, Maryland:~~ United States ~~Pharmacopoeial~~ Pharmacopeial Convention, Inc., Rockville, Maryland);

[For text of items B and C, see M.R.]

D. the drugs are received by the pharmacy in the original manufacturer's packaging or pharmacist packager's unit-dose, unit-of-use, or strip packaging with each tablet or capsule individually wrapped and labeled, or in blister cards, which indicate the drug name and strength, the packager's name, and the manufacturer's or packager's lot or batch number. Drugs packaged by a pharmacy may be returned only if the pharmacy can demonstrate to the board that its packaging material and procedures will provide a package that will meet or exceed the criteria for class B packaging established by the United States ~~Pharmacopoeia~~ Pharmacopeia, (~~Rockville, Maryland:~~ United States ~~Pharmacopoeial~~ Pharmacopeial Convention, Inc., Rockville, Maryland), and that procedures have been developed and implemented to prevent the commingling of dosage units of different lot numbers.

[For text of subp 3, see M.R.]

6800.2810 PRESCRIPTION NUMBERS.

Prescriptions dispensed from a pharmacy, other than prescriptions dispensed to hospital inpatients, must be numbered sequentially and the prescription blanks must be filed sequentially by number after dispensing.

6800.3000 ACCEPTANCE OF ORDER AND DISTRIBUTION OF MEDICATION; FAX TRANSMISSION OF PRESCRIPTIONS.

Subpart 1. **Acceptance of order.** No licensed pharmacist shall participate in any arrangement or agreement whereby prescriptions may be left at, picked up from, accepted by, or delivered to any place of business not licensed as a pharmacy. This ~~shall apply~~ applies to the prescription order blank and to the completed prescription medication container. Provided, however, that nothing in this part ~~shall prohibit~~ prohibits a licensed pharmacist or a licensed pharmacy, by means of its employee or by use of a common carrier, from picking up prescriptions or delivering prescriptions at the office or home of the prescriber, at the residence of the patient, or at the hospital or medical care facility in which a patient is confined.

Subp. 2. **Fax machines.** Prescriptions and drug orders may be transmitted to a pharmacy via the use of a fax machine only after written procedures for the use of fax machines have been developed by the pharmacy involved and are available for review by the board. For a pharmacy other than a hospital pharmacy that is transmitting solely within the institution, the procedures must provide for the identification of the person sending the prescription or drug order. Unless the fax transmission is received on a machine generating a copy that is readily readable for at least five years, all fax transmissions of drug orders shall be followed up within 72 hours with the original hard copy of the order or the pharmacist shall reduce the order received by fax to writing that is of permanent quality. Orders for Schedule II-IV controlled substances received by fax are not considered valid prescriptions and must not be filled or dispensed. Prescriptions faxed to the pharmacy by the patient are similarly not to be filled or dispensed.

6800.3100 COMPOUNDING AND DISPENSING.

Subpart 1. **Duties.** The practice of compounding and dispensing a prescription includes, but is not limited to, the following acts, which shall be performed only by a pharmacist, ~~assistant pharmacist~~ practitioner, or pharmacist-intern under the immediate and personal supervision of a pharmacist:

[For text of items A to F, see M.R.]

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G. assuring that, when required by law or by the best professional practice, permission to refill is obtained from authorized prescribers or their agents, and then noting on the reverse side of the prescription or in the electronically maintained record of the prescription the following data: date refilled; name of practitioner authorizing refill ~~(~~, if different from original prescriber~~)~~; quantity of drug dispensed ~~(~~, if different from the original prescription~~)~~; and initials of the pharmacist refilling the prescription;

H. supervising ~~nonpharmacist~~ clerical personnel in limited nonprofessional duties such as looking up prescription refills, filing prescriptions, record keeping, nonprofessional aspects of presenting completed medications to patients, and completing the transaction; and

I. supervising ~~nonpharmacist~~ supportive personnel utilized in the performance of certain pharmacy tasks ~~(the use of such supportive personnel shall be~~ not requiring professional judgment in accordance with part 6800.3850~~)~~.

Subp. 2. **Verification.** Verification of validity and propriety under subpart 1, item C, must be of the original prescription order. A copy, rewritten ~~or~~, verbal, or electronically produced, is not acceptable except as provided in parts 6800.3000, subpart 2, and 6800.3120, subpart 7.

Subp. 3. **Certification.** In certifying and documenting the completed prescription order under subpart 1, item F, the pharmacist, practitioner, or pharmacist-intern shall include:

[For text of items A to C, see M.R.]

D. ~~checking~~ reviewing the patient's medication profile for ~~possible therapeutic incompatibilities~~ purposes of conducting a prospective drug review and checking the accuracy of the addition to the profile of the medication dispensed; and

E. initialing of the prescription by the ~~pharmacist~~ individual performing the certification.

[For text of subp 4, see M.R.]

6800.3110 PATIENT MEDICATION PROFILES.

[For text of subpart 1, see M.R.]

Subp. 2. **Minimum information required.** ~~The following information, at a minimum, must be recorded:~~

~~A. the family name and the first name of the person for whom the medication is intended;~~

~~B. the address of the patient;~~

~~C. an indication of the patient's age group, such as infant, child, or adult; and~~

~~D. a list of all prescriptions obtained by the patient at the pharmacy maintaining the profile during the two years immediately preceding the most recent entry showing the prescription number, name and strength of the drug, the quantity and date received, and the name of the prescriber.~~ A reasonable effort must be made by the pharmacist to obtain, record, and maintain at least the following information regarding individuals obtaining prescription services at the pharmacy:

A. name, address, telephone number, date of birth or age, and gender;

B. individual history where significant, including disease state or states, known allergies and drug reactions, and a comprehensive list of medications and relevant devices being used; and

C. pharmacist comments relevant to the individual's drug therapy.

Subp. 3. **~~Recording allergies~~ Documentation.** ~~The pharmacist shall request from the patient or the patient's agent and shall record any allergies, idiosyncrasies, and chronic conditions of the patient and the identity of any other medications being taken by the patient which may relate to drug utilization. If there are none, this must be indicated on the profile.~~ In meeting the requirements of subpart 2, item C, the pharmacist shall document:

A. the pharmaceutical care needs of the patient;

B. the services rendered by the pharmacist; and

C. the outcome experienced by the patient.

Subp. 4. **Drug ~~interactions~~ use review.** Upon receiving a prescription, prescription drug order, or prescription refill request, a pharmacist shall examine the patient's profile record ~~before dispensing the medication to determine the possibility of a harmful drug interaction or reaction.~~ and conduct a prospective drug review to identify:

A. overutilization or underutilization;

B. therapeutic duplication;

C. drug-disease contraindications;

D. drug-drug interactions;

E. incorrect drug dosage or duration of drug treatment;

F. drug-allergy interactions; or

G. clinical abuse or misuse.

Upon recognizing ~~a potentially harmful interaction or reaction~~ any of these drug-related problems, the pharmacist shall take appropriate steps to avoid or ~~minimize~~ resolve the problem which shall, if necessary, include consultation with the prescriber.

For the purpose of meeting the requirements of this subpart, a pharmacist may rely on computerized medication profile review. The review must scan all prescriptions received by the patient at the pharmacy during the previous six months, check for drug and allergy interactions, over utilization, and under utilization. The pharmacist-in-charge must also develop procedures restricting "override" decision-making at the pharmacy and include these procedures in the written procedures required under part 6800.3950.

[For text of subps 5 and 6, see M.R.]

6800.3120 TRANSFER OF PRESCRIPTIONS BETWEEN PHARMACIES.

[For text of subpart 1, see M.R.]

Subp. 2. **Conditions of transfer.** A pharmacy may transfer ~~original~~ prescription information for the purpose of refilling a prescription if the information is communicated directly by one licensed pharmacist to another. Schedule II prescriptions may not be transferred. Schedule III-V prescriptions may only be transferred once.

Subp. 3. **Duties of transferring pharmacist.** The transferring pharmacist shall:

A. write the word "VOID" across the face of the ~~original~~ current prescription to make the prescription invalid;

[For text of items B and C, see M.R.]

[For text of subps 4 to 10, see M.R.]

6800.3200 PREPACKAGING AND LABELING.

[For text of subpart 1, see M.R.]

Subp. 2. **Labeling.** Each prepackaged container shall bear a label containing the following information:

[For text of items A and B, see M.R.]

C. name of the manufacturer or distributor of the finished dosage form of the drug;

D. except as provided in part 6800.3350, subpart 1, an expiration date of not more than one-fourth of the period of time from the prepackaging date to the manufacturer's expiration date ~~if any~~, up to a maximum of six months, or any earlier date which, in the pharmacist's professional judgment, is preferable; and

[For text of item E, see M.R.]

6800.3300 BULK COMPOUNDING.

Subpart 1. **Master formula record.** ~~Pharmacies~~ A pharmacy may compound drugs in bulk quantities for its own use. ~~Such~~ The drugs shall be compounded by or under the direct supervision of a pharmacist. For each drug product compounded in bulk quantities, a master formula record shall be prepared containing the following information: name of the product; specimen or copy of label; list of ingredients and quantities; description of container used; and compounding instructions, procedures, and specifications.

Subp. 2. **Production record.** For each batch of drug product compounded, a production record shall be prepared and kept containing the following information:

[For text of item A, see M.R.]

B. records of each step in the compounding process including: dates; identification of ingredients ~~(~~, including lot numbers~~)~~; quantities of ingredients used; initials of person preparing each process; and initials of pharmacist supervising each process; ~~and a batch number~~

C. a batch number; and

D. total yield.

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Subp. 3. ~~Total yield~~ **Labeling.** For each batch of drug product compounded, labels shall be prepared and affixed to each container containing the following information: identifying name or formula; dosage form; strength; quantity per container; internal control number or date; expiration date ~~(if any)~~; and auxiliary labels, as needed.

Subp. 4. **Raw materials.** Raw materials used in prescription compounding or bulk compounding must be obtained from FDA-approved sources.

Subp. 5. **Supply.** The size of batches of bulk compounded drugs must not exceed a three-month average supply, based on historical dispensing records, of the prescription formula that serves as the impetus for the compounding.

6800.3350 EXPIRATION DATES.

Subpart 1. **Pharmaceuticals prepackaged into prescription vials.** An expiration date of not more than one year from the prepackaging date or the time remaining to the manufacturer's expiration date, whichever is less, shall be placed on every container of drugs prepackaged into prescription vials by the pharmacist.

Subp. 2. **Bulk compounded pharmaceuticals.** An expiration date of not more than one year from the compounding date shall be placed on every container of bulk compounded pharmaceuticals. A longer expiration date may be used if stability studies have been done on the individual products justifying an expiration date longer than one year in length.

Subp. 3. **Unit-of-use and blister card packages.** An expiration date of not more than one-fourth of the period of time from the packaging date to the manufacturer's expiration date, up to a maximum of six months, shall be placed on all unit-of-use and blister card packaging whether prepared by the pharmacist at the time of dispensing or prepared earlier in anticipation of the dispensing.

Subp. 4. **Prescription vials.** Prescription drugs dispensed in traditional prescription vials and labeled with an expiration date shall bear an expiration date of not more than one year from the dispensing date or the time remaining to the manufacturer's expiration date, whichever is less.

6800.3400 PRESCRIPTION LABELING.

Subpart 1. **Requirements applicable to all drugs.** All drugs dispensed to or for a patient ~~(~~, other than an inpatient of a hospital~~)~~ shall be labeled with the following information:

[For text of items A to E, see M.R.]

F. name of manufacturer or distributor of the finished dosage form of the drug;

[For text of items G and H, see M.R.]

I. generic or trade name of drug and strength, except when specified by prescriber to the contrary. In the case of combining premanufactured drug products, the names of the products, or a category of use name shall suffice. In the case of compounding basic pharmaceutical ingredients, the common pharmaceutical name ~~(~~, if such exists~~)~~, the names and strengths of the principle active ingredients or a category of use label shall suffice.

Subp. 2. **Small container labeling.** In cases where the physical characteristics of the immediate container of the medication do not permit full labeling, a partial label containing, at a minimum, the patient name and the prescription number may be placed on the container and the complete labeling applied to an appropriate outer container.

6800.3450 LABELING OF OUTPATIENT INTRAVENOUS ADMIXTURE DRUGS.

Subpart 1. **Requirements applicable to intravenous admixture drugs.** Intravenous admixture drugs dispensed to or for a patient, other than a hospitalized patient, shall be labeled according to the requirements of part 6800.3400, and in addition shall contain the following:

A. date and time of compounding;

B. expiration date of product;

C. storage requirements;

D. infusion or administration rate;

E. sequential number of unit, if appropriate;

F. initials of the dispensing pharmacist personally placed on the label; and

G. other accessory cautionary information which in the professional judgment of the pharmacist is necessary or desirable for proper use by and safety of the patient.

Subp. 2. **Additions to admixtures.** When an additional drug is added to intravenous admixtures, the admixtures shall be labeled on the original label or with a distinctive supplementary label indicating the name and the amount of the drug added, date and time of addition and expiration, and initials of person adding the drug.

Subp. 3. **Audit trail.** A pharmacy engaged in the dispensing of outpatient intravenous admixtures shall develop a permanent audit trail system that will identify the dispensing pharmacist for each unit dispensed.

6800.3510 REFILL LIMITATIONS.

No prescription may be filled or refilled more than 12 months after the date on which the prescription was issued. Refills originally authorized in excess of 12 months are void 12 months after the original date of issuance of the prescription. After 12 months from the date of issuance of a prescription, no additional authorizations may be accepted for that prescription. If the prescriber desires continued therapy, a new prescription must be generated and a new prescription number assigned.

6800.3850 SUPPORTIVE PERSONNEL.

Subpart 1. **Nonspecified tasks.** Supportive personnel, commonly known as pharmacy technicians, may be used in performing pharmacy tasks not specifically reserved in ~~these rules~~ this chapter to a licensed pharmacist, ~~assistant pharmacist~~ practitioner, or pharmacist-intern under the immediate and personal supervision of a pharmacist.

[For text of subp 2, see M.R.]

Subp. 3. **Certifying.** Pharmaceutical products prepared by supportive personnel must be certified for accuracy by a licensed pharmacist, practitioner, or pharmacist-intern as provided for in part 6800.3100, item F, prior to release for patient use.

Subp. 4. **Written procedures.** Written procedures for the use of supportive personnel in a pharmacy shall be prepared by the pharmacist-in-charge, shall be submitted to the board, and a copy shall be kept on file in the pharmacy. These procedures must comply with the standards ~~set forth~~ in this ~~rule~~ chapter and will be approved on that basis. Approval must be obtained prior to implementation of the procedures.

These procedures shall indicate in detail the tasks performed by the supportive person; the name, address, and social security number of the supportive person; that the supportive person will be identified to the public by the use of a name tag giving both the supportive person's name and title; and the certification steps performed by the licensed pharmacist. New procedures or changes in procedures shall be submitted to the board for approval as specified ~~above~~ in this subpart. Procedures shall be updated and resubmitted every five years.

The submitted procedures shall be automatically approved 90 days after receipt by the board unless the pharmacist-in-charge is notified by the board of the specific reasons the procedures are unacceptable. A change in personnel filling the approved position does not require resubmission of procedures but does require notification of the board of the names, addresses, and social security numbers of the individuals involved.

Subp. 5. **Supervision.** Supportive personnel shall be supervised by a licensed pharmacist, practitioner, or pharmacist-intern stationed within the same work area who has the ability to control and is responsible for the action of the supportive person.

Subp. 6. **Ratios.** The basic ratio of supportive personnel ~~allowed by this rule to work with one pharmacist shall be 1:1~~ to pharmacists in a pharmacy is 2:1. Specific functions ~~shall be~~ are excepted from the ~~1:1~~ 2:1 ratio as follows:

[For text of items A to D, see M.R.]

Subp. 7. **Persons not included.** Personnel used solely for clerical duties such as typing, ~~looking up refills, filing prescriptions,~~ other than prescription data entry, and record keeping~~, etc.~~ need not be included in the ratios of the functions performed by supportive personnel.

A pharmacist-intern submitting hours toward completion of the 1,500-hour requirement is not considered a supportive person for the purpose of determining the number of supportive persons supervised by a licensed pharmacist.

[For text of subps 8 and 9, see M.R.]

Subp. 10. **Pharmacist-in-charge to report.** The pharmacist-in-charge of a pharmacy where a supportive person, or technician, is found to have diverted or misappropriated drugs shall immediately report that fact and the identity of the individual involved to the board.

Subp. 11. **Registration of technicians.** The board shall maintain a record of individuals employed as pharmacy supportive personnel, or pharmacy technicians, and of individuals reported to the board in accordance with subpart 10. The board shall provide to pharmacists who inquire any information in its possession regarding specific supportive personnel.

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6800.3950 ELECTRONIC DATA PROCESSING; COMPUTER USAGE.

Subpart 1. **Policy and procedures.** Up-to-date written policy and procedures shall be developed and maintained that explain the operational aspects of the automated system and shall:

A. include examples of output documentation provided by the automated system that pertain to dispensing or drug control records;

B. outline steps to be followed when the automated system is not operational due to scheduled or unscheduled system interruption;

C. outline regular and routine backup file procedures and file maintenance; and

D. outline audit procedures, personnel code assignments, and personnel responsibilities.

Subp. 1a. **Entering orders.** When electronic data processing equipment is employed by any pharmacy, input of drug information may be performed by a physician or a pharmacist. If orders are entered by other personnel the pharmacist must certify the accuracy of the information entered and verify the prescription order prior to the dispensing of the medication. The identity of the person entering the order ~~and the pharmacist verifying the order~~ must be retained in the computer record.

