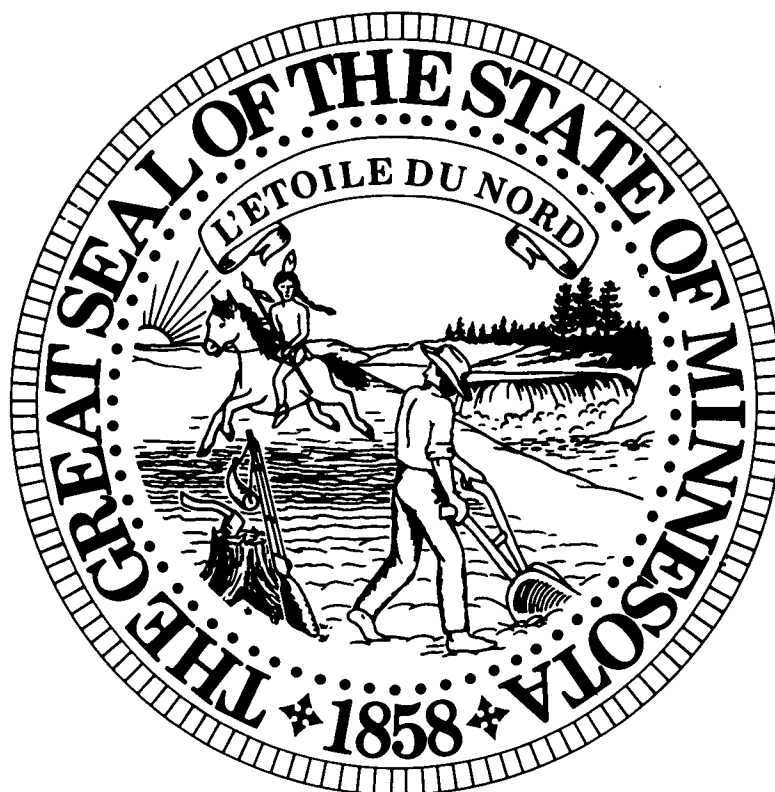


The Minnesota

RECEIVED
MAR 1 1993
LEGISLATIVE REFERENCE LIBRARY
STATE OF MINNESOTA
State Register

Department of Administration—Print Communications Division
ST. PAUL, MN 55155



Rules edition
Published every Monday
(Tuesday if Monday is a holiday)

Monday 1 March 1993
Volume 17, Number 35
Pages 2081-2148

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, professional, technical and consulting contracts, non-state bids and public contracts, contract awards, grants, and a monthly calendar of cases to be heard by the state supreme court.

A *Contracts Supplement* is published Tuesday, Wednesday and Friday and contains bids and proposals, including printing bids.

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
35	Friday 12 February	Monday 22 February	Monday 1 March
36	Monday 22 February	Monday 1 March	Monday 8 March
37	Monday 1 March	Monday 8 March	Monday 15 March
38	Monday 8 March	Monday 15 March	Monday 22 March

*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, 117 University Ave., St. Paul, Minnesota 55155, (612) 297-7963, TDD (Minnesota Relay Service), Metro Area (612) 297-5353, Greater MN 1-800-627-3529.

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 *State Register* at St. Paul, MN, first class for the *Contracts Supplement*. 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

**Dana B. Badgerow, Commissioner
Department of Administration**

Kathi Lynch, Director

Print Communications Division

Debbie George, Circulation Manager

Jane E. Schmidley, Acting Editor

612/297-7963

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:

SENATE

Briefly-Preview—Senate news and committee calendar; published weekly during legislative sessions.

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office
Room 231 State Capitol, St. Paul, MN 55155
(612) 296-0504

HOUSE

Session Weekly—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions

This Week—weekly interim bulletin of the House.

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

Contact: House Information Office
Room 175 State Office Building, St. Paul, MN 55155
(612) 296-2146

Contents

Minnesota Rules: Amendments & Additions

Issue 35 inclusive (issues #1-26 appeared in #26) 2084

Proposed Rules

Human Services Department

Aversive and deprivation procedures 2085
Mental health services 2101

Pollution Control Agency

Air quality amendments 2104✓

Adopted Rules

Housing Finance Agency

Urban Indian housing loan program 2105
Purchase and rehabilitation or refinance and
rehabilitation mortgage loans 2105

Labor and Industry Department

Federal Standards governing cadmium, MDA, lifing
or stay on process safety, etc. 2106

Revenue Department

Amended returns 2106
Orders of assessment and returns made by the
commissioner 2106
Sales and use tax for advertising 2106

Board of Veterinary Medicine

Licensure and practice 2106

Official Notices

Health Department

Opinions sought regarding fees for wells and borings . . . 2107

Human Services Department

Prior authorization list 2107

Labor and Industry Department

Prevailing wage certification 2124

Minnesota Comprehensive Health Association

Actuarial Committee meeting 2124
Board of Directors meeting 2124

Minnesota Higher Education Facilities Authority

Public hearing on proposal to issue revenue bonds:
William Mitchell College of Law 2124

Revenue Department

Opinions sought regarding proposed sales and use
tax rules governing sales of food, meals, and
drinks 2125

City of Saint Paul

Selby Avenue bridge offering 2126

Secretary of State

Open appointments 2126

State Board of Investment

Executive Council meeting 2129

Professional, Technical and Consulting Contracts

Administration Department

Proposals sought for survey and report of Capitol
area vertical elevators 2130

Non-state Bids & Public Contracts

Metropolitan Council

Proposals sought for waste generation forecast to the
year 2015 2132
Proposals sought for a comparative economic
analysis of regional municipal solid waste and
recyclables collection strategies 2133

Metropolitan Waste Control Commission

Letters of interest, request for and statement of
qualifications sought for phosphorous removal
facilities and RBS replacement facilities projects . . . 2133
Professional services sought for a variety of projects
including fine bubble retrofit, meter improvement . . . 2134

Minnesota Historical Society

Proposals sought for museum gift shop design 2134

Awards of State Contracts & Advertised Bids

Administration Department

Materials Management Division: Commodities and
requisitions awarded 2134

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.

Issue 35 inclusive (issues #1-26 appeared in #26)

Board of Accountancy

1100.3600 (proposed) 1789

Agriculture Department

1555.6950 (adopted) 1829

1650.0010; .0020; .0030; .0040; .0045; .0055; .0065;
.0067; .0070 (adopted) 1878

1650.0030, s.2,3,4; 1650.0050; .0060 (repealed) 1810

Attorney General

2010.0300; .0400; .0700; .1000; .9910; .9913; .9916;
.9920; .9930; .9940; .9945; .9946; .9951; .9955; .9960
(adopted) 1881

Board of Chiropractic Examiners

2500.0400; .1150; .1500 (adopted) 1711

2500.5000 (adopted) 1711

Commerce Department

2711.0030; .0070 (adopted) 1791

2783.0060 (proposed) 2037

2808.3000 (adopted) 1790

2820.4005; .4025; .9050; .2955 (adopted) 1829

Health Department

4610.2300; 4622.0100; .0300; .0400; .0600; .0700;
4675.2205 (adopted) 2041

4615.0300; .0500; .0600; .0700; .0750; .0760 (adopted) 1758

4615.0755, s.4,7 (repealed) 1758

4655.1110; .1150 (adopted) 1955

4670.1320 (adopted) 1829

4730.1475 (proposed repealer) 1861

4730.1510; .1655; .1691; .1750; .2050; .2150 (proposed) 1853

Minnesota Housing Finance Agency

4900.1540 (adopted) 2105

4900.2005 (adopted) 2105

4900.2005, s.4 (repealed) 2105

4900.3100; .3110; .3120; .3130 (adopted) 1712

4900.3110 s.11 (repealed) 1712

Labor and Industry

5205.0010 (adopted) 2106

5227.0100; .0110; .0120; .0130 (adopted) 1791

Mediation Service Bureau

5510.4510; .4520; .4530; .4540; .4550 (proposed) 1954

Board of Medical Practice

5600.2500 (adopted) 1829

Natural Resources Department

6268.0010; .0030; .0040 (proposed) 1749

Pollution Control

7005.3040 (proposed) 2104

7077.0100; .0105; .0111; .0115; .0165; .0167; .0169;
.0171; .0173; .0175; .0176; .0177; .0179; .0181; .0185;
.0186; .0187; .0189; .0191; .0195; .0196; .0197; .0272;
.0274; .0276; .0286; .0290; .0292; .0300; .0310; .0325;
.0111; .0278; .0280; .0281; .0284; .0288; .0292; .0505;
.0600; .0610; .0615; .0620; .0625; .0640; .0650; .0700;
.0705; .0710; .0713; .0720; .0725; .0730; .0735; .0750;
.0755 (proposed) 1981

7077.0400 as .0111; .0150 as .0272; .0155 as .0275; .0405

as .0278; .0410 as .0280; .0415 as .0281; .0425 as .0284;

.0440 as .0288; .0445 as .0292 (proposed renumbering) 2006

7077.0105, subparts 4, 16, 20, 21, 22, 23, 33, 34, 35, 36,

40, 42, and 46; 7077.0110; 7077.0120; 7077.0125; 7077.0130;

7077.0135; 7077.0140; 7077.0145; 7077.0150, subpart 4;

7077.0160; 7077.0200; 7077.0205; 7077.0210; 7077.0215;

7077.0220; 7077.0225; 7077.0230; 7077.0235; 7077.0240;

7077.0245; 7077.0250; 7077.0255; 7077.0260; 7077.0265;

7077.0305; 7077.0420; 7077.0430; 7077.0435; 7077.0605;

7077.0630; 7077.0635; 7077.0645; 7077.0655; 7077.0660;

and 7077.0705, subparts 5a, 7, 12a, 16, and 18 (repealed) .. 2006

7077.0400 as .0111; .0150 as .0272; .0155 as .0275; .0405

as .0278; .0410 as .0280; .0415 as .0281; .0425 as .0284;

.0440 as .0288; .0445 as .0292 (proposed renumbering) 2006

7077.0105, subparts 4, 16, 20, 21, 22, 23, 33, 34, 35, 36,

40, 42, and 46; 7077.0110; 7077.0120; 7077.0125; 7077.0130;

7077.0135; 7077.0140; 7077.0145; 7077.0150, subpart 4;

7077.0160; 7077.0200; 7077.0205; 7077.0210; 7077.0215;

7077.0220; 7077.0225; 7077.0230; 7077.0235; 7077.0240;

7077.0245; 7077.0250; 7077.0255; 7077.0260; 7077.0265;

7077.0305; 7077.0420; 7077.0430; 7077.0435; 7077.0605;

7077.0630; 7077.0635; 7077.0645; 7077.0655; 7077.0660;

and 7077.0705, subparts 5a, 7, 12a, 16, and 18 (repealed) .. 2006

Public Safety Department

7403.0400; .0600; .0900; .1300; .1400 (adopted) 1892

7520.0650; .1000; .1100 (adopted) 1829

7510.5520; .5530; .5540; .5550; .5570 (adopted) 1830

Revenue Department

8130.2100 (adopted) 2008

8130.2200 (withdrawn) 1865

8130.4900 (proposed) 1863

8130.6200 (proposed) 1705

8160.0500 (adopted) 1758

8160.0620; .0630 (adopted) 2106

Secretary of State

8260.0100; .0200; .0300; .0400; .0500 (proposed repealer) . . . 1877
8260.0600; .0700; .0800; .0900; .1000; .1100 (proposed) . . . 1866

Transportation Department

8820.0100; .2500; .4000; .4010; .4020; .4030; .4040;
.4050; .4060; .4070; .4080; .4090; .9980 (proposed) 1751

Board of Veterinary Medicine

9100.0100; .0200; .0300; .0400; .0500; .0600; .0700;
.0800; .0900 (adopted) 2106

Human Services Department

9505.0287 (adopted) 2042

9506.0010; .0020; .0030; .0040; .0050; .0060; .0070;
.0080; .0090; .0100; .0110 (adopted) 1792
9505.0323 (proposed) 2101
9525.2700; .2710; .2730; .2740; .2750; .2760; .2770;
.2780; .2800; .2810 (proposed) 2085
9525.2710 s.14,16,18,21,30,33; .2750 s.3; .2760 s.3;
.2770 s.3,4; .2780 s.1,6 (proposed repealer) 2101
9543.0100; 9560.0214; .0218; .0220; .0222; .0228;
.0230; .0230; .0232 (proposed) 1696
9560.0214 s.9; .0222 s.9 (proposed repealer) 1704
9575.0350; .1500 (adopted) 1829
9585.0010; .0020; .0030; .0040 (proposed) 1949

Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Human Services

Proposed Permanent Rules Relating to Deprivation Procedures in Licensed Facilities

Notice of Intent to Adopt a Rule Without a Public Hearing Unless Twenty-five or More Persons Request a Hearing and Notice of Hearing if Twenty-five or More Requests for Hearing are Received

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services 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. If, however, 25 or more persons submit a written request for a hearing on the rule within 30 days or by March 31, 1993, a public hearing will be held on April 12, 1993. To find out whether the rule will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after March 31, 1993 and before April 12, 1993.