Subp. 2. **Minimum requirements.** Electronic data processing equipment, when used to store prescription information, must:

[For text of item A, see M.R.]

B. ~~be capable of producing~~ produce a hard copy daily summary of controlled substance transactions and be capable of producing a hard copy printout of legend drug transactions going back two years, except that if this information is already available in hard copy form it is not necessary to duplicate the data through computer-generated hard copy;

[For text of item C, see M.R.]

D. be capable of producing a patient profile indicating all drugs being taken and the dates and quantities of refills of these prescriptions~~;~~ and:

(1) in the case of hospital inpatients, these records shall be kept in the computer system or on hard copy and be immediately retrievable until the patient is discharged;

(2) in all other cases the data shall be kept in the computer system and be immediately retrievable for at least two years;

E. be capable of being reconstructed in the event of a computer malfunction or accident resulting in destruction of the data bank~~.~~;

F. be capable of producing a printout providing a refill-by-refill audit trail for any specified strength and dosage form of any controlled substance. The audit trail must include the name of prescribing practitioner, the name and location of patient, the quantity dispensed on each refill, the date of dispensing of each refill, the name or identification code of the dispensing pharmacist, and the prescription number;

G. be capable of identifying any authorized changes in drug, quantity, or directions for use of any order including the date of change, the identity of the individual making the change, and what the original information was; alternatively a new prescription may be created for each change; and

H. be capable of preventing unauthorized access, modification, or manipulation of patient prescription data.

[For text of subp 3, see M.R.]

Subp. 4. **Prescription refills.**

A. On the first refill of any prescription whose data is stored electronically, the pharmacist must retrieve the hard copy original of the prescription, compare the data to the data in the computer, and date and initial the back of the hard copy. On subsequent refills, the original hard copy need not be consulted.

B. As an alternative to the requirements of item A, a pharmacy may elect instead to develop and implement a written quality assurance plan that will provide safeguards against errors being made and perpetuated due to inaccurate prescription data being entered into the pharmacy's computer. This written quality assurance plan shall be made available to board surveyors on request.

Subp. 5. **Report to Board of Pharmacy.** If dispensing information is lost due to unscheduled system interruption, the Board of Pharmacy shall be notified within 72 hours.

Subp. 6. **Computer-generated material.** Any computer-generated material, such as labels, receipts, duplicate prescriptions, or other printed matter, that is intended to be attached to the hard copy prescription to meet legal requirements shall be affixed so that the face of the prescription is unobstructed.

CONTROLLED SUBSTANCES

6800.4150 LABELING OF CONTROLLED SUBSTANCES AND CERTAIN OTHER DRUGS.

~~All~~ Drugs administered systemically as controlled substances under *Minnesota Statutes*, chapter 152, and parts 6800.4200 to 6800.4250, ~~antihistamines, psychotherapeutic agents,~~ and other drugs deemed appropriate in the professional judgment of the pharmacist and dispensed to or for an adult patient ~~(~~, other than an inpatient of a hospital or nursing home ~~)~~, shall be labeled according to the requirements of part 6800.3400 and in addition shall contain the following:

"Caution: Taking this drug alone or with alcohol may impair your ability to drive."

Controlled substances shall also be labeled:

"Caution: Federal law prohibits the transfer of this drug to any person other than the patient for whom it was prescribed."

6800.4210 SCHEDULE I CONTROLLED SUBSTANCES.

Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this part.

A. Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers (whether optical, positional, or geometric), esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, or salts is possible within the specific chemical designation:

[For text of subitems (1) to (29), see M.R.]

(30) MPPP; 1-Methyl-4-Phenyl-4-Propionoxypiperidine;

[For text of subitems (31) to (48), see M.R.]

[For text of item B, see M.R.]

C. Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers (whether optical, positional, or geometric), and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Statutory Name	**Some examples of common names, trade names, or names of products which contain a controlled substance.**
(1) 4-Bromo-2,5-Dimethoxyamphetamine	4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA
(2) 2,5-Dimethoxyamphetamine	2,5-dimethoxy-a-methylphenethylamine; 2,5-DMA
(3) 4-Methoxyamphetamine	4-methoxy-a-Methylphenethylamine; paramethoxyamphetamine, PMA
(4) 5-Methoxy-3,4-Methylenedioxyamphetamine	MMDA
(5) 4-Methyl-2,5-Dimethoxyamphetamine	4-methyl-2,5-dimethoxy-a-methylphenethylamine; "DOM"; and "STP"
(6) 3,4-Methylenedioxy Amphetamine	MDA
(7) 3,4-Methylenedioxymeth-amphetamine	MDMA
(8) 3,4-Methylenedioxy-N-ethylamphetamine	N-ethyl-alpha-methyl-3,4(Methylenedioxy) phenethylamine; N-ethyl MDA; MDE; MDEA
(9) N-hydroxy-3, 4-Methylenedioxy-amphetamine	N-hydroxy-alpha-methyl-3, 4(Methylenedioxy) phenethylamine; N-hydroxy MDA
(10) 3,4,5-Trimethoxy Amphetamine	TMA

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Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
~~(9)~~ (11) Bufotenine	3-(b-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine
~~(10)~~ (12) Diethyltryptamine	N,N-Diethyltryptamine; DET
~~(11)~~ (13) Dimethyltryptamine	DMT
~~(12)~~ (14) Ibogaine	7-Ethyl-6,6b,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2] azepino [5,4-b] indole; Tabernanthe iboga
~~(13)~~ (15) Lysergic acid diethylamide	LSD
~~(14)~~ (16) Marijuana	
~~(15)~~ (17) Mescaline	
~~(16)~~ (18) Parahexyl	3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl
~~(17)~~ (19) Peyote Meaning all parts of the plant presently classified botanically as Lophophora williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or extracts	
~~(18)~~ (20) N-ethyl-3-piperidyl Benzilate	JB-318
~~(19)~~ (21) N-methyl-3-piperidyl Benzilate	JB-336
~~(20)~~ (22) Psilocybin	
~~(21)~~ (23) Psilocyn	
~~(22)~~ (24) Tetrahydrocannabinols Synthetic equivalents of the substances contained in the plant, or in the resinous extractives of cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activities such as the following: 1 cis or trans tetrahydrocannabinol, and their optical isomers, excluding dronabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the U.S. Food and Drug Administration. 6 cis or trans tetrahydrocannabinol, and their optical isomers; 3,4 cis or trans tetrahydrocannabinol, and its optical isomers (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)	THC
~~(23)~~ (25) Ethylamine analog of phencyclidine	N-ethyl-1-1henylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE
~~(24)~~ (26) Pyrrolidine analog of phencyclidine	1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
~~(25)~~ (27) Thiophene analog of phencyclidine	1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienylanalog of phencyclidine, TPCP, TCP
(28) 2-thienyl Pyrrolidine analog of Phencyclidine	1-[1-(2-thienyl)cyclohexyl]-pyrrolidine, TCPy

[For text of items D and E, see M.R.]

F. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Fenethylline;

(2) 4-Methylaminorex (2-Amino-4-methyl-5-phenyl-2-oxazoline);

(3) N-ethylamphetamine.

6800.4220 SCHEDULE II CONTROLLED SUBSTANCES.

The following items are listed in schedule II:

[For text of items A and B, see M.R.]

C. Opiates. Unless specifically excepted or unless listed in another schedule any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan and levopropoxyphene excepted:

	Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(1)	Alfentanil	Alfenta
(2)	Alphaprodine	Nisentil
(3)	Anileridine	Leritine
(4)	Bezitramide	
(5)	Bulk Dextropropoxyphene (nondosage forms)	
(6)	Carfentanil	
(7)	Dihydrocodeine	Paracodin
~~(7)~~ (8)	Dihydromorphinone	Dilaudid
~~(8)~~ (9)	Diphenoxylate	
~~(9)~~ (10)	Fentanyl	Sublimaze, Innovar
~~(10)~~ (11)	Isomethadone	
~~(11)~~ (12)	Levomethorphan	
~~(12)~~ (13)	Levorphanol	Levo-Dromoran
~~(13)~~ (14)	Metazocine	
~~(14)~~ (15)	Methadone	Dolophine, Amidone, Adanon
~~(15)~~ (16)	Methadone-Intermediate 4-cyano-2-dimethylamino-4, 4-diphenylbutane	

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	Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
~~(16)~~ (17)	Moramide-Intermediate 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid	
~~(17)~~ (18)	Pethidine (meperidine)	Meperidine, Demerol
~~(18)~~ (19)	Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine	Isonipecaine, Mepadin, Mepergan
~~(19)~~ (20)	Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate	
~~(20)~~ (21)	Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid	
~~(21)~~ (22)	Phenazocine	Prinadol
~~(22)~~ (23)	Piminodine	Alvodine
~~(23)~~ (24)	Racemethorphan	
~~(24)~~ (25)	Racemorphan	Dromoran
~~(25)~~ (26)	Sufentanil	Sufenta

[For text of items D to G, see M.R.]

6800.4230 SCHEDULE III CONTROLLED SUBSTANCES.

The following items are listed in schedule III:

[For text of items A to E, see M.R.]

F. Anabolic Steroids.

Clostebol, Chorionic gonadotropin, Dehydrochlormethyltestosterone, Ethylestrenol, Fluoxymesterone, Human growth hormones, Mesterolone, Methandienone, Methandrostenolone, Methenolone, Methyltestosterone, Nandrolone, Nandrolone phenpropionate, Norethandrolone, Oxandrolone, Oxymesterone, Oxymetholone, Stanozolol, Testosterone propionate, Testosterone-like related compounds

6800.4240 SCHEDULE IV CONTROLLED SUBSTANCES.

The following items are listed in schedule IV:

[For text of items A and B, see M.R.]

C. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(1) Alprazolam	Xanax
(2) Barbital	Barbitone
(3) Bromazepam	
(4) Camazepam	
(5) Chloral betaine	Beta-Chlor
(6) Chloral hydrate	Noctec, Somnos
(7) Chlordiazepoxide	Librium, Libritabs

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(8) Clobazam	
(9) Clonazepam	Clonopin
(10) Clorazepate	Tranxene
(11) Clotiazepam	
(12) Cloxazolam	
(13) Delorazepam	
(14) Diazepam	Valium
(15) Estazolam	
(16) Ethclorvynol	Placidyl
(17) Ethinamate	Valmid
(18) Ethyl Loflazepate	
(19) Fludiazepam	
(20) Flunitrazepam	
(21) Flurazepam	Dalmane
(22) Halazepam	Paxipam
(23) Haloxazolam	
(24) Ketazolam	
(25) Loprazolam	
(26) Lorazepam	Ativan
(27) Lormetazepam	
(28) Mebutamate	
(29) Medazepam	
(30) Meprobamate, except when in combination with the following drugs in the following or lower concentrations: conjugated estrogens 0.4 mg tridihexethyl chloride 25 mg pentaerythritol tetranitrate 20 mg	Equanil, Miltown, Equagesic, Equalysen
(31) Methohexital	Brevital
(32) Methylphenobarbital	~~Mebral~~ Mebaral, Mephobarbital
(33) Midazolam	
(34) Nimetazepam	
(35) Nitrazepam	
(36) Nordiazepam	
(37) Oxazepam	Serax
(38) Oxazolam	
(39) Paraldehyde	Paral
(40) Petrichloral	Periclor
(41) Phenobarbital	Luminal, Phenobarbitone, Eskabarb
(42) Pinazepam	
(43) Prazepam	Centrax
(44) Quazepam	
(45) Temazepam	Restoril

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Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(46) Tetrazepam	
(47) Triazolam	Halcion

[For text of items D to F, see M.R.]

6800.4250 SCHEDULE V CONTROLLED SUBSTANCES.

The following items are listed in schedule V:

[For text of items A to C, see M.R.]

D. **Stimulants.** Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substance having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers: Pyrovalerone.

6800.4400 REGISTRATION OF CONTROLLED SUBSTANCE RESEARCHERS.

Subpart 1. **Application; fee; permit.** ~~Every~~ A person who engages in research, teaching, or educational projects involving the use, study, or testing of controlled substances shall annually, on or before June 1 of each year, apply for registration by the board. ~~Upon~~ On the filing of an application ~~therefor~~, ~~and upon~~ payment of ~~the~~ a fee of $25, and authentication of the application by the board, the board shall issue a permit.

Subp. 2. [See repealer.]

6800.4500 CONTROLLED SUBSTANCE SAMPLES.

A manufacturer, distributor, or agent of a manufacturer or distributor of a controlled substance as defined in *Minnesota Statutes*, section 152.01, subdivision 4, or parts 6800.4200 to 6800.4250, may not distribute controlled substance samples directly or by other means without charge or at a charge below fair market value to a practitioner unless ~~a~~ the practitioner signs a written request for a designated quantity of the controlled substance. The request must also indicate that the controlled substance is to be distributed to the practitioner by the manufacturer~~,~~ or distributor~~, or agent or distributed to a pharmacist~~ for dispensing to a patient.

6800.4600 PERPETUAL INVENTORY.

Each pharmacy located in this state shall maintain a perpetual inventory system for Schedule II controlled substances. The system shall be established in a manner that will provide total accountability in all aspects of Schedule II drug distribution. The inventory shall be reconciled with the actual inventory monthly and the reconciliations shall be documented. Reconciliation documentation shall be retained for at least two years.

6800.4700 CONTROLLED SUBSTANCE VERIFICATION.

Each hospital pharmacy shall develop and implement a written quality assurance plan that provides for pharmacist verification of drug distribution records relating to the distribution of controlled substance drugs from the pharmacy to the nursing stations or other drug storage locations within the hospital.

INTERNSHIP

6800.5100 DEFINITIONS.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Concurrent time.** "Concurrent time" means internship experience gained during the fourth ~~and~~, fifth, and sixth academic years only, while a person is a full-time student carrying, in any given school term, ~~at least 75 percent of the average number of credit hours per term needed to graduate within five years~~ 12 or more quarter credits.

[For text of subp 4, see M.R.]

Subp. 5. ~~**Intern;**~~ **Pharmacist-intern; intern.** "Pharmacist-intern" and "intern" mean:

A. a natural person satisfactorily progressing toward the degree in pharmacy required for licensure;

B. a graduate of the University of Minnesota College of Pharmacy, or other pharmacy college approved by the board, who is registered by the board of pharmacy for the purpose of obtaining practical experience as a requirement for licensure as a pharmacist; ~~or~~

C. a qualified applicant awaiting examination for licensure; or

D. a participant in a residency or fellowship program who is a licensed pharmacist in another state or who is a graduate of the University of Minnesota College of Pharmacy or another pharmacy college approved by the board.

Subp. 6. **Preceptor.** "Preceptor" means a natural person licensed as a pharmacist by the Board of Pharmacy~~, and~~ who participates in instructional programs approved by the board and is providing instruction and direction to pharmacist-interns related to their practical experience.

[For text of subp 7, see M.R.]

Subp. 8. **Supervision.** Except as provided in subpart 9, "supervision," as used in connection with parts 6800.5100 to 6800.5600, means that in the pharmacy where the intern is being trained, a registered pharmacist designated as preceptor or another registered pharmacist shall be in continuous personal contact with and actually giving instructions to the intern during all professional activities of the entire period of ~~his~~ the intern's internship.

Subp. 9. **Supervision in approved clinical programs.** Direct supervision for interns is not required for drug information gathering for the purpose of patient assessment. Direct supervision is required when making drug therapy recommendations to other health professionals when the recommendations may affect patient therapy.

Subp. 10. **Supervision in patient counseling situations.** Direct supervision is not required for interns in patient counseling, patient education, or staff in-service situations. The preceptor for the intern is responsible for the accuracy and completeness of statements made by the intern.

6800.5200 INTERNSHIP.

The purpose of parts 6800.5100 to 6800.5600 is to define and regulate the internship experience of prospective pharmacists as required by *Minnesota Statutes*, sections 151.10 and 151.101. These ~~rules shall~~ parts take effect immediately but ~~the provisions contained herein shall~~ do not nullify any period of internship service by any individual previous to ~~its~~ their adoption ~~provided such~~ if the period of internship is filed in a proper manner with the ~~secretary~~ director of the Board of Pharmacy.

6800.5300 REGISTRATION AND REPORTING.

Subpart 1. **Registration.** Every person shall register with the board before beginning ~~his~~ an internship, residency or fellowship in ~~this state~~ Minnesota. Applications for the registration of a pharmacist-intern shall be on ~~such~~ a form or forms ~~as~~ the Board of Pharmacy ~~may from time to time prescribe~~ prescribes and shall be accompanied by a fee of $20. Registration ~~shall remain~~ remains in effect during successive quarters of internship training if progress reports, examinations, and affidavits of experience as required by the board are submitted promptly upon beginning or terminating employment, and if the board is satisfied that the registrant is in good faith and with reasonable diligence pursuing a degree in pharmacy. Registration for purposes of participating in a residency or fellowship program remains in effect until the individual obtains licensure as a pharmacist, for two years, or until the completion of the residency or fellowship program, whichever occurs first. Credit for internship time will not be granted unless registration, progress reports, and affidavits of experience for preceding time are completed and received.