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.

Proposed Rules

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

Laura Plummer Zrust
Minnesota Department of Human Services
Rules and Bulletins Division
444 Lafayette Road
St. Paul, Minnesota 55155-3816
(612) 297-1217
FAX (612) 296-6244

Subject of Rule and Statutory Authority. The proposed rule is about the use of aversive and deprivation procedures in licensed programs serving persons with mental retardation or related conditions. The statutory authority to adopt the rule is *Minnesota Statutes*, section 245.825, subdivision 1. A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed.

Copy of the rule. A free copy of this rule is available upon request from the agency contact person listed above. A copy of the proposed rule may also be viewed at any of the county welfare or human service agencies in the State of Minnesota.

Comments. You have until 4:30 p.m. on March 31, 1993 to submit written comment in support of or in opposition to the proposed rule or any part of 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 comments 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 March 31, 1993. Your written request for a public hearing must include your name, address, and telephone number. 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.

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

Cancellation of Hearing. The hearing scheduled for April 12, 1993 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rule. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call Laura Plummer Zrust at (612) 297-1217 after March 31, 1993 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rule, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.14 to 14.20. The hearing will be held on April 12, 1993 in the Department of Human Services Building, Conference Rooms 1-A and 1-B, 444 Lafayette Road, St. Paul, MN 55155 beginning at 9:00 a.m. and will continue until all interested persons have been heard. The hearing will continue, if necessary, at additional times and places as determined during the hearing by the administrative law judge. The administrative law judge assigned to conduct the hearing is Barbara L. Neilson. Judge Neilson can be reached at the Office of Administrative Hearings, 100 Washington Square #1700, Minneapolis, Minnesota 55401-2138; telephone (612) 341-7604.

Hearing Procedure. If a hearing is held, you and all interested or affected persons including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should relate to the proposed rule. You may also mail written material to the administrative law judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the administrative law judge at the hearing. Comment received during this period will be available for review at the Office of Administrative Hearings. You and the agency may respond in writing within five business days after the submission period ends to any new information submitted. All written materials and responses submitted to the administrative law judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. No additional evidence may be submitted during the five-day period. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.0200 to 1400.1200 and *Minnesota Statutes*, sections 14.14 to 14.20. Questions about procedure may be directed to the administrative law judge.

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. It also includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing, if one is held. The statement may also be reviewed and copies obtained at the cost of reproduction from the Office of Administrative Hearings.

Small Business Considerations. In preparing these amendments, the agency has considered the requirements of *Minnesota Statutes*, section 14.115 in regard to the impact of the proposed rules on small business. The proposed rules implement *Minnesota Statutes*, section 245.825. Adoption of less stringent requirements for small businesses would be contrary to the objectives that are the basis for the proposed amendments. In addition, the agency believes that *Minnesota Statutes*, section 14.115 does not apply to these rules under the exclusion in *Minnesota Statutes*, section 14.115, subdivision 7, clause (3). In the event that section 14.115 does apply, the agency invites public comment at the public hearing. Furthermore, if any person knows of anyone who may be affected as a small business, the person may address this concern at the public hearing. A discussion of the Department's consideration of small businesses is available in the Statement of Need and Reasonableness.

Expenditure of Public Money by Local Public Bodies. Adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11, subdivision 1 because the proposed amendments will have a neutral fiscal impact. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2, estimating the fiscal impact of the rule is available upon request from Laura Plummer Zrust, Department of Human Services, Rules Division, 444 Lafayette Road, St. Paul, MN 55155-3816, telephone (612) 297-1217.

Impact on Agriculture Lands. Adoption of these rules will not have a direct and substantial adverse impact on agricultural land in the state under the requirements of *Minnesota Statutes*, section 14.11, subdivision 2 because the rules will not have the effect of substantially restricting the agricultural use of land according to *Minnesota Statutes*, sections 17.80 to 17.84.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A requires each lobbyist to register with the Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at 1st Floor, Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155; telephone (612) 296-5148.

Adoption Procedure if No Hearing. 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 want to be so notified, or wish to receive a copy of the adopted rule, submit your request to Laura Plummer Zrust at the address listed above.

Adoption Procedure After the Hearing. If a hearing is held, after the close of the hearing record, the administrative law judge will issue a report on the proposed rule. You may request to be notified of the date on which the administrative law judge's report will be available, after which date the agency may not take any final action on the rule for a period of five working days. If you want to be notified about the report, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the administrative law judge. You may also request notification of the date on which the rule is adopted and filed with the Secretary of State. The agency's notice of adoption must be mailed on the same day that the rule is filed. If you want to be notified of the adoption, you may so indicate at the hearing or send a request in writing to the agency contact person listed above at any time prior to the filing of the rule with the Secretary of State.

Natalie Haas Steffen
Commissioner

Rules as Proposed

9525.2700 PURPOSE AND APPLICABILITY.

Subpart 1. **Purpose.** Parts 9525.2700 to 9525.2810 implement *Minnesota Statutes*, section 245.825 by setting standards that govern the use of aversive and deprivation procedures with persons who have mental retardation or a related ~~conditions~~ condition and who are served in or by a ~~program~~ license holder licensed by the commissioner under *Minnesota Statutes*, chapter 245A and section 252.28, subdivision 2.

Parts 9525.2700 to 9525.2810 are not intended to encourage or require the use of aversive and deprivation procedures. Rather, parts 9525.2700 to 9525.2810 encourage the use of positive approaches as an alternative to aversive or deprivation procedures and require documentation that positive approaches have been tried and have been unsuccessful as a condition of implementing an aversive or deprivation procedure.

The standards and requirements set by parts 9525.2700 to 9525.2810:

A. exempt from the requirements of parts 9525.2700 to 9525.2810 any procedures that are positive in approach or are minimally intrusive;

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.

Proposed Rules

B. prohibit the use of certain actions and procedures specified in part 9525.2730;

C. control the use of aversive and deprivation procedures permitted under parts 9525.2700 to 9525.2810 by requiring review by a facility committee, authorization by an expanded interdisciplinary team development of an individual service plan, development of an individual program plan, informed consent from the person or the person's legal representative, and development of a detailed individual habilitation plan as conditions of implementation review and approval by the expanded interdisciplinary team and internal review committee;

D. specify the procedures to be followed in obtaining informed consent;

E. establish criteria and procedures for emergency use of controlled aversive and deprivation procedures; and

F. E. assign a monitoring and technical assistance role to the regional review committees mandated by *Minnesota Statutes*, section 245.825.

Subp. 2. **Applicability.** Parts 9525.2700 to 9525.2810 govern the use of aversive and deprivation procedures with persons who have mental retardation and or a related conditions condition when those persons are being served in or by a license holder:

A. a facility licensed by the commissioner as a day care facility as defined in part 9525.2710, subpart 10. This category of licensure includes developmental achievement services provided to children and day under parts 9525.1500 to 9525.1690 to provide training and habilitation services provided to adults with mental retardation and or a related conditions- condition;

B. a facility licensed by the commissioner as a residential facility as defined in part 9525.2710, subpart 30. This category of licensure includes intermediate care facilities for persons with mental retardation and other residential programs and services for persons with mental retardation and related conditions licensed under parts 9525.0210 to 9525.0430. 9525.0215 to 9525.0355 as a residential program for persons with mental retardation or a related condition. If there is an instance where these rule a requirement of parts differ in their requirements 9525.0215 to 9525.0355 differs from requirements a requirement in Code of Federal Regulations, title 42, sections 442.400 to 442.515 483.400 to 483.480, an intermediate care facility for persons with mental retardation and or a related conditions condition shall comply with the rule or regulation that sets the more stringent standard-;

C. a supported living arrangement for children or for adults or respite care as defined in part 9525.1860 when the service or care is provided in a service site requiring licensure by the commissioner- licensed under parts 9525.2000 to 9525.2140 to provide residential-based habilitation services;

D. licensed under parts 9503.0005 to 9503.0175 and 9545.0750 to 9545.0855 to provide services to children with mental retardation or a related condition;

E. licensed under parts 9555.9600 to 9555.9730 as an adult day care center;

F. licensed under parts 9555.5105 to 9555.6265 to provide foster care for adults or under part 9545.0010 to 9545.0260 to provide foster care for children; or

G. licensed for any other service or program requiring licensure by the commissioner as a residential or nonresidential program serving persons with mental retardation or a related condition, as specified in Minnesota Statutes, section 245A.02.

Subp. 3. **Exclusion.** Parts 9525.2700 to 9525.2810 do not apply to:

A. any of the treatments defined in parts 9515.0200 to 9515.0800 governing the administration of specified therapies to committed patients residing at state hospitals regional centers; or

B. residential care or program services licensed under parts 9520.0500 to 9520.0690 to serve persons with mental illness.

9525.2710 DEFINITIONS.

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

Subp. 3. **Advocate.** "Advocate" means an individual who has been authorized, in a written statement signed by the person with mental retardation or a related condition or by that person's legal representative, to speak on the person's behalf and help the person understand and make informed choices regarding identification of needs and choices of services. An advocate for a person with mental retardation or a related condition and the advocate's employer must have no direct or indirect financial interest in the provision of services to that person.

Subp. 4. **Aversive procedure.** "Aversive procedure" means the planned application of an aversive stimulus (1) contingent upon the occurrence of a behavior identified in the individual habilitation program plan for reduction or elimination; or (2) in an emergency situation governed by part 9525.2770.

[For text of subps 5 to 11, see M.R.]

Subp. 12. **Deprivation procedure.** "Deprivation procedure" means the planned delay or withdrawal of goods, services, or activities to which the person is otherwise entitled: (4) contingent upon the occurrence of a behavior that has been identified for reduction or

elimination in the individual habilitation plan; or (2) in an emergency governed by part 9525.2770, that the person or the person's legal representative considers intrusive, as determined and documented in the person's individual program plan.

[For text of subp 13, see M.R.]

Subp. 14. [See repealer.]

Subp. 14a. **Expanded interdisciplinary team.** "Expanded interdisciplinary team" means a team composed of the case manager; the person with mental retardation or a related condition; the person's legal representative and advocate, if any; representatives of providers of residential, day training and habilitation, and support services identified in the person's individual service plan; a health professional, if the person with mental retardation or a related condition has overriding medical needs; and a qualified mental retardation professional. The qualified mental retardation professional must have at least one year of direct experience in assessing, planning, implementing, and monitoring a plan that includes a behavior-intervention program.

Subp. 15. **Faradic shock.** "Faradic shock" means the application of electric current to a person's skin or body parts as an aversive stimulus contingent upon the occurrence of a behavior that has been identified in the person's individual ~~habilitation~~ program plan for reduction or elimination.

Subp. 16. [See repealer.]

Subp. 16a. **Individual program plan.** "Individual program plan" means the coordinated, integrated, and comprehensive written plan for providing services to persons that is developed:

A. consistent with all aspects of the person's individual service plan;

B. in compliance with applicable state and federal laws and regulations governing services to persons with mental retardation or a related condition; and

C. by the license holder in consultation with the expanded interdisciplinary team.

Subp. 16b. **Individual service plan.** "Individual service plan" means the written plan developed by the service planning team containing the components required under Minnesota Statutes, section 256B.092.

[For text of subp 17, see M.R.]

Subp. 18. [See repealer.]

Subp. 19. **Intermediate care facility for persons with mental retardation and or a related conditions condition or ICF/MR.** "Intermediate care facility for persons with mental retardation and or a related conditions condition" or "ICF/MR" means a program licensed under Minnesota Statutes, sections 245A.01 to 245A.16 and 252.28, subdivision 2, to provide services to persons with mental retardation and or a related conditions condition and a physical plant licensed as a supervised living facility under Minnesota Statutes, chapter 144, which together are certified by the Minnesota Department of Health as an intermediate care facility for persons with mental retardation and or a related conditions condition.

Subp. 19a. **Internal review committee.** "Internal review committee" means the committee responsible under part 9525.2750, subpart 2, for the review and approval of individual program plans proposing the use of controlled procedures.

[For text of subp 20, see M.R.]

Subp. 21. [See repealer.]

Subp. 21a. **License holder.** "License holder" has the meaning given in Minnesota Statutes, section 245A.02, subdivision 9.

[For text of subp 22, see M.R.]

Subp. 23. **Mechanical restraint.** "Mechanical restraint" means the use of devices such as mittens, straps, restraint chairs, or papoose boards to limit a person's movement or hold a person immobile as an intervention precipitated by a person's behavior. The term does not apply to mechanical restraint used to treat a person's medical needs, to protect a person known to be at risk of injury resulting from lack of coordination or frequent loss of consciousness, or to position a person with physical disabilities in a manner specified in the person's individual ~~habilitation~~ program plan. The term does apply to, and the rule parts 9525.2700 to 9525.2810 do govern, mechanical restraint when it is used to prevent injury with persons who engage in behaviors, such as head-banging, gouging, or other actions resulting in tissue damage ~~which, that~~ have caused or could cause medical problems resulting from the self-injury.

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.

Proposed Rules

Subp. 24. **Person with mental retardation or a related condition or person.** "Person with mental retardation or a related condition" or "person" means a person:

A. a person who has been diagnosed under part 9525.0045 as having significantly subaverage intellectual functioning existing concurrently with demonstrated deficits in adaptive behavior and who manifests these conditions before the person's 22nd birthday;

B. a person under the age of five who demonstrates significantly subaverage intellectual functioning concurrently with severe deficits in adaptive behavior, but for whom a licensed psychologist or licensed consulting psychologist determines that a diagnosis may not be advisable because of the person's age; or

C. a person who has a related condition as defined in Minnesota Statutes, section 252.27, subdivision 1a. A related condition is a severe chronic disability that:

(1) is attributable to cerebral palsy, epilepsy, autism, or any other condition other than mental illness that is found to be closely related to mental retardation because the condition results in impairment of general intellectual functioning or adaptive behavior similar to that of persons with mental retardation;

(2) is likely to continue indefinitely;

(3) results in substantial functional limitations in three or more of the following areas of major life activity: self care; understanding and use of language; learning; mobility; self direction; or capacity for independent living; and

(4) has been determined to be a related condition in accordance with rules adopted by the commissioner.

Subp. 25. **Positive practice overcorrection.** "Positive practice overcorrection" means a procedure that requires a person to demonstrate or practice a behavior at a rate or for a length of time that exceeds the typical frequency or duration of that behavior. The behaviors identified for positive practice are typically appropriate adaptive behaviors or are incompatible with a behavior identified for reduction or elimination in a person's individual habilitation program plan.

[For text of subp 26, see M.R.]

Subp. 27. **Qualified mental retardation professional or QMRP.** "Qualified mental retardation professional" or "QMRP" means an individual who meets the qualifications specified in *Code of Federal Regulations*, title 42, section 442.401, as amended through October 1, 1985 483.430.

[For text of subps 28 and 29, see M.R.]

Subp. 30. [See repealer.]

[For text of subps 31 and 32, see M.R.]

Subp. 33. [See repealer.]

Subp. 33a. Substantial change. "Substantial change" means a change in the individual program plan that intensifies the intrusiveness of the controlled procedure by:

A. expanding, adding, or replacing in any way:

(1) the target behaviors for which the controlled procedure is to be implemented; or

(2) the type of controlled procedure;

B. the method of implementation;

C. the criteria for change or the criteria for termination of implementation of the controlled procedure; or

D. deleting without replacing a target behavior.

Subp. 34. **Target behavior.** "Target behavior" means a behavior identified in a person's individual habilitation program plan as the object of efforts intended to increase, reduce, or eliminate the behavior.

Subp. 35. **Time out or time out from positive reinforcement.** "Time out" or "time out from positive reinforcement" means removing a person from the opportunity to gain positive reinforcement and is employed when a person demonstrates a behavior identified in the individual habilitation program plan for reduction or elimination. Return of the person to normal activities from the time out situation is contingent upon the person's demonstrating more appropriate behavior. Time out procedures governed by parts 9525.2700 to 9525.2810 are:

A. "exclusionary time out," which means removing a person from an ongoing activity to a location where the person cannot observe the ongoing activity; and

B. "room time out or separation," which means removing a person from an ongoing activity to an unlocked room. The person may be prevented from leaving a time out room by staff members but not by mechanical restraint or by the use of devices or objects positioned to hold the door closed. Time out periods are usually brief, lasting only several minutes.

9525.2720 EXEMPTED ACTIONS AND PROCEDURES.

Use of the instructional techniques and intervention procedures listed in items A to ~~G~~ H is not subject to the restrictions established by parts 9525.2700 to 9525.2810. Use of these techniques and interventions must be addressed in each person's individual ~~habilitation~~ program plan as required by part 9525.0105. The person's individual program plan must address the use of the following exempted actions and procedures:

A. ~~The use of~~ Corrective feedback or prompts to assist a person in performing a task or exhibiting a response.

B. ~~The use of~~ Physical ~~assistance~~ contact to facilitate a person's completion of a task or response in a situation where and directed at increasing adaptive behavior when the person offers no physical does not resist or the person's resistance to the assistance is minimal in intensity and duration, as determined by the expanded interdisciplinary team.

C. ~~The use of~~ Physical contact or a physical prompt to redirect a person's behavior when ~~the behavior:~~

- (1) ~~is infrequent, occurring no more than three times in a 30-day period;~~
- (2) ~~the behavior~~ does not pose a serious threat to the person or others; ~~and~~
- (2) the physical contact is used to escort or carry a person to safety when the person is in danger;
- (3) the behavior is effectively redirected with less than 60 seconds of physical contact by staff; or
- (4) the physical contact is used to conduct a necessary medical examination or treatment.

This exemption may not be used to circumvent the requirements for controlling the use of manual restraint. It is included to allow caregivers the opportunity to deal effectively and naturally with intermittent and infrequently occurring situations by using physical contact.

D. ~~The use of~~ Positive reinforcement procedures alone or in combination with the procedures described in items A and B to develop new behaviors or increase the frequency of existing behaviors.

E. Temporary interruptions in instruction or ongoing activity in which a person is removed from an activity to a location where the person can observe the ongoing activity and see others receiving positive reinforcement for appropriate behavior. Return of the person to normal activities is contingent upon the person's demonstrating more appropriate behavior. This procedure is often referred to as contingent observation.

F. Temporary withdrawal or withholding of goods, services, or activities to which a person would otherwise have access ~~as a natural consequence of the person's inappropriate use of the good, service, or activity, that the person or the person's legal representative does not consider intrusive.~~ Examples of situations in which the exemption would apply are briefly delaying the return of a person's beverage at mealtime after the person has thrown the beverage across the kitchen or temporarily removing an object the person is using to hit another individual. Temporary withdrawal or withholding is meant to be a brief ~~time~~ period lasting no more than several minutes until the person's behavior is redirected and normal activities can be resumed.

G. ~~Use of~~ Token fines or response cost procedures such as removing objects or other rewards received by a person as part of a positive reinforcement program. Token fines or response cost procedures are typically implemented after the occurrence of a behavior identified in the individual ~~habilitation~~ program plan for reduction or elimination. Removing the object or other reward ~~shall~~ must not interfere with a person's access to the goods, services, and activities protected by part 9525.2730.

H. Manual or mechanical restraint to treat a person's medical needs, to protect a person known to be at risk of injury resulting from lack of coordination or frequent loss of consciousness, or to position a person with physical disabilities in a manner specified in the person's individual program plan.

9525.2730 PROCEDURES AND ACTIONS RESTRICTED OR PROHIBITED.

Subpart 1. ~~Restrictions required by Minnesota Statutes.~~ An aversive or deprivation procedure ~~shall~~ must not:

A. be implemented with a child in a manner that constitutes sexual abuse, neglect, or physical abuse as defined in *Minnesota Statutes*, section 626.556 ~~governing, which governs~~ the reporting of maltreatment of minors;

B. be implemented with an adult in a manner that constitutes abuse or neglect as defined in *Minnesota Statutes*, section 626.557 ~~governing, which governs~~ the reporting of maltreatment of vulnerable adults;

C. restrict a person's normal access to a nutritious diet, drinking water, adequate ventilation, necessary medical care, ordinary

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.

Proposed Rules

hygiene facilities, normal sleeping conditions, or necessary clothing as mandated by *Minnesota Statutes*, section 245.825, or to any protection required by state licensing standards and federal regulations governing the facility program; or

D. deny the person ordinary access to legal counsel and next of kin as mandated by *Minnesota Statutes*, section 245.825.

Subp. 2. ~~Procedures and actions prohibited~~ **Prohibitions**. The actions or procedures listed in items A to H ~~I~~ are prohibited:

A. using corporal punishment such as hitting, pinching, or slapping;

B. speaking to a person in a manner that ridicules, demeans, threatens, or is abusive;

C. requiring a person to assume and maintain a specified physical position or posture as an aversive procedure. ~~Examples include, for example, requiring persons~~ a person to stand with their the hands over their heads the person's head for long periods of time or to remain in a fixed position;

D. placing a person in seclusion;

E. totally or partially restricting a person's senses, except as expressly permitted in part 9525.2740, subpart 1;

F. ~~presentation of~~ presenting intense sounds, lights, or other sensory stimuli as an aversive stimulus;

G. ~~use of~~ using a noxious smell, taste, substance, or spray, including water mist, as an aversive stimulus;

H. using room time out in emergency situations; and

I. denying or restricting a person's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the person's functioning. ~~If~~ When the temporary removal of the equipment or device is necessary to prevent injury to the person or others or serious damage to the equipment or device, the equipment or device ~~shall~~ must be returned to the person as soon as possible.