Subp. 2. **Identification.** The pharmacist-intern shall be so designated in ~~his~~ professional relationships, and shall in no manner falsely assume, directly or by inference, to be a pharmacist. The board shall ~~upon~~ on proper registration issue to the intern a pocket registration card for purposes of identification and verification of ~~his~~ the intern's role as an intern, ~~which~~ and the card shall be surrendered to the ~~secretary~~ director of the board ~~upon~~ on termination of the internship program.

[For text of subps 3 and 4, see M.R.]

Subp. 5. **Examinations.** Examinations shall be administered approximately quarterly at times and locations ~~as~~ that the board ~~may designate~~ designates. These examinations shall be of a pretest and posttest nature bracketing ~~such~~ the segments of the intern's experience as the board deems appropriate. Interns will be required to attain a score of 75 percent on the posttest examination as verification of having met the minimum objectives of an internship before qualifying to sit for the examination for licensure as a pharmacist. Candidates for licensure by examination who are licensed as pharmacists in another state are exempt from this requirement.

[For text of subps 6 and 7, see M.R.]

6800.5350 PRECEPTORS.

Pharmacists intending to act as preceptors for pharmacist-interns in licensed pharmacies shall first obtain preceptor certificates from the board. Certificates shall be renewed every other year on the anniversary of their issuance.

The board shall grant certificates or renewals to applicants who show that:

A. they have completed at least 4,000 hours of pharmacy practice after licensure as a pharmacist in Minnesota;

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B. they are currently in full-time practice as a pharmacist;

C. for renewal of a certificate only, they have participated in the board's instructional programs on pharmacy law for preceptors within the previous 24 months;

D. they have a history of exemplary practice with respect to compliance with state and federal laws;

E. the pharmacy has a reference library that meets or exceeds the requirements of part 6800.1050 at the location at which the internship training will take place;

F. they will provide at least 12 hours per calendar quarter of scheduled, uninterrupted time for the intern for purposes of education and discussion; or

G. they are participating in the college-based externship program of the University of Minnesota College of Pharmacy as an approved preceptor.

6800.5400 TRAINING.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Training in other state.** When an intern desires to obtain credit for training received in a state other than Minnesota, ~~he~~ the intern shall abide by ~~all the provisions of~~ the internship rules in that state, and shall provide evidence from ~~the~~ that state's Board of Pharmacy that ~~his~~ the intern's internship training has been completed in compliance with the internship standards of the National Association of Boards of Pharmacy and with the standards herein provided. Where a possible conflict may exist between the provisions of this ~~rule~~ part and the requirements of the state in which the intern is training, the intern shall contact the ~~secretary~~ director of the ~~state~~ Board of Pharmacy in ~~his state~~ Minnesota and outline any possible problem.

[For text of subps 4 and 5, see M.R.]

Subp. 6. **Evidence of completion.** Applicants for licensure as pharmacists who are examined and licensed after September 17, 1973, shall submit evidence that they have successfully completed not less than 1,500 hours of internship under the instruction and supervision of a preceptor. Credit for internship shall be granted only to registered interns who have completed the third year of the five-year or six-year pharmacy curriculum, provided, however, that:

A. 400 hours of internship credit may be acquired by any combination of the following: internship experience gained concurrent with attendance at a college of pharmacy during the fourth ~~and~~, fifth, and sixth year~~, or~~; participation in approved clinical pharmacy programs; or participation in approved internship demonstration projects such as industrial or research experiences; ~~and~~

B. not more than 700 hours of internship credit may be given during any internship quarter; and

C. 800 hours of internship credit may be acquired through Pharm D clinical rotations on condition that the remaining 700 hours of the 1,500-hour total requirement is of a traditional compounding and dispensing nature.

6800.5600 ADVISORY COMMITTEE.

The board shall appoint an advisory committee on internship to advise the board on the administration of parts 6800.5100 to 6800.5600. The committee shall include practicing pharmacists, pharmacist-educators, ~~pharmacy interns~~ pharmacist-interns, and representatives of the board.

OPERATIONS IN LONG-TERM CARE FACILITIES

6800.6200 PRESCRIPTION ORDER COMMUNICATION.

Subpart 1. **Transmitting orders.** Notwithstanding any other provisions of parts 6800.0100 to 6800.9700, except that part 6800.3000, subpart 2, shall continue to apply, a licensed pharmacist, registered nurse, or licensed practical nurse who is employed by a duly licensed skilled care, intermediate care, or other licensed health care facility, and who is authorized by the facility's administrator, may transmit to the pharmacy provider a prescription lawfully ordered by a practitioner authorized to prescribe drugs or devices pursuant to *Minnesota Statutes*, section 151.37. The pharmacy provider shall record on the prescription the name of the person who transmits the order in addition to the other required information. This subpart ~~shall~~ does not apply to orders for schedule II controlled substances as defined by part 6800.4220.

Subp. 2. **Written orders.** Orders in subpart 1 may be in writing or, except for schedule II controlled substances, an oral order reduced to writing by the pharmacist, and may include authorization for multiple refills consistent with good practice and legal limitations. A facsimile copy of the prescriber's medication order may be accepted and filed as a prescription by the pharmacy in accordance with part 6800.3000, subpart 2.

[For text of subp 3, see M.R.]

6800.6300 PRESCRIPTION LABELING.

Subpart 1. **Minimum information.** All prescription containers, other than those dispensed pursuant to part 6800.3750, shall be

properly labeled in accordance with part 6800.3400 and shall also contain at least the following additional information: quantity of drug dispensed; date of original issue, or in the case of a refill, the most recent date ~~thereof~~; and expiration date of all time dated drugs.

Subp. 2. **Directions for use.** Directions for use on labels of medications shall be changed only by a pharmacist acting on the instructions of the prescriber or ~~his~~ the prescriber's agent. ~~Such~~ The medications shall be returned to the pharmacist provider to be ~~so~~ relabeled or a pharmacist shall relabel ~~such~~ the medications at the facility.

6800.6500 CONSULTATIVE SERVICES TO LONG-TERM CARE FACILITIES.

Subpart 1. **Written agreement.** A pharmacist providing pharmacy consultative services to a long-term care facility shall devote a sufficient number of hours during regularly scheduled visits to the long-term care facility for the purpose of reviewing the quality of the pharmaceutical services provided to the long-term care facility residents. There shall be a written agreement, separate and apart from that provided to pharmacists supplying prescription drug services to residents, for ~~such~~ the pharmaceutical consultative services between the facility and the ~~pharmacist~~ consulting services provider which shall be available for review by the board.

Subp. 2. **Responsibilities.** The pharmacist shall be responsible for, but not limited to, the following:

[For text of items A and B, see M.R.]

C. review of the drug regimen of each resident and preparation of appropriate reports and recommendations. ~~This shall include~~ including at least a review of all drugs currently ordered; information concerning the patient's condition as it relates to drug therapy; and medication administration records ~~and, where appropriate~~, physician progress notes, nurses' notes, and laboratory test results;

[For text of item D, see M.R.]

E. preparing, at least quarterly, a written report on the status of the pharmaceutical service and staff performance and submitting this report to the administrator and ~~patient care policy committee and/or the pharmaceutical services~~ the quality assurance and assessment committee;

F. developing policies for destroying, in the prescribed manner, any unused portion of prescription drugs remaining in the facility after the death or discharge of the patient or resident for whom they were prescribed or any prescriptions permanently discontinued; ~~and~~

G. providing in-service training to nursing personnel ~~.~~; and

H. developing policies for the issuance of medications to residents who are going on leave from the facility. These policies may allow the preparation, by facility personnel responsible for overseeing medication administration, of a supply of medications, not to exceed a 72-hour supply, in paper envelopes or other more suitable containers for use by a resident temporarily leaving the facility at times when the resident's pharmacy is closed or cannot supply the needed medication in a timely manner. A container may hold only one medication. A label on the container shall include the date, the resident's name, the facility, the name of the medication, its strength, dose, and time of administration, and the initials of the person preparing the medication and label.

Subp. 3. **Unused portions.** Unused portions of controlled substances shall be handled by contacting the Minnesota Board of Pharmacy who shall furnish the necessary instructions and forms, a copy of which shall be kept on file in the facility for two years.

Any other unused portion of prescription drugs remaining in the facility after the death or discharge of the patient or resident for whom they were prescribed or any prescriptions permanently discontinued shall be destroyed by the facility in the presence of a pharmacist or registered nurse who shall witness such destruction or shall be handled in accordance with part 6800.2700.

The drugs shall be destroyed ~~by flushing them into the sewer system or by incineration~~ in an environmentally acceptable manner.

6800.6700 DRUGS FOR USE IN EMERGENCY KITS.

Subpart 1. **Authorization upon request.** ~~Pharmacists~~ A pharmacist may provide, upon a written or oral request from ~~a licensed practitioner~~ the quality assurance and assessment committee, limited supplies of drugs for use in an emergency kit. The drugs remain the property of the pharmacy.

Subp. 2. **Emergency drug supplies.** Only emergency drug supplies determined by the ~~patient care policy committee or pharmaceutical service~~ quality assurance and assessment committee ~~to be~~ necessary for patient care in life threatening emergencies may be made available. The drugs in the emergency kit are the responsibility of the pharmacist and, therefore, shall not be used or altered in any way except as outlined ~~herein~~ in this subpart. The emergency drug supplies shall comply with the following:

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A. The drugs shall be limited to the extent possible to a maximum of six single doses of any one emergency drug in either sealed ampules, vials, or prefilled syringes. If an emergency drug is not available in parenteral form, a supply of the drug in inhalation, buccal, dermal, or sublingual form may be obtained in the smallest sealed manufacturer's package. Notwithstanding these restrictions, if the quality assurance and assessment committee considers it necessary, up to six doses of four different oral antibiotics may be stocked. Inclusion of other oral legend drugs is ~~discouraged~~ permissible only through the granting of a variance by the board. ~~All~~ Drugs in ~~this~~ the supply shall be properly labeled, including expiration dates and lot numbers.

B. The emergency drug supply shall be stored in a portable container which is sealed by the pharmacist or the pharmacist's agent with a tamper-proof seal that must be broken to gain access to the drugs, and shall be placed in a locked area.

[For text of item C, see M.R.]

D. Drugs used from the kit shall be replaced by submitting a prescription for the used item to the pharmacist within 72 hours and the supply shall be resealed by the pharmacist or the pharmacist's agent.

E. The pharmacist shall see that the contents of the kit are accurately listed on the container and accounted for.

[For text of item F, see M.R.]

Subp. 3. **Controlled substances.** Emergency kits may contain limited supplies of controlled substances only if:

[For text of items A to E, see M.R.]

F. the facility keeps a complete record of the use of controlled substances from the kit for two years, including the patient's name, the date of use, the name of the drug used, the strength of the drug, the number of doses used, and the signature of the person administering the dose; and

[For text of item G, see M.R.]

[For text of subp 4, see M.R.]

Subp. 5. **Penalty.** If any of the provisions of this ~~rule~~ part are violated, the board may suspend or revoke a ~~facility's right~~ pharmacy's privilege to maintain an emergency kit of drug supplies.

OPERATIONS IN HOSPITALS

6800.7100 DEFINITIONS.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Pharmaceutical service.** "Pharmaceutical service" means the control of the utilization of drugs, biologicals, and chemicals including procuring, manufacturing, compounding, dispensing, distribution, and storing of drugs, biologicals, and chemicals under the conditions prescribed by this part. The provision of drug information and related pharmaceutical care services to patients and to other health professionals is included within the meaning of pharmaceutical services.

[For text of subp 5, see M.R.]

HOSPITAL SERVICE POLICIES

6800.7510 PATIENT CARE.

Pharmaceutical service policies shall cover at least the following:

[For text of items A to D, see M.R.]

E. the self-administration of drugs by patients; ~~and~~

F. the use of drugs brought into the hospital by or with the patient. If ~~such~~ the drugs are not to be used while the patient is hospitalized, they shall be packaged, sealed, stored, and returned to the patient at the time of discharge. If not returned to the patient, the drugs shall be destroyed in an environmentally acceptable manner;

G. the use of investigational drugs; and

H. the preparation, use, and disposal of chemotherapy drugs.

6800.7520 ADMINISTRATION.

Subpart 1. **Dispensing drugs.** Pharmaceutical service policies shall cover at least the following measures related to the control, accessibility, dispensing, and administration of drugs:

[For text of items A to F, see M.R.]

G. Developing a system to assure that outpatient drug dispensing through the emergency room after regular pharmacy hours complies with all laws and board rules relating to prepackaging, labeling, dispensing, and record keeping. The system shall limit

dispensing done in the absence of the pharmacist and physician to an amount not exceeding a 72-hour supply. No controlled substances may be dispensed in this manner.

H. Specifying the maintenance of permissible supplies of nonprescription drugs in nursing service units.

~~H.~~ I. Assuring that unused patient drugs, discontinued and outdated drugs, and containers with worn, illegible, or missing labels be returned to a pharmacist for disposition.

~~I.~~ J. Maintaining a drug recall procedure which can be implemented no more than 24 hours after recall notification by the manufacturer.

~~J.~~ K. Permitting the dispensing of drugs only pursuant to orders initiated by a licensed practitioner.

~~K.~~ L. Assuring that ~~all~~ orders for drugs are transmitted to the pharmacy by the prescriber or by ~~means of~~ an order format which produces a direct copy or an electronically reproduced facsimile.

M. Providing for a system of accountability for inpatient dispensing meeting the intent of the certification requirement of part 6800.3100.

~~L.~~ N. Requiring authorization for a standing order to be noted on the patient's medical record. ~~Such~~ Standing orders shall specify the circumstances under which the drug is to be administered, the drug, dosage, route, frequency of administration, and duration.

~~M.~~ O. Assuring that when drug therapy is not renewed on an established regular basis ~~such~~ the therapy is limited either by the prescriber's specific indication or by automatic stop orders.

~~N.~~ P. Assuring that precautionary measures, including quality control documentation, for the safe admixture of parenteral products are developed in writing. Admixture preparation shall be limited to pharmacists, pharmacist-interns, supportive personnel under the supervision of a pharmacist, licensed practitioners, and licensed nurses. Furthermore, admixtures shall be labeled as in part 6800.7900, subpart 4, and must be prepared in a laminar or vertical flow hood. Chemotherapy admixtures shall be prepared only in a vertical flow hood.

~~O.~~ Q. Assuring that investigational drug use is in accordance with state and federal law: basic information concerning the dosage form, route of administration, strength, actions, uses, side effects, adverse effects, interactions, and symptoms of toxicity of such drugs shall be available in the pharmacy (investigational drugs shall be distributed only from the pharmacy).

~~P.~~ R. Assuring that the practice of drug reconstitution is performed only by pharmacists, licensed practitioners, licensed nurses, or hospital-authorized personnel under the supervision of licensed pharmacists, licensed practitioners, or licensed nurses.

S. Developing, implementing, and maintaining a system of controlled substance and narcotic control in accordance with subitems (1) to (7).

(1) Controlled substances must be accounted for by either:

(a) a "proof-of-use" sign-out sheet where each dose given is accounted for by the nurse administering the drug. No controlled substance may be kept on floor stock unless it is accompanied by the sign-out sheet and each dose is documented by the nurse at the time the drug is procured from the nursing station stock. The proof-of-use sheets must include at least the date and time, the patient's name, the dose administered, and the registered nurse's signature; or

(b) the dispensing of the drug to a specific patient after the pharmacy receives an individual drug order.

(2) Wasted doses must be documented and witnessed by the signature of two individuals who are nurses or pharmacists.

(3) There must be a system for reconciling the proof-of-use sheets in the pharmacy to assure accountability of all sheets sent to the various nursing stations.

(4) Controlled substances must be stored under lock on the nursing stations.

(5) Access to the main supply of Schedule II controlled substances in the pharmacy must be restricted to a limited number of persons in the pharmacy. The main supply of Schedule II controlled substances in the pharmacy must be kept locked when not being used.

(6) Single unit-of-use dosage forms should be used when possible.

(7) A perpetual inventory of Class II controlled substances must be accurately maintained.

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T. Developing policies for the issuance of medications to patients who are going on leave from the facility. These policies may allow the preparation, by facility personnel responsible for overseeing medication administration, of a supply of medications, not to exceed a 72-hour supply, in paper envelopes or other more suitable containers for use by a patient temporarily leaving the facility at times when the facility's pharmacy is closed or cannot supply the needed medication in a timely manner. A container may hold only one medication. A label on the container shall include the date, the patient's name, the facility, the name of the medication, its strength, dose, and time of administration, and the initials of the person preparing the medication and label.

Subp. 2. **Maintenance of documents.** Pharmaceutical service policies shall cover at least the following measures related to the maintenance of documents.

A. The pharmacist-in-charge shall maintain at least the following written documents:

[For text of subitems (1) to (9), see M.R.]

(10) records of withdrawals by nonpharmacists of prepackaged drugs from the pharmacy or drug room, as permitted under subpart 1, item D and part 6800.7530, for ~~one month~~ two years.

B. The following documents relative to pharmaceutical services shall also be maintained:

[For text of subitems (1) to (3), see M.R.]

(4) copies of current staffing patterns and weekly work schedules for two years;

(5) receipted invoices for ~~all~~ drugs, chemicals, and pharmaceutical service supplies purchased and received over the immediately preceding two years; and

(6) any agreement or contract between an off-premises pharmacy and the hospital.