Subp. 3. ~~Restrictions on use of Faradic shock~~. Emergency use of faradic shock as an aversive stimulus is prohibited. Use of faradic shock as an aversive stimulus is permitted only when all of the following conditions ~~in items A to D~~ are met:

A. the target behavior is extreme self-injury ~~which that~~ threatens irreparable bodily harm;

B. it can be documented that other methods of treatment have been tried and were unsuccessful in controlling the behavior;

C. a state or federal court orders the use of faradic shock; ~~and~~

D. use of faradic shock ordered by a court is implemented in accordance with parts 9525.2750 and 9525.2760; and

E. a plan is in effect to reduce and eliminate the use of faradic shock with the person receiving it.

9525.2740 PROCEDURES PERMITTED AND CONTROLLED.

Subpart 1. **Controlled procedures**. The procedures listed in items A to F ~~G~~ are permitted when the procedures are implemented in compliance with parts 9525.2700 to 9525.2810. Permitted but controlled procedures, referred to as controlled procedures, are:

A. time out procedures;

B. positive practice overcorrection;

C. restitutional overcorrection;

D. partially restricting a person's senses at a level of intrusiveness that does not exceed placing a hand in front of a person's eyes as a visual screen or playing music through earphones worn by the person at a level of sound ~~which that~~ does not cause the person discomfort;

E. manual restraint; ~~or~~

F. mechanical restraint; and

G. deprivation as defined in part 9525.2710, subpart 12.

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

9525.2750 STANDARDS GOVERNING USE OF ~~FOR~~ CONTROLLED PROCEDURES IN AN INDIVIDUAL HABILITATION PLAN.

Subpart 1. **Standards and conditions**. Except in an emergency governed by part 9525.2770, use of a controlled procedure ~~shall~~ may occur only when the controlled procedure is based upon need identified in the individual service plan and is proposed, approved, and implemented as part of an individual ~~habilitation program~~ habilitation program plan. Use of a controlled procedure within an individual ~~habilitation program~~ habilitation program plan must comply with items A to ~~E~~ I.

A. The controlled procedure is proposed or implemented only as a part of the total methodology specified in the person's individual ~~habilitation program~~ habilitation program plan. The individual ~~habilitation program~~ habilitation program plan has as its primary focus the development of adaptive

behaviors. The controlled procedure ~~authorized~~ approved represents the lowest level of intrusiveness required to influence the target behavior and is not excessively intrusive in relation to the behavior being addressed.

B. The proposed use of a controlled procedure is supported by documentation describing how intervention procedures incorporating positive approaches and less intrusive procedures have been tried, how long they were tried in each instance, and possible reasons why they were unsuccessful in controlling the behavior of concern.

C. The case manager obtains informed consent for ~~the implementation of~~ implementing the procedure as specified in part 9525.2780 before the procedure is implemented, except when faradic shock is ordered by a court under part 9525.2730, subpart 3.

D. The proposed use of the procedure is reviewed and approved by a ~~facility review committee that meets the requirements in the expanded interdisciplinary team as required by~~ subpart 2 1a.

E. ~~The proposed use of the procedure is authorized by the expanded interdisciplinary team required by subpart 3. If the license holder is licensed under parts 9525.0215 to 9525.0355; 9525.1500 to 9525.1690; or 9525.2000 to 9525.2140, the proposed use of the procedure is reviewed and approved by an internal review committee that meets the requirements in subpart 2.~~

F. The procedure is implemented and monitored by staff members trained to implement the procedure. ~~Facilities where staff members are employed are~~ The license holder is responsible for providing ongoing training to all staff members responsible for implementing, supervising, and monitoring controlled procedures, to ensure that ~~the competence necessary all staff responsible for implementing the program are competent~~ to implement the procedures is ~~present within the staff currently employed and must demonstrate to.~~ The license holder must provide members of the expanded interdisciplinary team with documentation that staff are competent to implement the procedures. Controlled procedures ~~shall~~ must not be implemented as part of the individual habilitation program plan until staff who are involved in providing supervision or training of the person have been trained to implement all programs contained in the individual habilitation program plan.

G. When a controlled procedure involves the use of mechanical or manual restraint, ~~the person's primary care physician must be consulted to determine whether implementing the procedure is medically contraindicated.~~

H. When a controlled procedure involves removing a person from an ongoing activity, ~~the person is returned to the activity when the procedure is completed.~~

I. Time out procedures ~~are~~ must meet the following conditions:

(1) When possible, time out procedures must be implemented in the person's own room or other area commonly used as living space ~~whenever possible~~ rather than in a room used specifically solely for time out.

(2) When possible, the person must be returned to the activity from which the person was removed when the time out procedure is completed.

(3) Persons in time out must be continuously monitored by staff. ~~If a room is used specifically for time out, the room must:~~

(4) Release from time out is contingent on the person's stopping or bringing under control the behavior that precipitated the time out and must occur as soon as the behavior that precipitated the time out abates or stops. If the precipitating behavior has not abated or stopped, staff members must attempt to return the person to an ongoing activity at least every 30 minutes.

(5) If time out is implemented contingent on repeated instances of the target behavior for longer than 30 consecutive minutes, the person must be offered access to a bathroom and drinking water.

(6) Placement of a person in room time out must not exceed 60 consecutive minutes from the initiation of the procedure.

(7) Time out rooms must:

(+) (a) provide a safe environment for the person;

(+) (b) have an observation window or other device to permit continuous visual monitoring of the person;

(+) (c) measure at least ~~six feet by six feet~~ 36 square feet and be large enough to allow the person to stand, to stretch ~~his or her~~ the person's arms, and to lie down; and

(+) (d) be well lighted, well ventilated, and clean.

J. Time out procedures must meet the following standards:

(+) Release from time out is contingent on the person's stopping or bringing under control the behavior that precipitated

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.

Proposed Rules

the time out and shall occur as soon as the behavior that precipitated the time out abates or stops. If the precipitating behavior has not abated or stopped, staff members must attempt to return the person to an ongoing activity at least every 30 minutes.

(2) If time out is implemented contingent on repeated instances of the target behavior for longer than 30 minutes, the person must be offered access to a bathroom and drinking water.

K. Use of mechanical restraint which is so intrusive that it restricts three or more of a person's limbs or restricts the person's movement from one location to another must meet the standards in subitems (1) and (2) in addition to the other standards in parts 9525.2700 to 9525.2810.

(1) A person placed in mechanical restraint must be given an opportunity for motion and exercise for not less than ten minutes during each one hour of restraint. Efforts to lessen or discontinue the restraint must be made at least every 15 minutes. The time each effort was made and the person's response to the effort must be noted in the person's permanent record.

(2) A staff member must remain with a person placed in mechanical restraint during the time the person is in mechanical restraint and must take the action specified in subitem (1).

L. Use of manual restraint which is less intrusive than that described in item K must meet the requirements in subitems (1) and (2) in addition to the other standards in parts 9525.2700 to 9525.2810:

(1) staff must check on the person every 30 minutes and document that such checks were made; and

(2) a person must be given an opportunity for release from the mechanical restraint and for motion and exercise of the restricted body parts for at least ten minutes out of every 60 minutes that the restraints are used.

H. Controlled procedures using manual restraint must meet the following conditions:

(1) The person's primary care physician must be consulted to determine whether implementing the procedure is medically contraindicated.

(2) The person must be given an opportunity for release from the manual restraint and for motion and exercise of the restricted body parts for at least ten minutes out of every 60 minutes.

(3) Efforts to lessen or discontinue the manual restraint must be made at least every 15 minutes, unless contraindicated. The time each effort was made and the person's response to the effort must be noted in the person's permanent record.

(4) The procedures must comply with other standards in parts 9525.2700 to 9525.2810.

I. Controlled procedures using mechanical restraint must meet the following conditions:

(1) The person's primary care physician must be consulted to determine whether implementing the procedure is medically contraindicated.

(2) Use of mechanical restraint that results in restriction of two or fewer limbs or that does not restrict the person's movement from one location to another requires the following procedures:

(a) Staff must check on the person every 30 minutes and document that each check was made.

(b) The person must be given an opportunity for release from the mechanical restraint and for motion and exercise of the restricted body parts for at least ten minutes out of every 60 minutes that the mechanical restraints are used.

(c) Efforts to lessen or discontinue the mechanical restraint must be made at least every 15 minutes. The time each effort was made and the person's response to the effort must be noted in the person's permanent record.

(3) Use of mechanical restraint that results in restriction of three or more of a person's limbs or that restricts the person's movement from one location to another must meet the conditions of subitems (1) and (2) and the following additional conditions:

(a) Efforts to lessen or discontinue the mechanical restraint must be made at least every 15 minutes. The time each effort was made and the person's response to the effort must be noted in the person's permanent record.

(b) A staff member shall remain with a person during the time the person is in mechanical restraint and shall take the action specified in unit (a).

(4) The procedures must comply with other standards in parts 9525.2700 to 9525.2810.

Subp. 1a. Review and approval by expanded interdisciplinary team. When an individual program plan proposes using a controlled procedure, or when a substantial change is made, the plan must be reviewed and approved by the expanded interdisciplinary team.

Subp. 2. Facility Review and approval by internal review committee. Each facility except for A license holder licensed foster care facility shall under parts 9525.0215 to 9525.0355, 9525.1500 to 9525.1690, or 9525.2000 to 9525.2140, must have at least one committee that reviews all individual habilitation program plans proposing the use of controlled procedures. The committee shall be appointed by the administrator with overall responsibility for the facility's license holder's policy and program shall appoint the

committee. Before approving a plan, the committee shall determine if each plan as submitted meets the requirements of parts 9525.2700 to 9525.2810 and all other applicable requirements governing behavior management established by federal regulations or by order of a court before approving the plan. The internal review committee membership must meet the criteria in items A and B.

A. The internal review committee must include two individuals employed by the facility license holder as staff members or consultants. One of the two individuals must be a qualified mental retardation professional with at least one year of direct experience in assessing, planning, implementing, and monitoring behavior intervention programs.

B. At least one-third of the committee members ~~shall~~ must be individuals who have no ownership or controlling interest in the facility and who are not employed by or under contract with the facility in any other capacity besides serving on the committee. This component of the committee membership must include at least one parent or guardian of a person with mental retardation or a related condition.

Subp. 2a. Quarterly reporting. The license holder must submit data on the use and effectiveness of individual program plans that incorporate the use of controlled procedures identified in subpart 4 to the expanded interdisciplinary team members, the internal review committee, and the regional review committee. The data must be submitted quarterly on forms prescribed by the commissioner. The case manager shall ensure that this information is submitted as required under this subpart.

Subp. 3. [See repealer.]

Subp. 4. Report Submission of individual program plan to regional review committee. When Within ten calendar days of the date that a controlled procedure in items A to D is authorized or reauthorized approved under subpart 3 2, or a substantial change is made, the case manager shall send ensure the regional review committee receives a copy of the individual habilitation program plan sent by the license holder, that proposes the procedure and that includes the information required in part 9525.2760 or that portion of the individual program plan that contains the substantial change, regarding implementation of the following controlled procedures:

- A. manual restraint;
- B. mechanical restraint;
- C. use of a time out procedure for 15 minutes or more at one time or for a cumulative total of 30 minutes or more in one day;

or

- D. faradic shock.

The case manager shall send the individual habilitation plan within ten calendar days after the controlled procedure is authorized by the interdisciplinary team. When use of a controlled procedure has been reauthorized, the case manager must also submit data on the use and effectiveness of the procedure to the regional review committee.

9525.2760 REQUIREMENTS GOVERNING FOR INDIVIDUAL HABILITATION PROGRAM PLANS THAT PROPOSE THE USE OF A PROPOSING USE OF A CONTROLLED PROCEDURE.

Subpart 1. **Requirements.** An individual habilitation program plan that includes the use of a controlled procedure must contain the information specified in subparts 2 to 6.