6800.7530 MAINTAINING SECURITY AND EMERGENCY ACCESS.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Emergencies.** For purposes of withdrawing limited doses of drugs for administration to inpatients in emergencies when the pharmacy is closed, a designated registered nurse may make emergency withdrawal of a dose required by a patient. Only a designated registered nurse in any given shift may have emergency access.

The person withdrawing from a bulk stock container the limited doses for administration shall leave in the pharmacy, on a form developed by the pharmacy, a record of the drugs withdrawn showing the patient's name, the name of the drug and dose prescribed, drug strength, the amount taken, the time and date, and the signature of nurse withdrawing drug.

The person withdrawing the drug from a bulk stock container or unit dose packaging bin shall place upon the record of withdrawal the container from which the limited doses were taken so that the withdrawal may be verified by the pharmacist.

[For text of subp 4, see M.R.]

6800.7900 LABELING.

[For text of subpart 1, see M.R.]

Subp. 2. **Inpatient prescriptions.** All prescriptions dispensed to inpatients, other than those dispensed pursuant to part 6800.3750, shall be labeled with the following information:

A. ~~identification of pharmacy;~~

~~B.~~ name and location of patient;

~~C.~~ B. name of drug;

~~D.~~ C. route of administration of drug when necessary for clarification;

~~E.~~ D. strength of drug;

~~F.~~ E. auxiliary labels as needed;

~~G.~~ F. expiration date, if applicable; and

~~H.~~ G. date dispensed.

[For text of subp 3, see M.R.]

Subp. 4. **Supplemental label.** Whenever a drug is added to a parenteral solution, a distinctive supplemental label shall be firmly affixed to the container. ~~The label shall indicate the name and amount of drug added, the date and time of the addition, the date and time of the expiration of the admixture, and the identity of the person preparing or certifying the integrity of the admixture.~~

~~The information in subpart 5, except for lot number, should be recorded on a supplemental label. If the large volume parenteral contains no additives, the same label may be used, omitting those items which do not apply. If, at some later time an additive might~~

~~be added, then a suitable space should be available for recording the additive.~~ The supplemental label should be placed ~~so as~~ to permit visual inspection of the infusion contents and to allow the name, type of solution, and lot number on the manufacturer's label to be read.

Subp. 5. **Intravenous admixtures.** ~~It is recommended that all~~ Intravenous admixtures must be labeled with the following information:

[For text of items A and B, see M.R.]

C. bottle sequence number or other control number system, if appropriate;

[For text of item D, see M.R.]

E. ~~date of preparation~~ infusion or administration rate, if appropriate;

F. ~~beyond-use time and date of intravenous admixture; and~~ storage requirements;

G. identity of the pharmacist preparing or certifying the admixture;

H. date and time of administration;

I. expiration date and date and time of compounding; and

J. ancillary precaution labels.

[For text of subp 6, see M.R.]

6800.7950 EXTENSION OF PHARMACY SERVICES UNDER LICENSE.

A licensed pharmacy in a hospital may utilize additional locations within the hospital in conformity with part 6800.0800, subpart 3, without the necessity of securing additional licenses provided, however, that the pharmacist-in-charge of ~~any such~~ the hospital pharmacy ~~shall designate another licensed pharmacist to assume~~ informs the board of the location of each satellite and assumes professional responsibility, in accordance with ~~part~~ parts 6800.2400 and 6800.3850, for the practice of pharmacy and for staffing in each ~~such~~ additional location.

OPERATION OF PARENTERAL-ENTERAL/HOME HEALTH CARE PHARMACIES

6800.8000 SCOPE AND PURPOSE.

The purpose of parts 6800.8000 to 6800.8008 is to provide standards for the preparation, labeling, and distribution of sterile products by licensed parenteral-enteral/home health care pharmacies pursuant to an order or prescription. The standards are intended to apply to sterile products, notwithstanding the location of the patient, such as a private home, nursing home, hospice, or doctor's office.

6800.8001 POLICY AND PROCEDURES MANUAL.

To obtain a pharmacy license as a parenteral-enteral home health care pharmacy a policy and procedures manual relating to sterile products shall be available for inspection at the pharmacy. The manual shall be reviewed and revised on an annual basis. The manual shall include the policy and procedures for:

A. clinical services;

B. cytotoxics handling, storage, and disposal;

C. disposal of unused supplies and medications;

D. drug destruction and returns;

E. drug dispensing;

F. drug labeling and relabeling;

G. drug storage;

H. duties and qualifications for professional and nonprofessional staff;

I. equipment;

J. handling of infectious wastes;

K. infusion devices and drug delivery systems;

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L. investigational drugs;

M. obtaining a protocol on investigational drugs from the principal investigator;

N. public safety;

O. quality assurance procedures, including:

(1) recall procedures;

(2) storage and dating;

(3) educational procedures for professional staff, nonprofessional staff, and patients;

(4) sterile procedures including a log of the temperature of the refrigerator, routine maintenance, and report of hood certification; and

(5) sterility testing of the product;

P. record keeping;

Q. reference materials;

R. sanitation;

S. security;

T. sterile product preparation procedures; and

U. transportation.

6800.8002 PHYSICAL REQUIREMENTS.

Subpart 1. **Space.** The pharmacy licensed under parts 6800.8000 to 6800.8008 shall have a designated area with entry restricted to designated personnel for preparing compounded, sterile parenteral products. The area shall be structurally isolated from other areas, with restricted entry or access, and must be designed to avoid unnecessary traffic and air flow disturbances from activity within the controlled facility. The area shall be used only for the preparation of parenteral or enteral specialty products. It shall be of sufficient size to accommodate a laminar air flow hood and to provide for the proper storage of drugs and supplies under appropriate conditions of temperature, light, moisture, sanitation, ventilation, and security.

Subp. 2. **Equipment.** The licensed pharmacy preparing sterile parenteral products shall have equipment as required by part 6800.1050.

Subp. 3. **Time for compliance.** Licensed pharmacies providing services to parenteral-enteral home health care patients on the effective date of this part shall have 90 days to comply with subparts 1 and 2.

6800.8003 PERSONNEL.

Subpart 1. **Pharmacist-in-charge.** In addition to the pharmacist-in-charge requirements of part 6800.2400, the section of the pharmacy providing home health care pharmacy services must be managed by a pharmacist licensed to practice pharmacy in Minnesota who is knowledgeable in the specialized functions of preparing and dispensing compounded, sterile parenteral products, including the principles of aseptic technique and quality assurance. The knowledge is usually obtained through residency training programs, continuing education programs, or experience in an intravenous admixture facility. The pharmacist-in-charge is responsible for the purchasing, storage, compounding, repackaging, dispensing, and distribution of drugs and pharmaceuticals and for the development and continuing review of policies and procedures, training manuals, and quality assurance programs. The pharmacist-in-charge may be assisted by additional pharmacists adequately trained in this area of practice.

Subp. 2. **Supportive personnel.** The pharmacist managing the section of the pharmacy providing home health care pharmacy services may be assisted by supportive personnel. The personnel must have specialized training in the field and must work under the immediate supervision of a licensed pharmacist. The training provided to the personnel must be described in writing in a training manual. Their duties and responsibilities must be consistent with their training and experience and must remain in conformity with the requirements of part 6800.3850.

Subp. 3. **Staffing.** A pharmacist must be accessible at all times to respond to patients' and other health professionals' questions and needs.

6800.8004 DRUG DISTRIBUTION AND CONTROL.

Subpart 1. **General.** This part governs the mechanism by which a physician's prescription is executed, from the time the drug is ordered and received in the pharmacy to the time the prescribed drug is dispensed to the patient.

Subp. 2. **Prescription.** The pharmacist, or pharmacist-intern acting under the immediate supervision of a pharmacist, must receive a written or oral prescription from a physician before dispensing any compounded, sterile parenteral product. Prescriptions must be

filed as required by law or rules of the board.

Subp. 3. **Labeling.** Each compounded intravenous admixture product must be labeled in accordance with part 6800.3450.

Subp. 4. **Delivery.** The pharmacist-in-charge shall assure the environmental control of all products shipped as follows:

A. compounded, sterile pharmaceuticals must be shipped or delivered to a patient in appropriate temperature-controlled delivery containers, as defined by United States Pharmacopeia standards, and stored appropriately in the patient's home; and

B. chain of possession for the delivery of Schedule II controlled substances via courier must be documented, and a receipt obtained.

6800.8005 CYTOTOXIC AGENTS.

Licensed pharmacies that prepare cytotoxic drugs must comply with the requirements in items A to F in addition to the requirements in parts 6800.8000 to 6800.8004.

A. Cytotoxic drugs shall be compounded in a vertical flow, Class II, biological safety cabinet.

B. Protective apparel, such as disposable masks, gloves, and gowns with tight cuffs, shall be worn by personnel compounding cytotoxic drugs.

C. Appropriate safety and containment techniques for compounding cytotoxic drugs shall be used in conjunction with the aseptic techniques required for preparing sterile products.

D. Disposal of cytotoxic waste shall comply with all applicable local, state, and federal requirements.

E. Written procedures for handling both major and minor spills of cytotoxic agents must be developed and must be included in the policy and procedures manual.

F. Prepared doses of cytotoxic drugs must be dispensed and shipped in a manner that will minimize the risk of accidental rupture of the primary container.

6800.8006 DRUG USE REVIEW.

Systematic processes of drug use review must be designed, followed, and documented to assure that appropriate patient outcomes occur from drug therapy on an ongoing basis.

6800.8007 PATIENT CARE GUIDELINES.

Subpart 1. **Primary provider.** The pharmacist who assumes the responsibilities under this part must ensure that there is a designated physician primarily responsible for the patient's medical care and that there is a clear understanding between the physician, licensed home care agency, if any, the patient, and the pharmacist of the responsibilities of each in the areas of the delivery of care and the monitoring of the patient. Compliance with this subpart shall be documented in the patient's profile.

Subp. 2. **Patient training.** The pharmacy must demonstrate or document the patient's training and competency in managing this type of therapy in the home environment. A pharmacist must be involved in the patient training process in any area that relates to drug compounding, labeling, storage, stability, or incompatibility.

Subp. 3. **Patient monitoring.** The pharmacist shall request access to clinical and laboratory data concerning each patient and, if the data is obtained, monitor each patient's response to drug therapy. Any unexpected or untoward response shall be reported to the prescribing physician. If the data is not obtained and the pharmacist is not doing the monitoring, the identity of the health care provider who has assumed the responsibility shall be documented in the patient's profile.

6800.8008 QUALITY ASSURANCE.

Subpart 1. **Quality control program.** There must be a documented, ongoing quality control program that monitors personnel performance, equipment, and facilities. The end product must be examined on a sampling basis as determined by the pharmacist-in-charge to assure that it meets required specifications.

Subp. 2. **Hood certification.** All laminar flow hoods must be inspected by a qualified individual for operational efficiency at least every 12 months. Appropriate records of the inspection must be maintained.

Subp. 3. **Prefilters.** Prefilters for the clean air source must be replaced on a regular basis and documented.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Subp. 4. **Bulk compounding.** If bulk compounding of parenteral solutions is performed using nonsterile chemicals, extensive end-product testing must be documented before release of the product from quarantine. The process must include testing for sterility and pyrogens.

Subp. 5. **Expiration dates.** If the product is assigned an expiration date that exceeds seven days from its compounding date, there must be in-house data or data in the literature to assure the sterility and stability of the product when it is used by the patient.

Subp. 6. **Quality control audits.** There must be documentation of quality assurance audits at regular, planned intervals.

RADIOACTIVE DRUGS

6800.8100 DEFINITIONS.

Subpart 1. **Manufacturers of ~~radioactive drugs~~ radiopharmaceuticals.** Any person, firm, or hospital compounding, mixing, deriving, repackaging, or otherwise preparing a radioactive drug ~~for use, other than in~~ shall be licensed as a manufacturer, unless the drug is prepared for use by:

A. the medical facility ~~of~~ to which ~~it may be~~ the facility preparing the product is physically attached~~, shall be licensed as a manufacturer~~; or

B. an individual patient when the drug is being dispensed on the order of a licensed practitioner.

[For text of subp 2, see M.R.]

Subp. 3. **~~Radioactive drug~~ Radiopharmaceutical.** A ~~radioactive drug~~ radiopharmaceutical is any substance defined as a drug in section 201 (g) (1) of the Federal Food, Drug, and Cosmetic Act that exhibits spontaneous disintegration of unstable nuclei with the emission of nuclear particles or protons and includes any nonradioactive reagent kit or nuclide generator which is intended to be used in the preparation of such substance, but does not include drugs such as carbon-containing compounds or potassium-containing salts that contain trace quantities of naturally occurring radionuclides.

Subp. 4. **Nuclear pharmacy practice.** "Nuclear pharmacy practice" refers to a patient-oriented pharmacy service that embodies the scientific knowledge and professional judgment required for the assurance of the safe and effective use of radiopharmaceuticals and other drugs.

6800.8200 SCOPE.

~~The provisions of~~ Parts 6800.8100 to 6800.8700 are applicable to pharmacies and manufacturers dealing with ~~radioactive pharmaceuticals~~ radiopharmaceuticals; provided, however, that parts 6800.0100 to 6800.5600 shall also be applicable to such pharmacies, unless specifically exempted by parts 6800.8100 to 6800.8700 or are in direct conflict ~~therewith~~ with them, in which case parts 6800.8100 to 6800.8700 ~~shall~~ apply.

6800.8300 MINIMUM STANDARDS.

Proof of adequate space and equipment for storage, manipulation, manufacture, compounding, dispensing, safe handling, and disposal of radioactive material must be submitted to and approved by the board before a pharmacy license is issued by the board.

Compliance with all laws and regulations of the U.S. Nuclear Regulatory Commission and other applicable federal and state agencies shall be deemed minimal compliance with this part. Further requirements, as the board in its opinion finds necessary and proper for health and safety in the production, compounding, dispensing, and use of ~~radioactive drugs~~ radiopharmaceuticals, may be imposed as a condition of licensure. A pharmacy exclusively handling radioactive materials may be exempt from the building and equipment standards of parts 6800.0700, 6800.0800, 6800.0910, 6800.0950, 6800.1050, and 6800.2150 if the board finds it is in the public interest.

6800.8400 PHARMACISTS HANDLING ~~RADIOACTIVE DRUGS~~ ~~RADIOPHARMACEUTICALS~~.

A pharmacist handling ~~radioactive drugs~~ radiopharmaceuticals must be competent in the preparation, handling, storage, receiving, dispensing, disposition, and pharmacology of ~~radioactive drugs~~ radiopharmaceuticals. ~~He~~ The pharmacist must have completed a nuclear pharmacy course and/or acquired experience in programs approved by the board. Education and experience in nonapproved programs may be accepted if, in the opinion of the board, ~~such~~ the programs provide a level of competence substantially the same as approved programs.

6800.8500 PHARMACIST-IN-CHARGE.

A pharmacy handling ~~radioactive drugs~~ radiopharmaceuticals shall not function without having a pharmacist who is competent in the preparation, handling, storage, receiving, dispensing, disposition, and pharmacology of ~~radioactive drugs~~ radiopharmaceuticals in charge of the licensed premises. A qualified nuclear pharmacist shall be a currently licensed pharmacist in Minnesota and either be certified as a nuclear pharmacist by the board of pharmaceutical specialties or meet the following standards:

A. have received a minimum of 200 contact hours of instruction in nuclear pharmacy and the safe handling and use of radioactive materials from an accredited college of pharmacy, with emphasis in the following areas:

(1) radiation physics and instrumentation;

(2) radiation protection;

(3) mathematics of radioactivity;

(4) radiation biology; and

(5) radiopharmaceutical chemistry;

B. attain a minimum of 500 hours of clinical nuclear pharmacy training under the supervision of a qualified nuclear pharmacist; and

C. submit an affidavit of experience and training to the Board of Pharmacy.

~~All~~ Personnel performing tasks within ~~such~~ the pharmacy shall be under the immediate and direct supervision of the pharmacist competent in handling ~~radioactive drugs~~ radiopharmaceuticals.

6800.8600 ACQUISITION, STORAGE, AND DISTRIBUTION OF ~~RADIOACTIVE DRUGS~~ RADIOPHARMACEUTICALS.

Only ~~radioactive drugs~~ radiopharmaceuticals which are approved by the U.S. Food and Drug Administration or which are investigational drugs having IND or NDA status may be dispensed by a nuclear pharmacy.

~~All~~ Radioactive materials shall be kept locked and secure from unauthorized personnel.

~~Radioactive drugs~~ Radiopharmaceuticals shall not be transferred, distributed, or dispensed to any person or firm not licensed or authorized to receive or possess ~~such~~ the drugs.

6800.8700 RECORD KEEPING.

~~Pharmacists~~ A pharmacist handling ~~radioactive drugs~~ radiopharmaceuticals shall maintain records of acquisition and disposition of ~~all radioactive drugs~~ radiopharmaceuticals for ~~a period of not less than~~ at least two years.

In the case of investigational ~~radioactive drugs~~ radiopharmaceuticals, ~~such~~ the pharmacy records shall include an investigators protocol for the preparation of ~~radioactive drugs~~ radiopharmaceuticals, a copy of the Human Use Committee approval, a copy of the approved patient consent form, and a letter from the "manufacturer-sponsor" indicating that the physician requesting the ~~radioactive drug~~ radiopharmaceutical is a qualified investigator.

Additional records shall be maintained as required by statute or rule of any other state or federal agency.

DISCIPLINARY PROCEEDINGS

6800.9200 INITIATING PROCEEDINGS.

Proceedings to revoke or suspend licenses may be initiated in one of two ways, except insofar as any order of suspension or revocation may be issued pursuant to a statute not requiring hearing:

[For text of item A, see M.R.]

B. by the board on its own motion, ~~whenever~~ when its investigation discloses probable grounds for disciplinary action; the board president or ~~secretary~~ director may act for the board in initiating proceedings under this part.

6800.9700 SERVICE AND FILING OF PAPERS.

Unless otherwise provided by law, all orders, notices, and other papers may be served by the ~~secretary or~~ director of the board by first class, certified, or registered mail addressed to the party at ~~his~~ the last known post office address, or to ~~his~~ the attorney of record. Papers required to be filed with the board may be mailed to the following address: ~~717 Delaware Street SE, #351, Minneapolis~~ 2700 University Avenue West #107, St. Paul, Minnesota ~~55414~~ 55114-1079.

WAIVERS AND VARIANCES

6800.9900 VARIANCES.

[For text of subps 1 to 5, see M.R.]

Subp. 6. **Research projects.** Pharmacists desiring to participate in research or studies not presently allowed by or addressed by rules of the board may apply for approval of the projects through waivers or variances in accordance with subparts 1 to 4.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

DISPENSING AND DISTRIBUTION OF LEGEND MEDICAL GASES

6800.9923 LABELING.

No person or distributor may sell or distribute any legend medical gas product at retail without the manufacturer's intact federally required ~~label of "Caution: Federal Law Prohibits Dispensing Without Prescription."~~ labeling.

6800.9924 RECORDS.

A sale or distribution of legend medical gases by registered distributors of these items at retail must be limited to the prescription or order of a licensed practitioner. ~~These~~ The orders or prescriptions must be maintained for at least two years, must be filed by patient name or date, and must be readily retrievable and available for inspection by the Board of Pharmacy. The prescription must bear at least the patient's name and address, date, name and quantity of legend medical gas distributed, and name and address of the prescriber. Refills of legend medical gases must be recorded ~~on the patient's prescription record. The distributor of these articles is responsible for obtaining authority for refills from the prescriber~~ and the record must be maintained for at least two years.

DISPENSING BY PRACTITIONERS.

6800.9950 DISPENSING BY PRACTITIONERS.

Parts 6800.9951 to 6800.9954 apply to medical, dental, veterinary, and other licensed practitioners engaged in dispensing drugs and controlled substances.

6800.9951 DRUG STORAGE.

Practitioners engaged in dispensing drugs shall have a separate locked drug storage area for the safe storage of drugs. Access to the drug supply shall be limited to persons who have legal authority to dispense and to those under their direct supervision.

6800.9952 DISPENSING.

Subpart 1. **Who may dispense.** A dispensing practitioner shall personally perform all dispensing functions described in part 6800.3100 that are required of a pharmacist when the dispensing is being done in a pharmacy. A practitioner may delegate functions that may be delegated to supportive personnel in accordance with part 6800.3850.

Subp. 2. **Written prescriptions required.** A practitioner shall reduce all drug orders to a written prescription that shall be numbered and filed in an organized manner when dispensed. Patient chart records do not qualify as a prescription record.

Subp. 3. **Tight containers.** Drugs dispensed shall be packaged in prescription containers meeting United States Pharmacopeia requirements for "tight" or "well closed" containers.

Subp. 4. **Child-resistant containers.** Drugs dispensed shall be packaged in child-resistant containers as required by the federal Poison Prevention Packaging Act unless the patient specifically requests the use of non-child-resistant containers. Any such request must be made in writing by the patient.

Subp. 5. **Controlled substances.** Controlled substance prescriptions shall be filed in accordance with federal and state laws relating to controlled substances.

6800.9953 LABELING.

Prescription containers, other than those dispensed in unit dose under part 6800.3750, shall be labeled in accordance with part 6800.3400.

6800.9954 RECORDS.

A practitioner engaged in dispensing drugs shall keep on file at each location from which dispensing is taking place a record of drugs received, administered, dispensed, sold, or distributed. The records shall be readily retrievable, shall be maintained for at least two years, and shall include:

A. a record or invoice of all drugs received for purposes of dispensing to patients;

B. a prescription record of drugs dispensed, filed by prescription number or date, showing the patient's name and address, date of the prescription, name of the drug, strength of the drug, quantity dispensed, directions for use, signature of practitioner and, if it is a controlled substance, practitioner's Drug Enforcement Administration number;

C. a record of refills recorded on the back of the prescriptions showing date of refill, quantity dispensed, and initials of dispenser; and

D. the patient profile requirements of part 6800.3110, if all data required by that part is not already included in the patient's chart.

REPEALER. *Minnesota Rules*, parts 6800.4400, subpart 2; and 6800.7400, subpart 6, are repealed.

Department of Revenue

Proposed Permanent Rules Relating to Computer Software

Notice of Intent to Adopt a Rule Without a Public Hearing

The Department of Revenue intends to adopt a permanent rule without a public hearing following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22 to 14.28. You have 30 days to submit written comments on the proposed rule and may also request that a hearing be held on the rule.

Agency Contact Person. Comments or questions on the rule and written requests for a public hearing on the rule must be submitted to:

John E. Streiff, Attorney
Minnesota Department of Revenue
Appeals, Legal Services
and Criminal Investigation Division
10 River Park Plaza
Mail Station 2220
St. Paul, MN 55146-2220
(612) 296-1902, Extension 133
Fax (612) 296-8229

Subject of Rule and Statutory Authority. The proposed rule is about Sales and Use Tax on Computer Software. The statutory authority to adopt the rule is *Minnesota Statutes*, section 270.06, subdivision 13. A copy of the proposed rule is published in the *State Register* and attached to this notice. A free copy of the rule is available upon request from the agency contact person listed above.

Comments. You have 30 days until 4:30 p.m., on December 31, 1992, in which to submit comment in support of or in opposition to the proposed rule and any part or subpart of the proposed rule. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on December 31, 1992.

Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the rule which caused your request, the reason for the request, and any changes you want to make to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Modifications. The proposed rule may be modified as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in a substantial change in the proposed rule as attached and printed in the *State Register*. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule.

Small Business Considerations. The effect of this rule on small business has been considered. The agency has determined that this rule will not have an effect on small businesses as contemplated by *Minnesota Statutes*, section 14.115, subdivision 4.

Expenditure of Public Money by Local Public Bodies and Impact on Agricultural Lands. The adoption of this rule will neither require expenditures of public monies by local public bodies nor have any impact on agricultural land; therefore, *Minnesota Statutes*, section 14.11, subdivisions 1 and 2 are inapplicable.

Adoption and Review of Rule. If no hearing is required, after the end of the comment period the agency may adopt the rule. The rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rule is submitted to the attorney general or be notified of the attorney general's decision on the rule. If you wish to be notified, or wish to receive a copy of the adopted rule, submit your request to the agency contact person listed above.

Dated: 16 November 1992

Dorothy A. McClung
Commissioner of Revenue
State of Minnesota

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Rules as Proposed (all new material)

8130.9910 COMPUTER SOFTWARE.

Subpart 1. **Definitions.** For purposes of this part, the following words and phrases have the meanings given them in items A to H.

A. A "sale" and a "purchase" has the meaning given it in *Minnesota Statutes*, section 297A.01, subdivision 3, clause (k).

B. "Computer program" has the meaning given it in *Minnesota Statutes*, section 297A.01, subdivision 18, clause (3).

C. "Custom computer program" has the meaning given it in *Minnesota Statutes*, section 297A.01, subdivision 18.

D. "Canned or prewritten computer program" is defined in *Minnesota Statutes*, section 297A.01, subdivision 18, to mean a "program that is held or existing for general or repeated sale or lease, even if the prewritten or "canned" program was initially developed on a custom basis or for in-house use."

A computer program is considered to be canned or prewritten if it meets the following guidelines:

(1) the object code of the program is not modified by the seller. Modification of the program by inserting file names or formatting data is not changing the object code;

(2) the program, copies of which are mass-produced by the manufacturer, is inventoried by a vendor, or otherwise held for repeated sale, license, or lease; and

(3) the program is sold, licensed under a written contract agreement, or leased by means of a shrink-wrapped, box-top, or tear-open license agreement or bill of sale.

E. "Computer" means an electronic device, including word processing equipment and testing equipment, or combination of components that is programmable and that includes a processor (central processing unit or microprocessor), internal memory, and input and output connections. An electronic device otherwise qualifying as a computer remains a computer even though it may be used for information processing, data acquisition, process control, or for the control of manufacturing machinery or equipment. As provided in *Minnesota Statutes*, section 297A.01, subdivision 18, clause (2), "computer" does "not include tape-controlled automatic drilling, milling, or other manufacturing machinery or equipment."

F. "Maintenance agreements" means providing error corrections, improvements, updates, or technical support for computer programs.

G. "Computer program" means computer software.

H. "Storage media" has the meaning given it in *Minnesota Statutes*, section 297A.01, subdivision 18, clause (1).

Subp. 2. **Tax applications.**

A. Sales tax is due on the sale, lease, or license of a canned or prewritten program that is held or existing for general or repeated sale, lease, or license. The sale of canned or prewritten programs is the sale of tangible personal property. *Minnesota Statutes*, section 297A.01, subdivision 11, defines "tangible personal property" in part to include "computer software, whether contained on tape, discs, cards, or other devices."

B. Sales tax is not due on the sale, lease, or license of a custom computer program. The sale of a custom computer program is a service transaction. The purpose of the transaction is to obtain personalized service and the expert knowledge of the program creator. The transfer of any tangible personal property is incidental to the service being performed.

C. Charges for computer program maintenance furnished for a canned computer program are taxable. However, charges for computer program maintenance furnished for custom software are not taxable.

Maintenance contracts sold in connection with the sale or lease of canned software generally provide that the purchaser will be entitled to receive storage media on which prewritten program improvements have been recorded. The maintenance contract may also provide that the purchaser will be entitled to receive certain services, including error corrections and telephone or on-site consultation services.

(1) If the maintenance contract is required as a condition of the sale or rental of canned software, it will be considered as part of the sale, or rental of the canned software, and the gross sales price is subject to tax whether or not the charge for the maintenance contract is separately stated from the charge for the software.

(2) If the maintenance contract is optional to the purchaser of canned software, then only the portion of the contract fee representing improvements delivered on storage media is subject to sales tax if the fee for other services, including consultation services and error corrections, is separately stated. If the fee for other services, including consultation services and error corrections, is not separately stated from the fee for improvements delivered on storage media, the entire charge for the maintenance contract is subject to sales tax.

D. Separately stated charges for instructions on the use of a canned computer program are taxable. Charges for instructions on

the use of a custom computer program are not taxable, whether or not separately stated.

E. When a computer and canned computer programs are purchased together, the sales tax is due on the total charge.

F. When a computer and custom computer programs are purchased together, sales tax is due on the total charge if the charge for the custom computer program is not separately stated.

G. Master computer programs which are purchased and used to make copies for sale or lease are property purchased for resale and not subject to sales tax. See *Minnesota Statutes*, section 297A.01, subdivision 4.

H. Modification to existing prewritten software to meet the customer's needs is custom computer programming only to the extent of the modification and only to the extent that the actual amount charged for the modification is separately stated. Examples of services that do not result in custom software include loading parameters to initialize program settings and arranging preprogrammed modules to form a complete program.

When the charges for modification of a prewritten program are not separately stated, tax applies to the entire charge made to the customer for the modified program unless the modification is so significant that the new program qualifies as a custom program. If the prewritten program before modification was previously marketed, the new program will qualify as a custom program if the price of the prewritten program was 50 percent or less of the price of the new program. If the prewritten program was not previously marketed, the new program will qualify as a custom program if the charge made to the customer for custom programming services, as evidenced by the records of the seller, was more than 50 percent of the contract price to the customer.

The department will use the following records to determine the extent of modification to prewritten software when there is not a separate charge for the modification: logbooks, timesheets, dated documents, source codes, specifications of work to be done, design of the system, performance requirements, diagrams of programs, flow diagrams, coding sheets, error printouts, translation printouts, correction notes, and invoices or billing notices to the client.

I. Canned or prewritten computer programs may be transferred to the customer in the form of punched cards, data on magnetic tape, or by listing the program instructions on coding sheets. In some cases they are usable as written. However, in most cases it is necessary that the program be modified, adapted, and tested to meet the customer's particular needs. The sale of all property, including coding sheets, cards or magnetic tape, on which or into which such programs have been coded, punched, or otherwise recorded is subject to tax.

J. The temporary transfer of possession of a canned or prewritten computer program, for a consideration, for the purpose of direct use or to be recorded by the customer, is a lease or the granting of a license to use or consume tangible personal property and the tax does apply. Where the consideration consists of license fees or royalty payments for canned or prewritten computer programs, all license fees or royalty payments, present or future, whether for a minimum use or for extended periods, are not includable in the measure of tax.

K. Programming changes to a canned or prewritten computer program to adapt it to a customer's equipment, including translating a program to a language compatible with a customer's equipment, are in the nature of fabrication labor and are taxable.

L. Charges for assembler, compiler, utility, and other canned or prewritten computer programs provided to those who lease or purchase automatic processing equipment are subject to tax.

Department of Revenue

Proposed Permanent Rules Relating to Data Processing

Notice of Intent to Adopt an Amended Rule Without a Public Hearing

The Department of Revenue intends to adopt an amended permanent rule without a public hearing following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, section 14.22 to 14.28. You have 30 days to submit written comments on the proposed amended rule and may also request that a hearing be held on the proposed amended rule.

Agency Contact Person. Comments or questions on the proposed amended rule and written requests for a public hearing on the proposed amended rule must be submitted to:

John E. Streiff, Attorney

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Minnesota Department of Revenue
Appeals, Legal Services,
and Criminal Investigation Division
10 River Park Plaza
Mail Station 2220
St. Paul, MN 55146-2220
(612) 296-1902, Extension 133
Fax (612) 296-8229

Subject of Rule and Statutory Authority. The proposed amended rule is about Sales and Use Tax on Automatic Data Processing. The statutory authority to adopt the rule is *Minnesota Statutes*, section 270.06, subdivision 13. A copy of the proposed amended rule is published in the *State Register* and attached to this notice. A free copy of the proposed amended rule is available upon request from the agency contact person listed above.

Comments. You have 30 days until 4:30 p.m., December 31, 1992, in which to submit comment in support of or in opposition to the proposed amended rule and any part or subpart of the proposed amended rule. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed amended rule addressed, the reason for the comment, and any change proposed.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the proposed amended rule. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on December 31, 1992.

Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed amended rule which caused your request, the reason for the request, and any changes you want made to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Modifications. The proposed rule may be modified as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in a substantial change in the proposed amended rule, as attached and printed in the *State Register*. If the proposed amended rule affects you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule.

Small Business Considerations. The effect of this proposed amended rule on small business has been considered. The agency has determined that this rule will not have an effect on small businesses as contemplated by *Minnesota Statutes*, section 14.115, subdivision 4.

Expenditure of Public Money by Local Public Bodies and Impact on Agricultural Lands. The adoption of this proposed rule will neither require expenditures of public monies by local public bodies nor have any impact on agricultural land; therefore, *Minnesota Statutes*, section 14.11, subdivisions 1 and 2 are inapplicable.

Adoption and Review of Rule. If no hearing is required, after the end of the comment period the agency may adopt the proposed amended rule. The proposed amended rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form related to legality. You may request to be notified of the date the proposed amended rule is submitted to the attorney general or be notified of the attorney general's decision on the proposed amended rule. If you wish to be so notified, or wish to receive a copy of the adopted amended rule, submit your request to the agency contact person listed above.

Dated: 16 November 1992

Dorothy A. McClung
Commissioner of Revenue
State of Minnesota

Rules as Proposed

8130.9700 AUTOMATIC DATA PROCESSING.

Subpart 1. **In general.** A sales or use tax is imposed upon the gross receipts from selling, leasing, or granting a license to use tangible personal property. When separately stated, the labor charges for repair, service, and maintenance of tangible personal property is not subject to tax. The producing, fabricating, processing, printing, or imprinting of tangible personal property for a consideration for consumers who directly or indirectly furnish the materials used in the producing, fabricating, processing, printing, or imprinting is also subject to tax. The transfer of property produced, fabricated, or printed to the special order of the customer is also subject to tax.

This part sets forth guidelines for the application of the ~~foregoing~~ general statutory provisions to transfers of property and service rendered in the automatic data processing industry.

"Automatic data processing services" are those rendered in performing all or part of a series of data processing operations through an interacting assembly of procedures, processes, methods, personnel, and automatic data processing equipment. Automatic data processing services may be provided by manufacturers of data processing equipment, data processing centers, systems designers, consultants, software companies, etc. In addition, there are banks and other businesses which own or lease automatic data processing equipment and use it primarily for their own purposes but occasionally provide services to others. Businesses rendering automatic data processing services will be referred to ~~herein~~ as "service bureaus."

Subp. 2. **Description of terms.** Data processing terms are described as follows:

[For text of items A to C, see M.R.]

D. "Input" means the information or data transferred, or to be transferred, from external storage media (e.g., punched cards, punched paper tape, and magnetic tape) into the internal storage of the computer.