Subp. 2. **Assessment information.** When an expanded interdisciplinary team is developing an individual habilitation program plan that includes the use of a controlled procedure, the case manager must obtain assessment information that includes the elements specified in items A to F:

- A. a physical and psychological description of the person;

B. a report completed by the person's primary care physician within 90 days ~~prior to before~~ the initial development of the individual habilitation program plan that includes the use of a controlled procedure. ~~The report must indicate and indicates~~ that the physician has reviewed whether there are existing medical conditions that:

- (1) could result in the demonstration of behavior for which a controlled procedure might be proposed; or
- (2) should be considered in the development of a program for the person;

C. a baseline measurement of the target behavior of ~~concern~~ for increase and decrease or elimination that provides a clear description of the behavior and the degree to which it is being expressed. ~~The description must be detailed, with enough detail to provide a basis for comparing the target behavior before and after use of a the proposed controlled procedure to control it with the behavior after use of a procedure to control it so that the effectiveness of the procedure can be evaluated.~~

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.

Proposed Rules

D. a summary of what has been considered or attempted to change elements in the person's environment, including the physical and social environment, that could be influencing the person's behavior. ~~This summary must include, including~~ an analysis of the person's current residence and day program and ~~must specifically address~~ addressing the question of whether a change in these services appears to be warranted;

E. an analysis of to what extent the behavior identified for reduction or elimination represents an attempt by the person to communicate with others or serves as a means to control the person's environment and recommendations for changes in the person's training program or environment that are designed to enhance communication; and

F. a summary of previous interventions used to modify the target behavior and of the factors believed to have interfered with the effectiveness of those interventions.

The information in items A to F must be retained in the person's permanent record for at least five years after ~~implementation of~~ implementing a controlled procedure.

Subp. 3. [See repealer.]

Subp. 4. **Review and content standards.** An individual ~~habilitation~~ program plan that proposes the use of controlled procedures ~~shall must~~ include the following elements in items A to I:

A. objectives designed to develop or enhance the adaptive behavior of the person for whom the plan is made. ~~These objectives must include positive programs designed to increase aspects of the person's behavior that are incompatible with or that provide an alternative to the behavior identified for reduction or elimination.~~

B. ~~The objective to be accomplished by implementing the procedure,~~ including the change expected in the target behavior and the anticipated time frame for achieving the change;

C. ~~A detailed description of the procedure, including where and under what circumstances the procedure will be used.~~

~~D. B. objectives designed to reduce or eliminate the target behavior of the person for whom the plan is made, including the change expected in the target behavior and the anticipated time frame for achieving the change;~~

C. strategies to increase aspects of the person's behavior that provide an alternative functional adaptive replacement behavior to the behavior identified for reduction or elimination, including when and under what circumstances the procedure will be used;

D. strategies to decrease aspects of the person's behavior, including when and under what circumstances the procedure will be used;

E. the projected starting date and completion date for achievement of each objective;

~~F. a detailed description of the ways in which implementation of the procedure will be monitored, by whom, and how frequently. This description must specify, specifying how staff implementing the procedure will be trained and supervised- and ensuring that direct on-site supervision of the procedure's implementation must be is provided by the professional staff responsible for developing the procedure-;~~

~~E. G. a description of any discomforts, risks, or side effects that it is reasonable to expect-;~~

~~F. H. a description of the data collection method to be used and data to be collected in evaluating to evaluate the effectiveness of the proposed procedures and in monitoring any to monitor expected or unexpected side effects-;~~

~~G. I. a description of the plan for maintaining and generalizing the positive changes in the person's behavior that may occur as a result of implementing the procedure-;~~

J. a description of how implementation of the plan will be coordinated with services provided by other agencies;

K. a description of how implementation of the plan involves families and friends; and

~~H. L. the date when use of the controlled procedure will terminate unless, before that date, continued use of the procedure is authorized approved by the case manager and the member of the expanded interdisciplinary team who is a qualified mental retardation professional with at least one year of experience in the development and implementation of assessing, planning, implementing, monitoring, and reviewing behavior management programs. The projected termination date shall must be no more than 90 365 days after the date on which use of the procedure was authorized approved. Reauthorization Reapproval for use of using the procedure can be given at 90-day must be obtained at the intervals identified in the individual program plan, if evaluation data on the target behavior and effectiveness of the procedure support continuation. Informed consent must be obtained every 90 days under part 9525.2780.~~

~~I. Any other information needed to comply with the requirements for an individual habilitation plan as specified in part 9525.0105.~~

Subp. 5. **Monitoring the individual habilitation program plan.** Monitoring the proposed controlled procedure ~~shall must~~ be completed as adopted in the individual ~~habilitation~~ program plan and in accordance with ~~part 9525.0115~~ Minnesota Statutes, section 256B.092, subdivision 1c.

Subp. 6. ~~Documentation of Documenting informed consent.~~ Except in situations governed by part 9525.2770, ~~by part 9525.2730, subpart 3, or by part 9525.2780, subpart 6~~ 9525.2770, evidence that informed consent has been obtained from a person or individual authorized to give consent must be added to the person's individual ~~habilitation~~ program plan before a controlled procedure is implemented.

9525.2770 EMERGENCY USE OF CONTROLLED PROCEDURES.

Subpart 1. ~~Standards governing emergency use~~ General requirement. Implementing a controlled procedure without first meeting the requirements of parts 9525.2750, 9525.2760, and 9525.2780 is permitted only when the emergency use criteria and requirements in subparts 2 to 5 ~~6~~ are met.

Subp. 2. **Criteria for emergency use.** Emergency use of controlled procedures must meet the conditions in items A to ~~D~~ C.

A. Immediate intervention is needed to protect the person or others from physical injury or to prevent severe property damage ~~which that~~ is an immediate threat to the physical safety of the person or others.

B. The individual ~~habilitation~~ program plan of the person demonstrating the behavior does not include provisions for the use of the controlled procedure.

C. The procedure used is the least intrusive intervention possible to react effectively to the emergency situation.

~~D. The onset of the behavior resulting in the need for intervention has not been demonstrated by the person within the previous 90 days or the behavior has been dealt with as an exemption under part 9525.2720 up to the point when emergency use became necessary.~~

Subp. 3. [See repealer.]

Subp. 4. [See repealer.]

Subp. 5. **Written policy on emergency use.** The facility license holder must have a written policy on emergency use of controlled procedures that specifies:

A. any controlled procedures that the facility license holder does not allow to be used on an emergency basis;

B. ~~the staff member or staff members who must authorize emergency use;~~

~~C. that the staff members responsible for authorizing emergency procedures must have at least one year of training and experience in the use of behavioral management, must be trained in the implementation of all controlled procedures allowed by the facility policy, and must be available on a 24 hour basis to give authorization;~~

~~D. the internal procedures that must be followed for emergency use, including the procedure for complying with subpart 6;~~

~~E. C. how the facility license holder will monitor and control emergency use;~~

~~F. D. the training a staff member must have completed before being assigned~~ permitted by the facility license holder to implement a controlled procedure under emergency conditions; and

~~G. E. that the standards in part 9525.2750, subpart 1, items F, H, I, J, K, and L must be met when controlled procedures are used on an emergency basis.~~

Subp. 6. **Reporting and review of reviewing emergency use.** Any emergency use of a controlled procedure by a license holder governed by parts 9525.2700 to 9525.2810 must be reported and reviewed as specified in items A to D E. A license holder shall designate at least one staff member to be responsible for reviewing, documenting, and reporting use of emergency procedures. The designated staff member must be a QMRP.

A. Within three calendar days after an emergency use of a controlled procedure, the ~~facility~~ staff member in charge at the time of who implemented the emergency use shall report in writing to the ~~person's interdisciplinary team~~ designated staff member the following information about the emergency use:

- (1) a detailed description of the incident leading to the use of the procedure as an emergency intervention;
- (2) the controlled procedure that was used;
- (3) the time implementation began and the time it was completed;
- (4) the behavioral outcome that resulted;

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.

Proposed Rules

- (5) why the procedure used was judged to be necessary to prevent injury or severe property damage; and
- (6) an assessment of the likelihood that the behavior necessitating emergency use will recur; and
- (7) the names of the persons who authorized the procedure and approved the report.

B. Within seven calendar days after the date of the emergency use of a controlled procedure, the designated staff member shall review the report prepared by the staff member who implemented the emergency procedure and ensure the report is sent to the case manager and expanded interdisciplinary team for review. If the emergency use involved manual restraint, mechanical restraint, or use of exclusionary time out exceeding 15 minutes at one time or a cumulative total of 30 minutes or more in a 24-hour period, the designated staff member must ensure the report is sent to the internal review committee within seven calendar days of the emergency use of the controlled procedure.

C. Within seven calendar days after the date of the emergency reported in item A, the case manager shall confer with members of the expanded interdisciplinary team to:

- (1) discuss the incident reported in item A and the person's subsequent behavior;
- (2) determine whether the to:

(a) define the target behavior necessitating emergency use of a controlled procedure should be identified in the individual habilitation plan for reduction or elimination in observable and measurable terminology;

(b) identify the antecedent or event that gave rise to the target behavior; and

(c) identify the perceived function the target behavior served; and

(3) schedule (2) determine what modifications should be made to the existing individual program plan so as to not require the use of a controlled procedure.

D. An expanded interdisciplinary team meeting must be conducted within +5 30 calendar days after the emergency use if it is determined that the behavior should be identified in the individual habilitation program plan for reduction or elimination.

E. The emergency use of a controlled procedure as well as changes made to the adaptive skill acquisition portion of the plan must be incorporated in the individual program plan within 15 calendar days after the expanded interdisciplinary team meeting required under this part. During this time, the designated staff member shall document all attempts to use less restrictive alternatives including:

- (1) adaptive skill acquisition procedures currently being used and why they were not successful;
- (2) attempts made at less restrictive procedures that failed and why they failed; and
- (3) rationale for not attempting the use of other less restrictive alternatives.

The designated staff member must ensure a copy of the report is required under item A and is sent to the internal review committee within five working days after the expanded interdisciplinary team meeting.

F. A summary of the interdisciplinary team's decision under item B items C and E must be added to the person's permanent record.

D. If the emergency use involved manual restraint, mechanical restraint, or use of time out exceeding 15 minutes at one time or a cumulative total of 30 minutes or more in one day, the case manager shall send a copy of the report in item A to the regional review committee within five calendar days after the case manager receives it.

9525.2780 REQUIREMENTS FOR OBTAINING INFORMED CONSENT.

Subpart 1. [See repealer.]

Subp. 2. **When informed consent is required.** Except in situations governed by subpart 6, by part 9525.2770, or by part 9525.2730, subpart 3 or 9525.2770, the case manager shall must obtain or reobtain written informed consent before implementation of implementing the following:

- A. a controlled procedure for which consent has never been given;
- B. a controlled procedure for which informed consent has expired. Informed consent must be obtained every 90 days in order to continue use of the controlled procedure; or
- C. a substantial change in a controlled procedure for which consent is presently in effect in the individual program plan.

Informed consent must be obtained as frequently as requested by the legal representative, but must never exceed one year. The frequency for obtaining informed consent must be identified in the individual program plan in order to continue use of the controlled procedure. If the case manager is unable to obtain written informed consent, the procedure shall must not be implemented except as provided in subpart 6.

Subp. 3. **Authority to give consent.** Individuals authorized to give informed consent are specified in items A to E.

A. If the person has a legal guardian or conservator authorized by a court to give consent for the person, consent is required from the legal guardian or conservator.

B. If the person is a child, consent is required from at least one of the child's parents, unless the child has a legal guardian or conservator as specified in item A. If the parents are divorced or legally separated, the consent of the parent with legal custody is required, unless the separation or marriage dissolution decree otherwise delegates authority to give consent for the child.

C. If the commissioner is the legal guardian or conservator, consent is required from the county representative designated to act as guardian on the commissioner's behalf. Failure to consent or refuse consent within 30 days of the date on which the procedure requiring consent was ~~authorized~~ approved by the expanded interdisciplinary team ~~shall be~~ is considered a refusal to consent. The county representative designated to act as guardian must not be the same individual who is serving as case manager.