E. "Keypunching" means recording information in cards, paper tapes, or magnetic tapes, ~~disc~~ discs, or ~~drum~~ drums by punching holes in the cards, paper tapes or inserting magnetic bits on magnetic tape, discs, or drums, to represent letters, digits, and special characters. Keypunching includes the necessary preliminary encoding or marking of the source documents.

[For text of items F to L, see M.R.]

Subp. 3. **Taxable transactions, unless otherwise exempt under *Minnesota Statutes*, chapter 297A.** Certain transactions are treated as follows:

[For text of item A, see M.R.]

B. Leases of equipment are subject to tax. A lease includes a contract by which a lessee secures for a consideration the use of equipment which may or may not be on ~~his~~ the lessee's premises if the lessee or ~~his~~ the lessee's employees operate the equipment, or if the equipment is operated under the direction and control of the lessee or ~~his~~ the lessee's employees. Subleasing receipts are taxable without any deduction or credit for tax paid by the original lessee to ~~his~~ the lessor, if the original lessee uses the property in addition to subleasing it. Use of equipment on a time-sharing basis, where access to the equipment is only by means of remote access facilities, is not a taxable leasing of such equipment.

C. ~~Keypunching and keystroke verifying is an item which covers situations where a service bureau's agreement provides only for keypunching, keystroke verifying, and proof listing of data or any combination of these operations. It does not include contracts under which these services are performed as steps in processing a client's data as discussed in subpart 4, item A.~~

~~Agreements providing solely for keypunching, keypunching and keystroke verification, or keypunching, providing a proof list, and/or verifying of data, are regarded as contracts for the fabrication of punched cards and sales of proof lists. Charges therefor are taxable, whether the cards are furnished by the customer or by the service bureau. Data from source documents may also be recorded directly on magnetic tape (off-line). This operation may include keystroke verifying and/or proof listing of data and is comparable to the punch card operation. Charges for this operation are taxable whether the magnetic tapes are furnished by the customer or by the service bureau. Tax also applies to charges for the imprinting of characters on a document to be used as the input medium in an optical character recognition system. The tax application would be the same even though paper tape or other media were used in the operation.~~

~~D.~~ Persons who sell or lease data processing equipment may provide a number of training services with the sale or rental of their equipment. Training services, per se, when separately stated, are not subject to the tax. Training materials, such as books, videos, and cassettes, furnished to the trainees for a specific charge are taxable.

~~E.~~ D. Generally tax applies to the conversion of customer-furnished data from one physical form of recordation to another.

For example, if all or some data in punched cards is duplicated into another set of cards, charges for this service are taxable.

~~F.~~ E. When additional copies of records, reports, or tabulations are provided, tax applies to the charges made for the additional copies. "Additional copies" are all copies in excess of those produced on multipart carbon paper simultaneous with the production of the original and on the same printer, whether the copies are prepared by rerunning the same program, by using multiple simultaneous printers, by looping a program such that the program is run continuously, by using different programs to produce the same output

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

product, or by other means. Where additional copies are prepared, the tax will be measured by the charge made by the service bureau to the customer. Charges for copies produced by means of photocopying, multilithing, or by other means are also subject to tax.

~~G.~~ F. Sales of mailing lists in the form of cheshire tapes, gummed labels, and heat transfers produced as a result of a computer run are taxable. However, computer-generated mailing lists alone involving no transferable product are not taxable. ~~However,~~ Where the service bureau, through the use of its automatic data processing equipment, addresses material to be mailed, with names and addresses furnished by the customer or maintained by the service bureau for the customer, tax does not apply to the charge for addressing. Similarly, where the service bureau prepares labels to be affixed to material to be mailed, with names and addresses furnished by the customer or maintained by the service bureau for the customer, tax does not apply to the charge for producing the labels, when the service bureau itself affixes the labels to the material to be mailed.

G. For taxation of retail sales of computer software, see part 8130.9910.

Subp. 4. **Nontaxable services.** Certain services are treated as follows:

A. "Processing a client's data" means the developing of original information from raw data furnished by the customer. Examples of automatic data processing operations which result in original information are summarizing, computing, extracting, sorting, and sequencing. Such operations also include the updating of a continuous file of information maintained by the customer with the service bureau.

Generally, if a person enters into a contract to process a client's data by the use of a computer program, or through an electrical accounting machine programmed by a wired plugboard, the contracts are nontaxable (except if the contract is in the nature of a lease as outlined in subpart 3, item B). Such contracts usually provide that the person will receive the client's source documents, record data in machine-readable form (such as in punch cards or on magnetic tape), make necessary corrections, rearrange or create new information as the result of the processing, and then provide tabulated listings or record output on other media. This service is considered nontaxable even if the total charge is broken down into specific charges for each step. The furnishing of computer programs and data by the client for processing under direction and control of the person providing the service is nontaxable even though charges may be based on computer time. The true object of these contracts is considered to be a service, even though some tangible personal property is incidentally transferred to the client.

"Processing a client's data" does not include:

(1) work performed under an agreement providing solely for the reformatting of data or for the preparation of a proof listing or the performance of an edit routine or other preprocessing;

(2) the using of a computer as a mere printing instrument, as in the preparation of personalized computer-printed letters; or

(3) the mere converting of data from one medium to another.

[For text of items B and C, see M.R.]

D. Keypunching and keystroke verifying is an item which covers situations where a service bureau's agreement provides only for keypunching, keystroke verifying, and proof listing of data or any combination of these operations. It does not include contracts under which these services are performed as steps in processing a client's data as described in item A.

Agreements providing for keypunching and keystroke verification, or keypunching, providing a proof list, and/or verification of data are not regarded as contracts for the fabrication of punch cards and sales of proof lists. Charges therefore are not taxable, whether the cards are furnished by the customer or by the service bureau. Data from source documents may also be recorded directly on magnetic tape (off-line). This operation may include keystroke verifying and/or proof listing of data and is comparable to the punch card operation. Charges for this operation are not taxable whether the magnetic tapes are furnished by the customer or by the service bureau. No tax applies to charges for the imprinting of characters on a document to be used as the input medium in an optical character recognition system. The tax treatment is the same even though paper tape or other medium were used in the operation.

Subp. 5. **Microfilming and/or photorecording services.** Microfilming and photorecording services are treated as follows:

A. Some electronic data processing systems accept signals directly from the computer (on-line) at high speeds and then ~~record~~ records them on microfilm or on photorecording paper. The computer output medium is merely changed from the more common output media of magnetic tape and tabulated listings to microfilm or photorecording paper. When this end product is the result of a complete computer program as outlined in subpart 4, item B, the tax will not apply.

[For text of item B, see M.R.]

Subp. 6. [See repealer.]

REPEALER. *Minnesota Rules*, part 8130.9700, subpart 6, is repealed.

Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

Board of Animal Health

Adopted Permanent Rules Relating to Disease Control

The rules proposed and published at *State Register*, Vol. 16, Number 52, Pages 2770-2776 on June 22, 1992 (16 S.R. 2770) and modified at *State Register*, Vol. 17, Number 15, Page 784 on October 12, 1992 (17 S.R. 784) are adopted with the following modification:

Part 1719.4200 is withdrawn.

Board of Dentistry

Adopted Permanent Rules Relating to Annual Registration Fees

The rules proposed and published at *State Register*, Volume 17, Number 2, pages 37-38, July 13, 1992 (17 SR 37), are adopted as proposed.

Office of the State Treasurer

Adopted Permanent Rules Relating to Credit Card Disclosure Reports

The rules proposed and published at *State Register*, Volume 17, Number 9, pages 435-438, August 31, 1992 (17 SR 435), are adopted with the following modifications:

Rules as Adopted

9700.0200 CREDIT CARD DISCLOSURES REPORT.

Subp. 3. **Report form.** The following form must be used in conjunction with this chapter:

OFFICE OF THE STATE TREASURER

CREDIT CARD DESK

303 ADMINISTRATION BUILDING

SAINT PAUL, MINNESOTA 55155

MINNESOTA CREDIT CARD DISCLOSURE REPORT FORM

Minnesota Statutes, section 325G.415, requires any creditor who distributes its own credit card application in Minnesota to annually file certain information regarding this credit to the State Treasurer of Minnesota. The Minnesota Credit Card Disclosure Report Form must be filed annually with the Office of the State Treasurer no later than December 31. The information contained in the report must be current as of January 1 of the following year.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

INSTRUCTIONS

A. You are not required to file this form if you merely distribute credit card applications on behalf of a creditor other than yourself.

B. You may, but are not required to, provide the State Treasurer with the name and address of any creditor for whom you distribute credit card applications. Please use the space provided on the next line. Use additional sheets if necessary.

_____

C. Use one form for each credit card offered.

D. Give specific dollar amounts or percentage rates charged to Minnesotans. Do not use ranges.

****

1. _____
Name of Creditor

2. _____
Street and/or P.O. Address

3. _____ _____ _____
City State Zip Code

4. _____ _____
Name of Person Preparing this Form Phone

5. _____
Name of Credit Card

6. _____ Amount of any membership, participation, or similar fee that may be imposed as a condition of the issuance or renewal of the credit card, expressed as an annual amount.

7. _____ Charges for exceeding credit limits.

8. _____ Amount of late payment fees.

9.

Credit Purchases	Cash Advances	
_____	_____	Annual Percentage Rate (A.P.R.) charged to Minnesotans.
_____	_____	Is the A.P.R. a variable rate?
_____	_____	If variable, identify the index used, if any.
_____	_____	If variable, what is the "spread" from the index?
_____	_____	Amount of any minimum, fixed, transaction, activity, or similar charge.
_____	_____	The date or occasion upon which the finance charge, if any, begins to accrue on the transaction; that is, the grace period. (For example, "25 days after statement closing date").
_____	_____	Is the entire credit card balance due and payable upon receipt of a periodic statement of charges?
_____	_____	Amount of any fees charged other than those listed above.

10. Set forth below any other information which you believe would clarify the information provided above: (Use additional sheets if necessary)

_____

_____

_____

_____

11. Please attach a list of organizations through which the creditor offers credit cards in Minnesota.

_____ _____
Signature and Title of Creditor's Representative Date

MAIL FORM TO: Office of the State Treasurer
ATTN: Credit Card Desk
303 Administration Building
St. Paul, Minnesota 55155

Revenue Notices

Effective July 1, 1991, the Department of Revenue has authority to issue revenue notices. A revenue notice is a policy statement made by the department that provides interpretation, details, or supplementary information concerning the application of law or rules. This authority was provided by the Legislature in *1991 Session Laws* Chapter 291, article 21, section 6 and will be codified at *Minnesota Statutes* section 270.0604.

Department of Revenue

Revenue Notice #92-23: Sales and Use Tax—Member Governed and Controlled Clubs that Provide Sports or Athletic Facilities for Members

Memberships to any club or organization that is governed and controlled by its members, and that provides sports or athletic facilities for members, other than YMCA and YWCA memberships, are taxable. Also taxable are one-time fees, and periodic membership dues, such as:

- initiation fees
- capital improvement assessment fees
- social memberships (admittance to club, but not use of athletic facilities)
- stock purchase assessments
- stock transfer fees (paid when stock is purchased)

The above fees are taxable, even if stated separately from the membership dues.

Dated: 30 November 1992

Department of Revenue

Revenue Notice #92-24: Sales and Use Tax—Laundry and Cleaning Services

Minnesota Statutes § 297A.01, subd. 3 (j)(i) taxes laundry and dry cleaning services which include "cleaning, pressing, repairing, altering, and storing clothes, linen services and supply, cleaning and blocking hats, and carpet, drapery, upholstery, and industrial cleaning."

Laundry and dry cleaning taxable services include dyeing; leather and suede cleaning, repairing, and storing; fur (natural and synthetic) cleaning, repairing, and storing; and bed spread, pillow sham, and pillow cleaning services. Nontaxable services include the design or sewing of new clothes by a tailor or seamstress, diaper services, the custom making of shoes, and shoe repair, dyeing, stretching, and shining. While separately stated alteration charges are taxable, clothing alterations that are included in the purchase price of an item are not taxable.

Linen services and supply includes the renting of laundered items such as uniforms, gowns, coats, shirts, table linens, towels and toweling to both commercial and household users. Linen supply companies which rent items to customers may purchase such items exempt from tax for the purpose of resale. These companies must provide the supplier with a properly completed resale exemption certificate.

Carpet, drapery, and upholstery cleaning services include vacuuming, shampooing, deodorizing, pressing, and applying fabric protector. These services are taxable whether performed on the customer's premises or elsewhere.

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Industrial cleaning services include supplying laundered or dry cleaned work uniforms, and supplying wiping towels, safety equipment (gloves, flame resistant clothing, etc.), dust control items such as treated mats or rugs, mops, dust covers for tools and cloths, and other items to industrial or commercial users. These items may belong to either the industrial launderer or to the customer.

Service providers must pay tax on items purchased for use in their services. For example, they must pay tax on the purchase of solvents, soaps, detergents, spotting compounds, water repellents, disinfectants, fabric softeners, starch, dyes, mat compounds, fire repellent compounds, marking tags, hangers, plastic bags, water, utilities, equipment, and supplies. However, clothing repair materials such as zippers and buttons remain exempt from tax.

These taxable services can be purchased for resale when a proper exemption certificate is provided by the vendor. For example, a clothing retailer may contract with a tailor to provide alterations on sales of new clothing. If the alteration charges are included as a part of the sales price of the clothing, no sales tax is due since clothing are tax exempt. However, the charge is taxable when separately stated on the billing to the customer.

Dated: 30 November 1992

Department of Revenue

Revenue Notice #92-25: Withholding—1993 Withholding Deposits

The Internal Revenue Service recently adopted a regulation governing deposits of withheld federal income taxes and taxes under the Federal Insurance Contributions Act (FICA). *Treas. Reg.* § 316302-1 (1992). The new federal deposit rules are significantly simpler to understand and apply than the previous rules. The regulation is effective January 1, 1993, but a transitional rule allows employers to continue to comply with the previous rules until December 31, 1993. The transitional rule allows employers who are able to adapt to the new rules to take advantage of them as soon as possible, but also allows other employers sufficient time to make necessary changes to their payroll tax deposit systems.

Due to the complexities of overlapping state and federal withholding deposit requirements and the transition to a new federal deposit system in 1993, the Commissioner will abate penalties that result from the timing of an employer's deposit of withheld state taxes during 1993 as long as those taxes are deposited within the later of the time allowed to deposit withheld state taxes under Minnesota law or the time allowed to deposit the employer's withheld federal taxes under *Treas. Reg.* § 31.6302-1 (1992).

The Department published notice of intent to solicit outside information or opinions relating to withholding deposits in the *State Register* on November 16, 1992 and will be proposing rules governing withholding deposits to take effect in 1994.

Dated: 30 November 1992

Department of Revenue

Revenue Notice #92-26: No Property Tax Refunds for Certain Homesteads

The purpose of this Notice is to give examples of how to apply the law which prohibits property tax refunds for relative homesteads. This law is in effect beginning with timely-filed refund claims submitted in 1993.

Residential real estate in Minnesota, that is occupied and used for purposes of a homestead by a relative of the owner, qualifies for homestead property tax benefits because of recent changes to Minnesota law. According to the law, a "relative of the owner" means either a parent, stepparent, child, stepchild, spouse, grandparent, grandchild, brother, sister, uncle or aunt of the owner.

These changes, affecting homesteads, were enacted by the state legislature in 1992. The changes are in effect beginning with the 1992 assessment for property taxes payable in 1993, and thereafter. An important part of these changes says that neither the related occupant nor the owner of the property may claim a property tax refund for a homestead occupied by a relative.

(See *Laws of 1992*, chapter 511, article 2, section 13, amending *Minnesota Statutes* § 273.124, subdivision 1.)

Following are several examples which illustrate the correct application of this property tax refund law:

a) An individual owns several acres of land, and the house which is located on that land. The owner uses the property as their primary, and only, residence. The county has correctly classified the property as a regular homestead for property tax purposes.

This person may file a claim for the regular (homeowner's) property tax refund. The refund they receive, if any, will be based upon the household income for the claimant, as it compares to the qualifying property tax for the property.

The owner of the property may also be eligible to file a claim for the special property tax refund if they owned the same property in the prior year. In that case, the refund will be based on the increase in the qualifying property tax amount for taxes payable in 1993, as compared to the taxes payable in the previous year.

b) Continuing with the first example, assume there is a second house on the property. The property owner's father lives in the second house. The owner and their father have properly applied to the county so that this house (plus a garage, if there is one, and up to one acre of land) is classified as a relative homestead.

Regardless of who actually pays the property taxes, and regardless of whether or not the father pays rent in order to live on the relative-homestead property, no one may claim a property tax refund on this second house, garage, and up to one acre of land. All three types of refunds are prohibited; both the regular and the special homeowner's property tax refunds, and any renter's refund.

c) The property owner from the first example is also the sole owner of a home located elsewhere in this state. His aunt occupies that home as her primary residence. Proper application has been made with the county where the home is located so that the property is classified as a relative-homestead.

This is just like the previous example, except this example shows that a relative homestead does not need to be located next to, or near the owner's residence. As with the previous example, no one may claim any property tax refunds in regard to this home. It doesn't matter who actually pays the property taxes, and it doesn't matter if the occupant actually pays rent.

d) In another situation, involving a different family, the sister is the sole owner of a house which her brother occupies. The brother is the sole occupant of the home, and it is his primary residence. In this case, however, the sister and the brother have decided not to apply to the county for property tax homestead benefits—although they could. The county therefore, has correctly placed this property in the "residential nonhomestead" class for property tax purposes.

In this case, a renter's property tax refund claim will be allowed for the brother if it is based on the rent he pays in order to live in the house. A homeowner's claim, for either the regular property tax refund or the special property tax refund, will not be allowed because the owner does not use the property as her homestead.

In future years, the sister and brother may decide to apply for property tax homestead benefits. If they meet all the qualifications at that time, the property will be classified as a relative homestead for property tax purposes. If that happens, a person paying rent to live in the property will no longer be allowed to claim a renter's property tax refund. Refunds based on rent paid during a year in which the occupied property was paying relative-homestead property taxes, are not allowed.

e) Brother and sister—not related to anyone in the previous examples—own a home (either as joint tenants, or as tenants in common). Both siblings use the home as their homestead. Because they are each entitled to homestead their own one-half of the property, the entire home is classified as a regular homestead by the county for property tax purposes.

This property is not a relative homestead. It is a regular homestead, and because both owners live there, it is entitled to full property tax homestead benefits. Also, a homeowner's property tax refund claim is allowed. Either of the two owners may file for the one homeowner's property tax refund that will be allowed for the property as a whole. The claim must be based on the total qualifying property tax, and the combined household incomes of the two owner-occupants.

Although only one homeowner's claim is allowed, that claim may be for both the regular homeowner's refund and the special homeowner's refund, assuming that the tax and income amounts are such that the claimant is entitled to both types of refunds.

f) Two sisters own a home, either as joint tenants, or as tenants in common. Only one of them uses the home as their homestead. Because each of the two owners are entitled to have their half of the property classified as a homestead for property tax purposes, the entire home is classified as a homestead by the county (one-half as a regular homestead, one-half as a relative homestead).

The owner who uses the property for a homestead, may file a homeowner's property tax refund claim. The claim will be allowed if it is based upon the property's qualifying tax amount and the household income of the owner-occupant.

Changes in Classification

If property which was not classified as a relative homestead becomes a relative homestead for property tax purposes, no property tax refunds will be paid beginning with timely filed homeowner claims filed in the year following the year when the property was first assessed as a relative homestead, and with timely filed renters' claims filed in the second year following the year when the property was first assessed in the relative homestead class.

For example, if a relative and an owner applied to the county in 1992 to have a parcel of residential nonhomestead property classified as a relative homestead for the 1992 assessment, a renter's property tax refund claim filed in 1993 and based on rent paid in 1992

would be allowed. Claims based on rent paid in 1993 are not allowed. If application to the county is first made in regard to the 1993 assessment, claims will be allowed which are based on rent paid in 1993. No claims may be filed beginning with those based on rent paid in 1994.

Also as an example, if a relative and an owner applied to the county in 1992 to have a parcel of homestead property reclassified as a relative homestead for the 1992 assessment, a timely homeowner's property tax refund claim filed in 1993, and based on property taxes payable in 1993, is not allowed.

Whenever a property no longer qualifies for the relative homestead classification, refund claims are again allowed beginning with the first year the taxes payable are not assessed as a relative homestead, and for claims based on rent paid in that year.

Dated: 30 November 1992

Official Notices

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Department of Agriculture

Agronomy Services Division

Notice of Solicitation of Outside Information or Opinions Regarding the Final Review Draft of the Minnesota Pesticide Management Plan

NOTICE IS HEREBY GIVEN that the State Department of Agriculture is seeking information or opinions from sources outside the agency in preparing the Minnesota Pesticide Management Plan.

Minnesota Statutes section 18B.045 requires that the Commissioner of Agriculture develop a Pesticide Management Plan for the prevention, evaluation, and mitigation of occurrences of pesticides or pesticide breakdown products in ground waters and surface waters of the state.

All persons or groups may request copies of the Final Review Draft of the Minnesota Pesticide Management Plan. Comments in support of or in opposition to the proposed Pesticide Management Plan or any part or subpart thereof are requested by January 8, 1993. Comment is encouraged. Each comment should identify the portion of the proposed Pesticide Management Plan addressed, the reason for the comment, and any change proposed.

Interested persons or groups are encouraged to request copies from and to submit written information or opinions to:

Jerry Spetzman
Minnesota Department of Agriculture
Agronomy Services Division
90 West Plato Boulevard
St. Paul, Minnesota 55107
Telephone: (612) 297-7269

The proposed Pesticide Management Plan may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed Pesticide Management Plan as noticed.

Minnesota Comprehensive Health Association

Notice of Meeting of the Enrollee Appeal Committee

Notice is hereby given that a meeting of the Minnesota Comprehensive Health Association (MCHA), Enrollee Appeal Committee will be held at 2:00 p.m. on Wednesday, December 16, 1992 at Prudential Insurance Company of America, 3701 South Wayzata Boulevard, Minneapolis, Minnesota, in the 8th floor small conference room next to the Board room.

Portions of this meeting may be closed to the public.

For additional information please call Lynn Gruber at (612) 593-9609.

Minnesota Comprehensive Health Association

Notice of Board of Directors Meeting

Notice is hereby given that the Minnesota Comprehensive Health Association (MCHA), Board of Directors will meet at 9:00 a.m. on Friday, December 11, 1992 at Northwestern National Life Insurance Company, 100 Washington Avenue South, Minneapolis, Minnesota, in Mississippi Rooms A & B located on the 4th floor.

For additional information please call Lynn Gruber at (612) 593-9609.

Minnesota Comprehensive Health Association

Notice of Meeting of the Ad Hoc Work Group of MCHA Premiums

Notice is hereby given that a meeting of the Minnesota Comprehensive Health Association (MCHA), Ad Hoc Work Group on MCHA Premiums will be held at 1:00 p.m. on Tuesday, December 1, 1992 at Prudential Insurance Company of America, 3701 South Wayzata Boulevard, Minneapolis, Minnesota, in the Bates Conference room on the 8th floor.

For additional information please call Lynn Gruber at (612) 593-9609.

Ethical Practices Board

Advisory Opinion #127 re: Campaign Finance Disclosure

Issued 11-12-92 to Alan W. Weinblatt—SUMMARY—127. The cost of a principal campaign committee's purchase of a facsimile machine is reportable as a campaign expenditure for the purposes of the expenditure limits in *Minnesota Statutes* § 10A.25. The full text of the opinion is available upon request from the Ethical Practices Board, 1st Floor South, Centennial Building, 658 Cedar Street, St. Paul, MN 55155-1603; (612) 296-5148.

Executive Council, State Board of Investment, Land Exchange Board, Investment Advisory Council

Meetings Notice

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Wednesday, December 9, 1992 at 8:30 a.m. in Room 125, State Capitol, Saint Paul, MN.

The Investment Advisory Council will meet on Tuesday, December 8, 1992 at 2:00 p.m. in Suite 105, 55 Sherburne Avenue, St. Paul, MN.

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Construction Projects

Effective November 30, 1992 prevailing wage rates are certified for commercial construction projects in: Cottonwood county: State Bridge Cranes; Steele county: State Bridge Cranes; Olmsted county: State Bridge Cranes; St. Louis county: State Bridge Cranes; Hennepin county: Park Center Sr. High School, Edgewood Elementary, Zanewood Elementary, Hennepin County Government Center South Plaza; Rice county: Minnesota Correctional Facility-Faribault-Willow Cottage; Scott county: Blue Lake WWTP.

Copies of the certified wage rates for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are $1.36 per project. Make check or money order payable to the State of Minnesota.

John B. Lennes, Jr.
Commissioner

Metropolitan Waste Control Commission

Public Notice for Prequalifications for Professional Services

NOTICE IS HEREBY GIVEN that the Metropolitan Waste Control Commission is soliciting prequalifications for professional services for MWWTP Projects, MWCC Project Numbers 910500, 920700, 930100 and 930500.

The work will consist of three distinct projects. The three projects involve providing Step II Design Services and Step III Construction Support, and include:

1. Small Systemwide Improvements Projects: Provide engineering support services for projects at the Metro Plant. These services would be used primarily to supplement MWCC staff.

2. Meter Improvements: Preparation of design report for proposed improvements which expands upon the Meter Evaluation Study previously conducted, design of facilities, improvements and modifications, and preparation of Bidding Documents.

3. MWWTP Fine Bubble Retrofit: Design a fine-bubble system to replace the existing coarse-bubble aeration system, design retrofit of the sixteen existing aeration basins, and preparation of Bidding Documents.

All firms interested in being considered for this Project are invited to submit a Letter Of Interest (LOI) asking for the project Request For Qualifications (RFQ).

All inquiries and submittals are to be addressed to:

Mr. Joseph H. Edwards, PE, CCS, CSI
Manager, Contracts & Documents Division
Metropolitan Waste Control Commission
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
(612) 229-5019

By Order of the
Metropolitan Waste Control Commission
Gordon O. Voss
Chief Administrator

Teachers Retirement Association

Notice of Regular Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, December 16, 1992, at 9:30 a.m., in Suite 500, Gallery Building, 17 W. Exchange St., St. Paul, MN to consider matters which may properly come before the Board.

State Grants

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Human Services

Children's Trust Fund

Notice of Availability of Children's Trust Fund Grants/Request for Proposals (RFP)

The Children's Trust Fund (CTF), established in 1986, is supported by a surcharge on birth certificates, federal and state monies, and private donations. The CTF's mission is to prevent child maltreatment by funding primary and secondary prevention programs which strengthen the family. This CTF grant cycle runs from July 1, 1993, to June 30, 1995.

THE DEADLINE FOR SUBMITTING GRANT APPLICATIONS IS JANUARY 18, 1993.

Description: The funding priority identified by the CTF Advisory Council for the 1993-95 grant cycle is parent education, especially for parents with young children.

Eligibility: To be eligible for a grant, proposals must be submitted by private nonprofit or public agencies. They must also:

1. Identify a service delivery component, specifically, **parent education at either the primary or secondary prevention level,** rather than use the money for general program operation;

2. Match 40% of the CTF funds with local funding, either in-kind or cash contributions. The 40% match must be applied to the specific program that the CTF would be supporting.

Priority: Highest priority will be given to those proposals which:

- target parents of young children (i.e., 0 to 5 years of age),
- are responsive to the diversity within their community,
- have matching dollars from sources other than state or federal funds,
- and are from programs which have been in business for at least two years.

All interested parties are to request a copy of the *Grant Application Packet* directly from the Children's Trust Fund (see address below). This packet contains definitions and instructions for completing the application and fuller details on the submission process.

Screening and Selection Process: Local or regional programs must submit their applications to the appropriate Child Abuse and Prevention Councils (CAPC) for initial review. Statewide programs submit their applications directly to the CTF Advisory Council. All proposals meeting eligibility requirements are evaluated according to criteria which are listed in the *CTF Grant Application Packet*. Final decisions are made by the Commissioner of the Department of Human Services, based on the advice and consent of the CTF Advisory Council. Notifications of the award decisions will be mailed by May 10, 1993.

For more information contact:

Maureen Cannon, Executive Director
Children's Trust Fund
444 Lafayette Road
St. Paul, MN 55155-3839
Telephone: 612/296-KIDS

Department of Human Services

Family and Children's Services Division

Request for Proposals for Special Focus Indian Child Welfare Programs

NOTICE IS HEREBY GIVEN that the Family Preservation Services Section, Family and Children's Services Division, Minnesota Department of Human Services, is seeking proposals for Indian Child Welfare Programs which have a special focus on service areas of particular concern to the Indian community. Special Focus Services enhance family functions and prevent out of home placement.

Proposals must be submitted by 4:00 p.m. CDT Friday, January 29, 1993.

For further information, contact:

Rob Sawyer/Rose Robinson
Family Preservation Services
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3832
(612) 297-2710

Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over $10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

Department of Health

Maternal and Child Health Division

Request for Proposals for Diabetes in Youth Continuing Education

Purpose: Services for Children with Handicaps [SCH] requests proposals for the health care management of children with diabetes from organizations which engage in the provision of both health care and education related to the clinical management of diabetes in children. Such continuing education programs are to be held in three designated regions of the state for physicians and other health professionals as well as families of children with diabetes.

The contractor's duties shall include the establishing of objectives for a continuing education program focused on management issues related to diabetes in children; assembling a team to include a pediatric endocrinologist, licensed psychologist, nurse diabetes specialist, and registered dietitian; developing a continuing education program for health professionals and families around the issues of management of diabetes in children; scheduling the program in three designated areas of the state, and arranging for the assembled team to provide such programs; publicizing availability of the three programs; providing the continuing education programs in the three sites; conducting evaluations of the program in each of the three sites; and, preparing a summary report.

Duration: January 18, 1993 to August 31, 1993.

Amount: The total obligation of the state for all compensation and reimbursements to contractor shall not exceed thirteen thousand five hundred seventy dollars.

Applications: The complete Request for Proposals packet, including the more detailed request for proposals and the criteria for review of applications is available upon request from Nancy Vanderburg at the address and phone number below.

Deadline: Three copies of the completed proposals must be submitted by **4:30 p.m., Tuesday, December 15, 1992,** to:

Nancy Vanderburg, Nurse Consultant
Minnesota Department of Health
Services for Children with Handicaps
717 Delaware Street S.E., P.O Box 9441
Minneapolis, Minnesota 55440
612/623-5156

Department of Health

Request for Proposals to Conduct a Demonstration Project Relating to the Assessment and Management of Urinary Incontinence in Residents of Nursing Homes

The Minnesota Department of Health is seeking to contract for professional and technical services with a nonprofit organization with experience in the area of urinary incontinence assessment and management to conduct a demonstration project relating to the potential for improving the quality of life of nursing home residents and for cost savings through improved assessment and management of urinary incontinence in nursing homes.

Details are contained in a Request for Proposals which may be obtained by calling or writing:

Maggie Friend
Division of Health Resources
Minnesota Department of Health
393 North Dunlap Street
P.O. Box 64900
Saint Paul, Minnesota 55164-0900
(612) 643-3615

The estimated costs of the contract is $50,000. This money is available only upon the showing by the contract recipient that it has $250,000 of matching private funds and in-kind services for purposes of the demonstration. Final date for submitting proposals is 4:00 p.m. on December 23, 1992.

Department of Human Services

Health Care Programs Division

Notice of Request for Proposal for Review of Quality of Care Provided by Health Plans to MA Recipients

The Department of Human Services is seeking proposals from qualified review entities to review the quality of health care provided by health plans for recipients enrolled in the State's Prepaid Medical Assistance Programs. The review will include review of medical records for conditions of interest, an administrative review and facilities reviews.

The Commissioner reserves the right to reject any or all proposals.

The formal request for proposal which contains detailed specifications may be obtained from the Department of Human Services by writing or contracting:

Deborah Bachrach
Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3854
Phone 612/297-1380

The deadline for submitting a proposal is 4:30 p.m. January 19, 1993. Selection will be made by January 25, 1993.

Department of Public Safety

Office of Traffic Safety

Request for Proposals for Management of Intensive Probation Grant Program

The Department of Public Safety has received a grant from the National Highway Traffic Safety Administration to manage a grant program that will help counties establish intensive probation programs for repeat DWI offenders. The Department is seeking to contract for professional and technical services to manage and administer the program.

The request for proposals (RFP) for this contract has been re-opened. Details are contained in an RFP which may be obtained by calling or writing:

Kathryn Swanson
Office of Traffic Safety
Department of Public Safety
207 Transportation Bldg.
395 John Ireland Blvd.
St. Paul, MN 55155
(612) 296-9507

The estimated cost of the contract is $67,000.00. Final date for submitting proposals is December 10, 1992. Please note: This request for proposals is NOT a request for proposals from counties wishing to establish intensive probation programs; rather, it is a request for proposals to manage and administer that grant program.

Non-State Public Bids and Contracts

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as $1,000. Contact the editor for further details.

Minnesota Historical Society

Notice of Request for Proposals for Exhibit Design Services

The Minnesota Historical Society is seeking proposals from qualified firms and individuals to provide design services through the design development stage for a new visitor center at the North West Company Fur Post Historic Site, Pine City, MN.

The Request for Proposals is available by calling or writing Gary W. Goldsmith, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone (612) 297-5863.

Details concerning submission requirements and deadlines are included in the Request for Proposals.

Awards of State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over $2,000.

Commodities contracts with an estimated value of $15,000 or more are listed under the Materials Management Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Materials Management Division—Department of Administration:

Contracts and Requisitions Open for Bid: Call 296-2600 for information on a specific bid, or to request a specific bid.