D. If the person is an adult who is capable of understanding the information required in subpart 4 and of giving informed consent, informed consent is required from the person.

E. If the person is an adult who has no legal guardian or conservator and who is not capable of giving informed consent, the case manager shall petition a court of competent jurisdiction to appoint a legal representative with authority to give consent, and consent is required from the legal representative.

Subp. 4. **Information required as a condition of obtaining to obtain informed consent.** The case manager shall provide the information specified in items A to ~~J~~ K to the ~~individual authorized to give~~ legal representative as a condition of obtaining informed consent. Consent obtained without ~~provision of providing~~ the information required in items A to ~~J~~ K is not considered to be informed consent. The case manager shall document that the information in items A to ~~J~~ K was provided orally and in writing and that consent was given voluntarily. The information ~~shall~~ must be provided in a nontechnical manner and in whatever form is necessary to communicate the information effectively, such as in the person's or the ~~authorized individual's~~ legal representative's native language if the person or the ~~authorized individual~~ legal representative does not understand English or in sign language if that is the person's or the ~~authorized individual's~~ legal representative's preferred mode of communication, and in a manner that does not suggest coercion. The information must consist of:

A. a baseline measurement of the target behavior-;

B. a detailed description of the proposed procedures and explanation of the procedures' function-;

C. a description of how the procedures are expected to benefit the person, including the extent to which the target behavior is expected to change as a result of implementing the procedures-;

D. a description of any discomforts, risks, or other side effects that it is reasonable to expect-;

E. alternative procedures that have been attempted, considered, and rejected as not being effective or feasible-;

F. the expected effect on the person of not implementing the procedures-;

G. an offer to answer any questions about the procedures, including the names, addresses, and phone numbers of people to contact if questions or concerns arise-;

H. an explanation that the person or the ~~individual authorized to give consent~~ legal representative has the right to refuse consent-;

I. an explanation that consent may be withdrawn at any time and the procedure will stop upon withdrawal of consent-; ~~except as provided in subpart 6-;~~

J. criteria for continuing, modifying, and terminating a procedure; and

K. an explanation that:

(1) consent is time limited and automatically expires ~~90 days after the date on which consent was given as specified in the individual program plan and as determined by the person or the person's legal representative, but must never exceed one year; and~~

(2) informed consent must again be obtained in order for use of a procedure to continue ~~after the initial 90-day period ends;~~ and

(3) the legal representative may request additional information related to parts 9525.2700 to 9525.2810 and must be

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.

Proposed Rules

provided a copy of the signed informed consent form by the case manager at least quarterly or more frequently as specified in the individual program plan.

Subp. 5. **Consent for a substantial change in procedures.** If the expanded interdisciplinary team ~~authorizes~~ has approved a substantial change in a procedure for which informed consent is in effect, the change ~~shall not~~ may be implemented unless only when the case manager first obtains written informed consent for the substantial change by meeting the requirement in subpart 4.

Subp. 6. [See repealer.]

Subp. 7. **Appeals.** ~~A decision made pursuant to subpart 6 to implement a controlled procedure in an individual habilitation plan for which consent has been refused or withdrawn may be appealed pursuant to part 9525.0135 by following the procedure in A person or the person's legal representative may initiate an appeal under Minnesota Statutes, section 256.045. The scope of the appeal is to determine whether or not the provisions of, subdivision 4, for issues involving the use of a controlled procedure and related compliance with parts 9525.0015 to 9525.0165 and parts 9525.2700 to 9525.2810 have been met. Implementation of the controlled procedure authorized under subpart 6 must be suspended while the appeal is pending. If a court orders the use of faradic shock under part 9525.2730, subpart 3, the action of the court is not appealable under parts 9525.2700 to 9525.2810.~~

9525.2790 REGIONAL REVIEW COMMITTEES.

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

Subp. 2. **Membership.** Each regional review committee ~~shall~~ must include:

A. at least one member who is licensed as a psychologist by the state of Minnesota and whose areas of training, competence, and experience include mental retardation and behavior management; and

B. representation from each of the following categories:

- (1) facilities license holders governed by parts 9525.2700 to 9525.2810;
- (2) parents or guardians of persons with mental retardation ~~and or a related conditions condition;~~
- (3) other concerned citizens, none of whom is employed by or has a controlling interest in a facility program or service governed by parts 9525.2700 to 9525.2810; and
- (4) the department.

When a matter being reviewed by the committee requires the expertise and professional judgment of a medical doctor, the commissioner shall make the services of a licensed physician available to the committee.

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

9525.2800 REPORTING NONCOMPLIANCE.

~~If an individual has reason to believe that a facility governed by parts 9525.2700 to 9525.2810 is not in compliance with parts 9525.2700 to 9525.2810, the concern or complaint can be reported as described in items A and B. Reporting a concern or complaint under this part does not meet the requirements governing mandated~~

Subpart 1. Required reporting. Unauthorized use of aversive and deprivation procedures is subject to the requirements of Minnesota Statutes, sections 626.556 and 626.557, which govern reporting of maltreatment of minors under and vulnerable adults. For purposes of parts 9525.2700 to 9525.2810, "unauthorized use of an aversive or deprivation procedure" means:

A. a procedure that is restricted or prohibited under part 9525.2730, subparts 1 and 3; and

B. procedures that have not been authorized as required under part 9525.2740, subpart 2.

Individuals are designated as mandated reporters according to Minnesota Statutes, section sections 626.556, and rules adopted under that statute or mandated reporting of maltreatment of vulnerable adults under Minnesota Statutes, section subdivision 3, and 626.557 and parts 9555.8000 to 9555.8500, subdivision 3.

Subp. 2. Voluntary reporting. If an individual who is not mandated to report by Minnesota Statutes, section 626.556, subdivision 3 or 626.557, subdivision 3, has reason to believe that a license holder governed by parts 9525.2700 to 9525.2810 is not in compliance with parts 9525.2700 to 9525.2810, the concern or complaint may be reported as described in items A and B.

A. Compliance-related concerns or complaints about any facility license holder governed by parts 9525.2700 to 9525.2810 can be reported to: The ~~Commissioner~~, Department of Human Services, ~~Centennial Office Building, 658 Cedar Street, Division of Licensing, 444 Lafayette Road, Saint Paul, Minnesota 55155.~~

B. Compliance-related concerns or complaints about nursing homes to which parts 9525.2700 to 9525.2810 apply or about intermediate care facilities for persons with mental retardation and or a related conditions in addition to being condition may be reported both to the commissioner under item A can also be directed and to: The Minnesota Department of Health, Office of Health Facility Complaints, 717 Delaware Street S.E., Minneapolis, Minnesota 55440.

9525.2810 PENALTY FOR NONCOMPLIANCE.

If a ~~licensed facility~~ license holder governed by parts 9525.2700 to 9525.2810 does not comply with parts 9525.2700 to 9525.2810, the commissioner ~~may~~ has the authority to take enforcement action pursuant to *Minnesota Statutes*, chapter 245A and section 252.28, subdivision 2.

REPEALER. *Minnesota Rules*, parts 9525.2710, subparts 14, 16, 18, 21, 30, and 33; 9525.2750, subpart 3; 9525.2760, subpart 3; 9525.2770, subparts 3 and 4; 9525.2780, subparts 1 and 6, are repealed.

Department of Human Services

Proposed Permanent Rules Relating to Mental Health Services

Notice of Hearing

NOTICE IS HEREBY GIVEN that a public hearing on the above-entitled matter will be held in the Minnesota Department of Human Services, Rooms 1A and 1B, 444 Lafayette Road, St. Paul, MN 55155 on March 31, 1993 commencing at 9:00 a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Peter C. Erickson, Administrative Law Judge, Office of Administrative Hearings, 100 Washington Square #1700, Minneapolis, Minnesota 55401-2138; telephone (612) 341-7606, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may, at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. Any written material or responses must be received at the office no later than 4:30 p.m. on the final day. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have five business days to respond in writing to any new information submitted during the comment period. During the five-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the five-day period. Any written material or responses must be received at the office no later than 4:30 p.m. on the final day. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law Judge will write a report as provided for in *Minnesota Statutes*, section 14.50. The rule hearing is governed by *Minnesota Statutes*, section 14.14 to 14.20 and by *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

Minnesota Rules, part 9505.0323, subpart 4, item I, subitem (5) sets a standard for medical assistance payment for mental health services and requires the referral by a mental health professional who is conducting a medical assistance recipient's diagnostic assessment to a psychiatrist for a psychiatric consultation or a medication evaluation. The proposed amendment of subitem (5) specifies the diagnoses which requires a recipient's referral and the time limit after the recipient's previous diagnostic assessment. The proposed amendment also requires the mental health professional conducting the diagnostic assessment to specify in the recipient's record the consideration of biological factors which may be contributing to the recipient's mental illness or emotional disturbance and the recipient's referral or the reason a referral was not made. Finally, the proposed amendment removes the requirement that medical assistance payment for medication evaluation be limited to a psychiatrist or a registered nurse who qualifies as a mental health practitioner and works under the clinical supervision of a psychiatrist. Thus, medical assistance payment for medication evaluation will be available to persons qualified within their scope of licensed practice.

The agency's authority to adopt the proposed rules is contained in *Minnesota Statutes*, section 256B.04, subdivision 2.

Adoption of these rules will not result in additional spending by local public bodies in the excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2, estimating the fiscal impact of the rule is available upon request from Nancy Bishop, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to Nancy Bishop, Department

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.

Proposed Rules

of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816 or by calling Nancy Bishop at (612) 296-7454. A copy of the rule may also be viewed at any of the 87 county welfare agencies in the State of Minnesota.

Additional copies will be available at the hearing. If you have any questions on the content of the rule, contact Eleanor Weber, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3816 or by calling (612) 297-4301.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the secretary of state. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the secretary of state.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

In compliance with the requirements of *Minnesota Statutes*, section 16A.128, subdivision 2A, the agency has submitted a copy of this notice and the proposed rules to the chairs of the House Appropriations Committee and Senate Finance Committee prior to publishing the notice of intent to adopt rules in the *State Register*.

Lobbyists must register with the State Ethical Practices Board. Questions should be directed to the Ethical Practices Board, 1st Floor, Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155, (612) 296-5148.

Natalie Haas Steffen
Commissioner

Rules as Proposed

9505.0323 MENTAL HEALTH SERVICES.

Subpart 1. **Definitions.** For this part, the following terms have the meanings given them.

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

G. "Day treatment" or "day treatment program" means a structured program of treatment and care provided to persons in:

[For text of subitems (1) and (2), see M.R.]

(3) an entity that is under contract with the county to operate a program that meets the requirements of *Minnesota Statutes*, ~~section 245.471, subdivision 3~~ sections 245.4712, subdivision 2, and 245.4884, subdivision 2, and parts 9505.0170 to 9505.0475.

Day treatment consists of group psychotherapy and other intensive therapeutic services that are provided by a multidisciplinary staff. The services are aimed at stabilizing the client's mental health status, providing mental health services, and developing and improving the client's independent living and socialization skills. The goal of day treatment is to reduce or relieve the effects of mental illness and provide training to enable the client to live in the community. Day treatment services are not a part of inpatient or residential treatment services. Day treatment services are distinguished from day care by their structured therapeutic program of psychotherapy services.

[For text of items H to Z, see M.R.]

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

Subp. 4. **Eligibility for payment; diagnostic assessment.** To be eligible for medical assistance payment, a diagnostic assessment must be conducted by a provider who is a mental health professional. Additionally, to be eligible for medical assistance payment, a diagnostic assessment must comply with the requirements in items A to L.

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

I. The mental health professional conducting the diagnostic assessment must:

[For text of subitems (1) to (4), see M.R.]