COMMODITY CODE KEY

A = Sealed Bid
B = Write for Price
C = Request for Proposal
D = Request for Information
E = $0-$1,500 Estimated Dollar Value
F = $1,500-$5,000 Estimated Dollar Value
G = $5,000-$15,000 Estimated Dollar Value
H = $15,000-$50,000 Sealed Bid
I = $50,000 and Over Sealed Bid/Human Rights Compliance Required
J = Targeted Vendors Only
K = Local Service Needed
L = No Substitute
M = Installation Needed
N = Pre-Bid Conference
O = Insurance or Bonding Required

Item: Door & Door Frame, Metal
Req.#: 01000-07225-01
Awarded to: Sell Hardware, Inc., Duluth, MN
Awarded amount: $3,980.00
Awarded date: November 19, 1992
Expir/deliv date: December 15, 1992
Shipped to: Facilities Management Office

Item: Seating, Cafeteria
Req.#: 02307-34285-01
Awarded to: Johnsons P M, Inc., St. Paul, MN
Awarded amount: $56,000.00
Awarded date: November 19, 1992
Expir/deliv date: January 6, 1993
Shipped to: State of Minnesota

Item: Handicapped Device, Visual
Req.#: 21701-53441-01
Awarded to: Henter Joyce, Inc., St. Petersburg, FL
Awarded amount: $1,730.00
Awarded date: November 19, 1992
Expir/deliv date: December 10, 1992
Shipped to: Minnesota Department of Jobs & Training

Item: Handicapped Device, Visual
Req.#: 21701-53451-01
Awarded to: Henter Joyce, Inc., St. Petersburg, FL
Awarded amount: $1,730.00
Awarded date: November 19, 1992
Expir/deliv date: December 10, 1992
Shipped to: Minnesota Department of Jobs & Training

Item: Handicapped Device, Visual
Req.#: 21701-53012-01
Awarded to: Maxi Aids for Ind. Living, Farmingdale, NY
Awarded amount: $1,205.00
Awarded date: November 19, 1992
Expir/deliv date: December 30, 1992
Shipped to: Various Locations

Item: Geophysical Supplies
Req.#: 26071-65508-01
Awarded to: Forestry Suppliers, Inc., Jackson, MS
Awarded amount: $5,948.50
Awarded date: November 19, 1992
Expir/deliv date: November 20, 1992
Shipped to: Mankato State University

Item: Water Conditioning Equipment (Softening)
Req.#: 26071-91023-01
Awarded to: Bruner Corp., Minnetrista, MN
Awarded amount: $2,715.00
Awarded date: November 19, 1992
Expir/deliv date: November 27, 1992
Shipped to: Mankato State University

Item: Contractor, Elevator & Escalator
Req.#: 26074-14744-01
Awarded to: Lagerquist Corp., Minneapolis, MN
Awarded amount: $2,000.00
Awarded date: November 19, 1992
Expir/deliv date: November 30, 1992
Shipped to: Winona State University

Item: Blinds & Shades, Window
Req.#: 27000-07799-01
Awarded to: Final Touch Interiors, West St. Paul, MN
Awarded amount: $2,112.25
Awarded date: November 19, 1992
Expir/deliv date: December 30, 1992
Shipped to: Willmar Community College

Item: Tool, Hand, Miscellaneous, Non Powered
Req.#: 29006-31017-01
Awarded to: Forestry Suppliers, Inc., Jackson, MS
Awarded amount: $600.36
Awarded date: November 19, 1992
Expir/deliv date: December 11, 1992
Shipped to: Department of Natural Resources—Southern Service Center

Item: Recorder, Video Tape/Disc
Req.#: 32300-34585-01
Awarded to: EPA Audio Visual, Rockford, MN
Awarded amount: $4,959.50
Awarded date: November 19, 1992
Expir/deliv date: November 30, 1992
Shipped to: Minnesota Pollution Control Agency

Item: Office Machine, Miscellaneous
Req.#: 37001-30577-01
Awarded to: Ladens Business Machines, St. Paul, MN
Awarded amount: $557.00
Awarded date: November 19, 1992
Expir/deliv date: December 18, 1992
Shipped to: Minnesota Academy for the Deaf

Item: Fan, Exhaust
Req.#: 55105-09264-01
Awarded to: Thermo Dyne, Inc., Plymouth, MN
Awarded amount: $1,680.00
Awarded date: November 19, 1992
Expir/deliv date: November 24, 1992
Shipped to: St. Peter Regional Treatment Center

Item: Construction Material, Miscellaneous
Req.#: 55201-30288-01
Awarded to: Arch Consultants, Inc., Edina, MN
Awarded amount: $488.95
Awarded date: November 19, 1992
Expir/deliv date: December 15, 1992
Shipped to: Cambridge Regional Human Service Center

Item: Trainers, Sports Equipment
Req.#: 78550-93363-01
Awarded to: Fitness Stores, Inc., Bloomington, MN
Awarded amount: $1,260.00
Awarded date: November 19, 1992
Expir/deliv date: December 30, 1992
Shipped to: Minnesota Correctional Facility

Item: Pool & Billiard Equipment
Req.#: 78790-30663-01
Awarded to: Eugenes Billiard Supply, Burnsville, MN
Awarded amount: $3,620.00
Awarded date: November 19, 1992
Expir/deliv date: December 7, 1992
Shipped to: Minnesota Correctional Facility—Faribault

Item: Toilet
Req.#: 78830-11554-01
Awarded to: Goodin Co., St. Paul, MN
Awarded amount: $5,910.00
Awarded date: November 19, 1992
Expir/deliv date: January 30, 1993
Shipped to: Minnesota Correctional Facility

Item: Valve, Hydraulic Powered
Req.#: 78830-11562-01
Awarded to: Capp, Inc., Minneapolis, MN
Awarded amount: $393.99
Awarded date: November 19, 1992
Expir/deliv date: December 1, 1992
Shipped to: Minnesota Correctional Facility

Item: Guardrails & Wood Posts, Traffic Control
Req.#: 79500-23504-01
Awarded to: Rudie Engineering & Supply, Osseo, MN
Awarded amount: $3,250.00
Awarded date: November 19, 1992
Expir/deliv date: November 30, 1992
Shipped to: Minnesota Department of Transportation

Item: Plumbing Supplies, Miscellaneous
Req.#: 78830-11569-01
Awarded to: Globe, Inc., St. Cloud, MN
Awarded amount: $432.00
Awarded date: November 20, 1992
Expir/deliv date: November 30, 1992
Shipped to: Minnesota Correctional Facility

Item: Chemicals, Laboratory
Req.#: 12400-14383-01
Awarded to: Hawkins Chemical, Inc., Minneapolis, MN
Awarded amount: $3,087.50
Awarded date: November 23, 1992
Expir/deliv date: November 30, 1992
Shipped to: Minnesota Department of Health

Item: Van, Modification, Handicap
Req.#: 21604-89101-01
Awarded to: Quality Vans, Rochester, MN
Awarded amount: $8,000.00
Awarded date: November 23, 1992
Expir/deliv date: November 30, 1992
Shipped to: Various Locations

Item: Handicapped Device, Visual
Req.#: 21701-53409-01
Awarded to: Seeing Tech, Inc., Minneapolis, MN
Awarded amount: $2,050.00
Awarded date: November 23, 1992
Expir/deliv date: December 30, 1992
Shipped to: Various Locations

Item: Handicapped Device, Visual
Req.#: 21701-53410-01
Awarded to: Seeing Tech, Inc., Minneapolis, MN
Awarded amount: $1,995.00
Awarded date: November 23, 1992
Expir/deliv date: December 30, 1992
Shipped to: Various Locations

Item: Handicapped Device, Hearing
Req.#: 21701-53411-01
Awarded to: Humanware, Inc., Loomis, CA
Awarded amount: $2,065.00
Awarded date: November 23, 1992
Expir/deliv date: December 30, 1992
Shipped to: Various Locations

Item: Van, Modification, Handicap
Req.#: 21604-90056-01
Awarded to: Handicapped Driving, Burnsville, MN
Awarded amount: $5,050.00
Awarded date: November 23, 1992
Expir/deliv date: December 12, 1992
Shipped to: Various Locations

Item: Computer, Personal
Req.#: 26070-14920-01
Awarded to: National Biosciences, Plymouth, MN
Awarded amount: $8,650.00
Awarded date: November 23, 1992
Expir/deliv date: November 27, 1992
Shipped to: Bemidji State University

Item: Computer Equipment, Miscellaneous
Req.#: 26071-48263-01
Awarded to: Parker Assoc., Wayzata, MN
Awarded amount: $5,621.00
Awarded date: November 23, 1992
Expir/deliv date: November 30, 1992
Shipped to: Mankato State University

Item: Computer, Personal
Req.#: 26071-64464-02
Awarded to: Arrow Electric, Inc., Eden Prairie, MN
Awarded amount: $2,015.00
Awarded date: November 23, 1992
Expir/deliv date: December 1, 1992
Shipped to: Mankato State University

Item: Drive, Disk or Tape, Computer
Req.#: 26071-67549-01
Awarded to: CADD Specialists, Mankato, MN
Awarded amount: $3,570.00
Awarded date: November 23, 1992
Expir/deliv date: November 30, 1992
Shipped to: Mankato State University

Item: Printer, Computer
Req.#: 26176-03683-01
Awarded to: Data General Corp., Minnetonka, MN
Awarded amount: $2,762.80
Awarded date: November 23, 1992
Expir/deliv date: December 23, 1992
Shipped to: Metropolitan State University

Item: Tractor, Lawn/Garden
Req.#: 27163-63209-01
Awarded to: North Kawasaki, Cloquet, MN
Awarded amount: $10,099.00
Awarded date: November 23, 1992
Expir/deliv date: December 10, 1992
Shipped to: Fond Du Lac Community

Item: Tag/Seal, Animal
Req.#: 29000-59757-01
Awarded to: St. Paul Stamp Works, St. Paul, MN
Awarded amount: $10,773.00
Awarded date: November 23, 1992
Expir/deliv date: January 8, 1993
Shipped to: Department of Natural Resources—Bureau of License

Item: Computer Equipment, Miscellaneous
Req.#: 36100-51723-01
Awarded to: Parker Assoc., Wayzata, MN
Awarded amount: $4,230.40
Awarded date: November 23, 1992
Expir/deliv date: November 30, 1992
Shipped to: Minnesota Technical College Aviation Training

Item: Software, Educational
Req.#: 37001-30511-01
Awarded to: Seeing Tech, Inc., Minneapolis, MN
Awarded amount: $653.00
Awarded date: November 23, 1992
Expir/deliv date: November 29, 1992
Shipped to: Minnesota Academy for the Deaf

Item: Paper, Fine, Miscellaenous
Req.#: 55000-32208-01
Awarded to: Marudas Business Forms Co., Minneapolis, MN
Awarded amount: $5,120.00
Awarded date: November 23, 1992
Expir/deliv date: December 10, 1992
Shipped to: Department of Human Services

Item: Computer, Personal
Req.#: 55304-09455-01
Awarded to: Computer 1, Inc., Brainerd, MN
Awarded amount: $2,798.00
Awarded date: November 23, 1992
Expir/deliv date: November 30, 1992
Shipped to: Brainerd Regional Human Service Center

Item: Printer, Computer
Req.#: 55304-09463-01
Awarded to: Computer 1, Inc., Brainerd, MN
Awarded amount: $884.00
Awarded date: November 23, 1992
Expir/deliv date: November 25, 1992
Shipped to: Brainerd Regional Human Service Center

Item: Software, Personal Computer
Req.#: 67350-53391-01
Awarded to: Connect Computer, Eden Prairie, MN
Awarded amount: $10,313.00
Awarded date: November 23, 1992
Expir/deliv date: November 30, 1992
Shipped to: Department of Revenue, Support

Item: Washer, Laundry, Commercial
Req.#: 78640-02557-01
Awarded to: All, Inc., St. Paul, MN
Awarded amount: $2,280.00
Awarded date: November 23, 1992
Expir/deliv date: December 15, 1992
Shipped to: Minnesota Correctional Facility

Item: Drilling Machine, Vehicle Mounted
Req.#: 79382-02540-01
Awarded to: Boundary Waters Drilling, Chaska, MN
Awarded amount: $20,715.00
Awarded date: November 23, 1992
Expir/deliv date: March 1, 1993
Shipped to: Minnesota Department of Transportation

Item: Truck, Light; to 11,000 GVW
Req.#: 79382-02537-01
Awarded to: Superior Ford, Minneapolis, MN
Awarded amount: $216,151.00
Awarded date: November 23, 1992
Expir/deliv date: March 1, 1993
Shipped to: Minnesota Department of Transportation

Item: Truck, Light; to 11,000 GVW
Req.#: 79382-02538-01
Awarded to: Superior Ford, Minneapolis, MN
Awarded amount: $60,561.00
Awarded date: November 23, 1992
Expir/deliv date: March 1, 1993
Shipped to: Minnesota Department of Transportation

Item: Drive, Disk or Tape, Computer
Req.#: 79200-04649-01
Awarded to: Parker Assoc., Wayzata, MN
Awarded amount: $1,718.00
Awarded date: November 23, 1992
Expir/deliv date: November 30, 1992
Shipped to: Minnesota Department of Transportation

Item: Computer, Personal
Req.#: 79000-63502-01
Awarded to: Intergraph Corp., Mendota Heights, MN
Awarded amount: $11,670.00
Awarded date: November 23, 1992
Expir/deliv date: December 23, 1992
Shipped to: Minnesota Department of Transportation

Item: Software, Personal Computer
Req.#: 79900-43354-01
Awarded to: Intergraph Corp., Mendota Heights, MN
Awarded amount: $2,010.00
Awarded date: November 23, 1992
Expir/deliv date: December 23, 1992
Shipped to: Minnesota Department of Transportation

Department of Administration: Print Communications Division

Printing Contracts Awarded

Item: 1988 Standard Spec. Book for Highway Construction
Req.#: 26216
Awarded to: Printing Enterprises, New Brighton, MN
Amount: $12,769.35
Date: November 12, 1992
Deliver to: Transportation Department, St. Paul
Delivery date: As Requested

Item: Driver License/ID Application
Req.#: 26345
Awarded to: Standard Register, St. Paul, MN
Amount: $29,181.00
Date: November 12, 1992
Deliver to: Public Safety, St. Paul
Delivery date: 45 days

Item: MN Milestones
Req.#: 26461
Awarded to: Printing Enterprises, New Brighton, MN
Amount: $16,688.55
Date: November 17, 1992
Deliver to: State Planning, St. Paul
Delivery date: As Requested

Morel: Minnesota's mushroom

The Mushroom Hunter's Field Guide. An all-color guide by Alexander Smith and Nancy Smith Weber with clear and orderly facts, explicit pictures and scientific accuracy. Stock #9-10, $16.95.

Edible Mushrooms, a classic guide to safe mushrooms, describes 60 species in detail, with photographs (many in color) to show each in its natural habitat. Advice to amateur mushroom hunters. Paperbound, 118 pp. Code #19-11, $12.95.

Northland Wildflowers, the perfect mushroomers companion. An excellent guide for identification and enjoyment of wildflowers, with 308 color photographs and descriptions of 300 species. Paperbound. 236 pp. Code #19-9, $16.95.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add $2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover orders accepted over phone and through mail. ***Prices are subject to change.*** FAX: (612) 296-2265.

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

Catching criminals is only one part of law enforcement.

Police Report Writing Style Manual 1989 – A common framework for report writing throughout the state. Discusses the general purpose of police reports, reviews field notetaking, offers instructions on completing common report forms, and introduces the Data Practices Law. Code No. 14-13. $15.00.

Motor Vehicle Traffic Laws 1991–Includes laws governing motor carriers, motor vehicle registration and no-fault auto insurance. Code No. 2-85. $17.95.

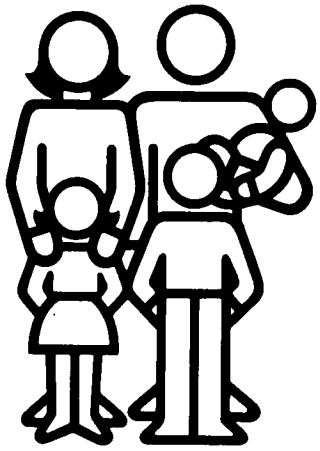
Criminal Code & Selected Statutes 1991–Governs the conduct of peace officers. Includes continuing education requirements, sentencing standards, and more. Code No. 2-68. $18.95.

Blue Binder–3 ring. 2" capacity. Criminal Code and Motor Vehicle Traffic Laws require 1 binder each. Code No. 10-21. $4.95.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add $2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover orders accepted over phone and through mail. ***Prices are subject to change.*** FAX: (612) 296-2265.

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

Human Services Laws and Rules



Human Services Laws 1991

An extract from the statutes. Includes legislative amendments and additions from the most recent session. Code No. 2-56. $34.95.

Human Services Rules 1991

Rules governing assistance programs, eligibility grant amounts, AFDC and residence requirements. MN Rules Chapter 9500-9580. Code No. 3-95. $34.95.

3 ring binder. 2" capacity. 1 required for each of above listed publications. Code No. 10-21. $4.95.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add $2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover orders accepted over phone and through mail. ***Prices are subject to change.*** FAX: (612) 296-2265.

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

Murder: Minnesota style

Murder in Minnesota: A treasury of vintage crimes in which famous and obscure characters come to life in all their cleverness or murderous madness. Minnesota cases from 1858-1917. 253 pp. photos, index. Code 17-35, $6.95.

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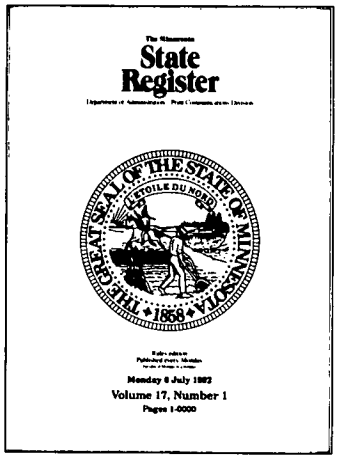

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