(5) consider the recipient's need for referral for psychological testing, psychiatric consultation, a neurological examination, a physical examination, a determination of the need for prescribed drugs, the evaluation of the effectiveness of prescribed drugs, and a chemical dependency assessment as specified in part 9530.6615. ~~If the recipient has never had a psychiatric consultation or medication evaluation, The mental health professional must refer the recipient to a psychiatrist or other physician for an evaluation of biological factors which may be contributing to the recipient's mental illness or emotional disturbance.~~ for a psychiatric consultation or medication evaluation if:

(a) the recipient has not had a psychiatric consultation or medication evaluation within the 180 days before the current diagnostic assessment; and

(b) in the case of an adult, the recipient is given a diagnosis of schizophrenia, bipolar disorder, major depression, or borderline personality disorder as specified in the definition of serious and persistent mental illness in Minnesota Statutes, section 245.462, subdivision 20, paragraph (c), clause (3)(i); or

(c) in the case of a child, the recipient is given a diagnosis of mood disorder or obsessive compulsive disorder or, as specified in the definition of severe emotional disturbance in Minnesota Statutes, section 245.4871, subdivision 6, clause (3)(i) or (ii), a diagnosis of psychosis or clinical depression, risk of harming self or others as a result of emotional disturbance; or

(d) in the case of a child, the recipient's treatment plan may include the use of medication or residential treatment.

The mental health professional must refer the recipient who is a child and who is given a diagnosis of attention deficit hyperactivity disorder or undifferentiated attention deficit disorder as specified in the Diagnostic and Statistical Manual of Mental Disorders (DSM-III-R), current edition, to a psychiatrist or a physician who is competent to prescribe and monitor the effects of psychoactive medication for a pediatric population with attention deficit hyperactivity disorder or undifferentiated attention deficit disorder.

The mental health professional may complete the diagnostic assessment, initiate treatment, and bill medical assistance for the mental health services before the physician consultation or evaluation is completed. If, upon review of the report of the psychiatrist or, in the case of a child with attention deficit hyperactivity disorder or undifferentiated attention deficit disorder, the report of the psychiatrist or physician, the mental health professional believes the diagnostic assessment needs to be updated to include the recommendations of the psychiatrist or physician, the updating of the diagnostic assessment will be eligible for medical assistance payment. If a psychiatrist or physician subsequently recommends the recipient's treatment with either an antipsychotic medication or an antidepressant medication prescribed for the purpose of treating the recipient's mental illness, medical assistance payment for ongoing medication management, evaluation, and monitoring is limited to a psychiatrist or a registered nurse who qualifies as a mental health practitioner and who works under the clinical supervision of a psychiatrist; The mental health professional conducting the diagnostic assessment for an adult or a child must specify, in the recipient's record, the consideration of biological factors which may be contributing to the recipient's mental illness or emotional disturbance and the recipient's referral or the reason why the referral was not made.

The Diagnostic and Statistical Manual of Mental Disorders is published by the American Psychiatric Association, 1400 K Street N.W., Washington, D.C. 20005. The DSM-III-R is incorporated by reference, available through the Minitex interlibrary loan system, and is subject to frequent change.

[For text of subitems (6) to (8), see M.R.]

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

Subp. 5. Extension of time available to complete a recipient's diagnostic assessment. The two-hour time limit in subpart 4, item C, for completing the diagnostic assessment does not apply if the mental health professional conducting the diagnostic assessment documents in the recipient's record that the recipient has a condition specified in item A and a circumstance specified in item B, C, or D, is present. In this event, medical assistance will pay for the recipient's diagnostic assessment of up to eight hours in length and the mental health professional conducting the diagnostic assessment must develop the recipient's individual treatment plan. The mental health professional conducting the diagnostic assessment must document in the recipient's record the circumstances requiring the extended time. For purposes of this subpart, "initial diagnostic assessment" refers to the first time that a recipient receives a diagnostic assessment of a set of symptoms indicating a possible mental illness.

A. The recipient has a diagnosis of mental illness and is:

(1) A person with mental retardation as defined in part 9525.0015, subpart 20, or a related condition as defined in *Minnesota Statutes*, section 252.27, subdivision 4 1a.

[For text of subitems (2) to (6), see M.R.]

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

[For text of subps 6 to 9, see M.R.]

Subp. 10. Limitations on medical assistance payment for psychotherapy sessions. There are limitations on medical assistance payment for psychotherapy sessions as specified in the list of health services published according to *Minnesota Statutes*, section ~~256B.02~~ 256B.0625, subdivision ~~8~~ 25.

[For text of subps 11 to 32, see M.R.]

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.

Pollution Control Agency

Proposed Permanent Rules Relating to Air Quality Amendments

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) intends to adopt amendments to the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* § 14.22 to 14.28 (1992). The MPCA's authority to adopt the amendments is set forth in *Minnesota Statutes* § 116.07.

All persons have until 4:30 p.m. April 1, 1993, to submit comments in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the comment period. If 25 or more persons submit a written request for a public hearing within the comment period, a public hearing will be held unless a sufficient number withdraw their requests in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed.

If a public hearing is required, the MPCA will proceed pursuant to *Minnesota Statutes* § 14.131 to 14.29 (1992).

Comments or written requests for a public hearing must be submitted to:

Norma L. Florell
Minnesota Pollution Control Agency
Air Quality Division
520 Lafayette Road North
St. Paul, Minnesota 55155
(612) 296-7712

The proposed amendments may be modified if the modifications are supported by data and views submitted to the MPCA and do not result in a substantial change in the proposed amendments to the rules as noticed.

Minnesota Rules parts 7005.3010 to 7005.3060 (Offset Rule), set forth the procedures for trading emission credits between affected sources in nonattainment areas. Part D of the U.S. Clean Air Act requires states to adopt programs for permitting persons to expand or construct emission sources in areas not meeting ambient air quality standards. The U.S. Environmental Protection Agency (EPA) has adopted regulations to implement the provisions of the Clean Air Act regarding offset programs which are found in 40 C.F.R. Part 51, Subpart I and Appendix S. In order to be approvable by the EPA, the State of Minnesota's Offset Rule must meet the requirements specified in these regulations.

The MPCA is proposing to adopt amendments to the Offset Rule because the EPA will not approve the rules as currently adopted. The proposed rule adopts federal language found in 40 C.F.R. Part 51, Appendix S with certain changes needed to meet the requirements of 40 C.F.R. Part 51.165, and comments received from EPA Region V. Because the MPCA proposes to adopt the federal standard, the MPCA believes that the Offset Rule will be approved by the EPA, resulting in the removal of a "construction ban" currently enforced against Minnesota for failure to have an approvable Part D program.

Notice is also hereby given that once formal rulemaking is completed the MPCA intends to adopt the amended version of *Minnesota Rules* parts 7005.3010 to 7005.3060 as part of the State Implementation Plan.

The proposed amendments are published below. One free copy of the rule is available upon request from Norma Florell at the address and telephone number stated above.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed amendments and identifies the data and information relied upon to support the proposed amendments has been prepared and is available from Norma Florell upon request.

You are hereby advised, pursuant to *Minnesota Statutes* § 14.115 (1992), "Small business considerations in rulemaking," that the proposed amendments will not have an effect on small businesses. The proposed amendments only affect major new sources or major modifications in nonattainment areas. A major stationary source is defined as a stationary source that emits more than 100 tons per year of any pollutant subject to regulation under the Clean Air Act. A major modification is defined as a change that results in a significant net increase of emissions of pollutants from a major stationary source. Because of these definitions, it is unlikely that small businesses will be affected by this rule. However, even if a small business was affected, because the MPCA is adopting this rule in response to federal mandate, and a federal rule with identical standards would apply if the MPCA exempted small businesses from compliance, there is nothing that the MPCA could do to change the applicable standards.

If no hearing is required, upon adoption of the amendments, the amended rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the amended rule as adopted, must submit a written request to Norma Florell.

Charles W. Williams
Commissioner

Rules as Proposed

7005.3040 CONDITIONS FOR PERMIT.

Subpart 1. **In general.** Unless the requirements of Code of Federal Regulations, title 40, chapter I, part 51, appendix S, (1991), as incorporated in subpart 2a, are first satisfied, no person shall commence construction of a major stationary source or major modification in:

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

B. in an attainment area or unclassifiable area if that major stationary source or major modification would cause or contribute to a violation of a national ambient air quality standard in a nonattainment area as determined by the significance levels established in *Code of Federal Regulations*, title 40, chapter I, part 51, appendix S, part III, (1991); ~~unless the requirements of Code of Federal Regulations, title 40, chapter I, part 51, appendix S, as incorporated in subpart 2a, are first satisfied.~~

Subp. 2a. **Modified federal standard.** Persons subject to subpart 1 must comply with *Code of Federal Regulations*, title 40, chapter I, part 51, appendix S, (1991), with the following exceptions:

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

G. Code of Federal Regulations, title 40, part 51, appendix S, part IV, section C, (5), (1991), does not apply.

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.

Minnesota Housing Finance Agency

Adopted Permanent Rules Relating to Urban Indian Housing Loan Program

The rules proposed and published at *State Register*, Volume 17, Number 16, page 840, October 19, 1992 (17 SR 840), and Volume 17, Number 19, pages 1139-1140, November 9, 1992 (17 SR 1139), are adopted as proposed.

Minnesota Housing Finance Agency

Adopted Permanent Rules Relating to Purchase and Rehabilitation or Refinance and Rehabilitation Mortgage Loans

The rules proposed and published at *State Register*, Volume 17, Number 16, pages 841-842, October 19, 1992 (17 SR 841) and Volume 17, Number 19, pages 1137-1138, November 9, 1992 (17 SR 1137), are adopted as proposed.

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.

Adopted Rules

Department of Labor and Industry

Adopted Permanent Rules Relating to OSHA; Federal Standards

The rules proposed and published at *State Register*, Volume 17, Number 25, pages 1588-1591, December 21, 1992 (17 SR 1588), are adopted as proposed.

Department of Revenue

Adopted Permanent Rules Relating to Amended Returns

The rules proposed and published at *State Register*, Volume 17, Number 19, pages 1152-1154, November 9, 1992 (17 SR 1152), are adopted as proposed.

Department of Revenue

Adopted Permanent Rules Relating to Order of Assessment and Returns Made by the Commissioner

The rules proposed and published at *State Register*, Volume 17, Number 19, pages 1152-1154, November 9, 1992 (17 SR 1152), are adopted as proposed.

Department of Revenue

Adopted Permanent Rules Relating to Sales and Use Tax for Advertising

The rules proposed and published at *State Register*, Volume 17, Number 23, pages 1399-1403, December 7, 1992 (17 SR 1399), are adopted as proposed.

Board of Veterinary Medicine

Adopted Permanent Rules Relating to Licensure and Practice

The rules proposed and published at *State Register*, Volume 17, Number 19, pages 1155-1162, November 9, 1992 (17 SR 1155), are adopted with the following modifications:

Rules as Adopted

9100.0300 HOUSING FACILITIES.

Subp. 9. ~~Notice of unattended veterinary facility.~~ If there are to be no personnel on the premises during any time an animal, for medical or surgical purposes, is left at a veterinary facility, prior notice of this fact must be given to the animal's owner. Notice must be printed on release or estimate forms given to the owner or posted in a conspicuous location in the facility.

9100.0800 MINIMUM STANDARDS OF PRACTICE.

Subp. 3. **Sterile surgical services.** When sterile surgical services are being provided, or when prevailing standards dictate sterile surgery, those services are governed by items A to ~~E~~ D.

D. ~~In a sterile procedure, a separate sterile pack must be used for each animal.~~

~~E.~~ Proper illumination for viewing radiographs must be available.

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.

Minnesota Department of Health

Notice of Solicitation of Outside Information

Opinions Sought in the Matter of Proposed Rules of the Minnesota Department of Health Relating to Fees for Wells and Borings Authorized Under *Minnesota Statutes*, Chapter 103I; and Amendment of *Minnesota Rules*, Part 4720.0010 relating to Noncommunity Public Water Supply Systems

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health is seeking information or opinions from sources outside the Department on the following matters:

1) modification of fees currently established in *Minnesota Statutes*, chapter 103I, relating to well and boring notifications, permits, late fees, variances, and disclosures. The adoption of fees in rule and modification of the existing fees contained in *Minnesota Statutes*, chapter 103I, is authorized by *Minnesota Statutes*, section 103I.101, subdivision 5, clause (7).

2) amendment of *Minnesota Rules*, part 4720.0010 WATER SUPPLY AND SEWERAGE SYSTEMS, to exclude noncommunity public water supply system wells from plan review requirements. The adoption of rules relating to wells and public water supplies is authorized by *Minnesota Statutes*, section 103I.101, division 5, and section 144.383.

The Minnesota Department of Health requests information and opinions concerning the subject matter of these rules and amendments. Interested or affected persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements or questions should be addressed to:

Dan Wilson, Well Management Unit
Minnesota Department of Health
Division of Environmental Health, P.O. Box 59040
925 Southeast Delaware Street
Minneapolis, Minnesota 55459-0040

Oral statements will be received during regular business hours over the telephone at (612) 627-5161 by Mr. Wilson and in person at the above address.

All statements of information and opinions shall be accepted until further notice is published in the *State Register* or the Notice of Hearing or Notice of Intent to Adopt Rules Without a Hearing is published in the *State Register*. Any written material received by the Minnesota Department of Health becomes part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 19 February 1993

Marlene E. Marschall
Commissioner of Health

Department of Human Services

The Following is the Current Prior Authorization List Which Replaces any Other List Published in the *State Register*. The Newly Added and Changed Codes Will Require Prior Authorization on or After April 1, 1993

PRIOR AUTHORIZATION LIST

As authorized by *Minnesota Statutes*, section 256B.0625, subdivision 25, the following list includes all health services that require

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.

Official Notices

prior authorization as a condition of MA/GAMC reimbursement. The list is presented in sections: Dental Services, Vision Care Services, Medical Supplies and Equipment, Prosthetics and Orthotics, Hearing Aids, Drugs, Rehabilitative Services, Home Care Services, and All Other Services. The criteria used to develop this list are as follows:

- A. The health service could be considered, under some circumstances, to be of questionable medical necessity.
- B. Use of the health service needs monitoring to control the expenditure of program funds.
- C. Less costly, appropriate alternatives to the health service are generally available.
- D. The health service is investigative.
- E. The health service is newly developed or modified.
- F. The health service is of a continuing nature and requires monitoring to prevent its continuation when it ceases to be beneficial.
- G. The health service is comparable to a service provided in a skilled nursing facility or hospital but is provided in a recipient's home.
- H. The health service could be considered cosmetic.

I. DENTAL SERVICES

In addition to the specific services and procedures listed in this section, the following dental services always require prior authorization:

- 1. Hospitalization for dental treatment (see Dental Services chapter).
- 2. Surgical services, except emergencies and alveolectomies.
- 3. All removable prosthesis.

It is essential that requests submitted for prior authorization consideration be accompanied by adequate case information and appropriate diagnostic materials (i.e., x-rays, prosthesis information, teeth to be replaced).

TESTS AND LABORATORY EXAMINATIONS

<u>Service Code</u>	<u>Service Description</u>
D0999	Unspecified diagnostic procedure, by report

DENTAL PROPHYLAXIS (Prior authorization required only if provided more than once in a six-month period)

D1110	Prophylaxis, adults
D1120	Prophylaxis, children

FLUORIDE

D1204	Topical application of fluoride (excluding prophylaxis), adult
D1205	Topical application of fluoride (including prophylaxis), adult

CROWNS-SINGLE RESTORATIONS ONLY

D2710	Crown—resin (laboratory)
D2720	Crown—resin with high noble metal
D2721	Crown—resin with predominantly/base metal
D2722	Crown—resin with noble metal
D2740	Crown—porcelain/ceramic substrate
D2750	Crown—porcelain fused to high noble metal
D2751	Crown—porcelain fused to predominantly/base metal
D2752	Crown—porcelain fused to noble metal
D2790	Crown—full cast high noble metal
D2791	Crown—full cast predominantly base metal
D2792	Crown—full cast noble metal
D2810	Crown—¾ cast metallic

OTHER RESTORATIVE SERVICES

D2960	Labial veneer (laminare)
D2961	Labial veneer (resin laminate)—laboratory
D2962	Labial veneer (porcelain laminate)—laboratory
D2999	Unspecified restorative procedure, by report

ROOT CANAL THERAPY (includes treatment plan, clinical procedures, and follow-up care)

Prior authorization is required for root canal therapy involving more than one molar.

OTHER ENDODONTIC PROCEDURES

<u>Service Code</u>	<u>Service Description</u>
D3999	Unspecified endodontic procedure

SURGICAL SERVICES (including usual post-operative services)

D4210	Gingivectomy or gingivoplasty—per quadrant
D4211	Gingivectomy or gingivoplasty—per tooth

PERIODONTICS

D4220	Gingival curettage, surgical, per quadrant, by report
D4240	Gingival flat procedures, including root planning—per quadrant
D4249	Crown lengthening—hard and soft tissue, by report
D4250	Mucogingival surgery—per quadrant
D4260	Osseous surgery, including flap entry and closure per quadrant
D4261	Bone replacement graft—single site (including flap entry and closure)
D4262	Bone replacement graft—multiple sites (including flap entry and closure)
D4268	Guided tissue regeneration (includes the surgery and re-entry)
D4270	Pedicle soft tissue grafts
D4271	Free soft tissue grafts including donor site

ADJUNCTIVE PERIODONTAL SERVICES

D4320	Provisional splinting, intracoronal
D4321	Provisional splinting, extracoronal
D4341	Periodontal scaling, and root planning—per quadrant
D4345	Periodontal scaling performed in the presence of gingival inflammation

OTHER PERIODONTIC SERVICES

D4910	Periodontal maintenance procedures (following active therapy)
D4999	Unspecified periodontal service (by report)

PROSTHODONTICS, REMOVABLE COMPLETE DENTURES

D5110	Complete upper
D5120	Complete lower
D5130	Immediate upper
D5140	Immediate lower

PARTIAL DENTURES (including six months post-delivery care)

D5211	Upper partial—resin base (including any conventional clasps, rests and teeth)
D5212	Lower partial—resin base (including any conventional clasps, rests and teeth)
D5213	Upper partial—cast metal base with resin saddles (including any conventional clasps, rests and teeth)
D5214	Lower partial—cast metal base with resin saddles (including any conventional clasps, rests and teeth)

OTHER PROSTHETIC SERVICES

D5810	Interim complete denture (upper)
D5811	Interim complete denture (lower)
D5820	Interim partial denture (upper)
D5821	Interim partial denture (lower)
D5860	Overdenture complete, by report
D5861	Overdenture partial, by report
D5862	Precision attachment, by report
D5899	Unspecified removable prosthodontic procedure, by report

Official Notices

IMPLANTS

<u>Service Code</u>	<u>Service Description</u>
D6030	Endosseous implant (in the bone)
D6040	Subperiosteal implant
D6050	Transosseous implant
D6055	Implant connecting bar
D6080	Implant maintenance procedures, including: removal of prosthesis, cleansing of prosthesis and abutment reinsertion of prosthesis
D6090	Repair implant, by report
D6100	Implant removal, by removal
D6199	Unspecified implant procedure, by report

PROSTHODONTICS, FIXED BRIDGE PONTICS

D6210	Pontic—cast high noble metal
D6211	Pontic—cast predominantly base metal
D6212	Pontic—cast noble metal
D6240	Pontic—porcelain fused to high noble metal
D6241	Pontic—porcelain fused to predominantly base metal
D6242	Pontic—porcelain fused to noble metal
D6250	Pontic—resin with high noble metal
D6251	Pontic—resin with predominantly base metal
D6252	Pontic—resin with noble metal

CROWNS

D6720	Crown—resin with high noble metal
D6721	Crown—resin with predominantly base metal
D6722	Crown—resin with noble metal
D6750	Crown—porcelain fused to high noble metal
D6751	Crown—porcelain fused to predominantly base metal
D6752	Crown—porcelain fused to noble metal
D6780	Crown— $\frac{3}{4}$ cast high noble metal
D6790	Crown—full cast high noble metal
D6791	Crown—full cast predominantly base metal
D6792	Crown—full cast noble metal

OTHER FIXED PROSTHETIC SERVICES

D6940	Stress breaker
D6950	Precision attachment

ORAL SURGERY EXTRACTION

D7210	Surgical removal of erupted tooth, requires elevation of mucoperiosteal flap and removal of bone and/or section of tooth
X7216	Removal and/or excision supernumerary tooth, impacted
D7220	Removal of impacted tooth—soft bone
D7230	Removal of impacted tooth—partially bone
D7240	Removal of impacted tooth—completely bone
D7241	Removal of impacted tooth—completely bone, with unusual surgical complications

OTHER SURGICAL PROCEDURES

D7271	Tooth implantation
D7272	Tooth transplantation
D7280	Surgical exposure of impacted or unerupted tooth for orthodontic reasons (including orthodontic attachments)
D7281	Surgical exposure of impacted or unerupted tooth to aid eruption
D7290	Surgical repositioning of teeth
D7291	Transseptal fiberotomy

VESTIBULOPLASTY

Service Code	Service Description
D7340	Vestibuloplasty—ridge extension (secondary epithelialization)
D7350	Vestibuloplasty—ridge extension (including soft tissue grafts, muscle re-attachments, revision of soft tissue attachment, and management of hypertrophied and hyperplastic tissue)

EXCISION OF BONE TISSUE

D7470	Removal of exostosis—mandible or maxilla
D7480	Partial ostectomy guttering or saucerization
D7490	Radical resection of mandible with bone graft

REDUCTION OF DISLOCATION AND MANAGEMENT OF OTHER TEMPOROMANDIBULAR, JOINT DYSFUNCTIONS

D7830	Manipulation under anesthesia
D7840	Condylectomy
D7850	Surgical discectomy; with or without implant
D7860	Arthrotomy
D7865	Arthroplasty
D7870	Arthrocentesis
D7872	Arthroscopy—diagnosis, with or without biopsy
D7873	Arthroscopy—surgical: lavage and lysis of adhesions
D7874	Arthroscopy—surgical: disc repositioning and stabilization
D7875	Arthroscopy—surgical: synovectomy
D7876	Arthroscopy—surgical: discectomy
D7877	Arthroscopy—surgical: debridement
D7880	Occlusal orthotic appliance

OTHER ORAL SURGERY REPAIR OF TRAUMATIC WOUNDS

D7920	Skin grafts wounds, identify defect covered, location and type of graft
-------	---

OTHER REPAIR PROCEDURES

D7940	Osteoplasty for orthognathic deformities
D7941	Osteotomy, ramus, closed
D7942	Osteotomy, ramus, open
D7943	Osteotomy, ramus, open with bone graft
D7944	Osteotomy segmented or subapical per sextant or quadrant
D7945	Osteotomy, body of mandible
D7946	Maxilla, total (Le Fort I)
D7947	Maxilla, segmented (Le Fort I)
D7948	Osteoplasty facial bones for midface hypoplasia or retrusion (Le Fort II or III) without bone graft)
D7949	Le Fort II or III with bone graft
D7950	Osseous, osteoperiosteal, periosteal, or cartilage graft or the mandible—autogenous or nonautogenous
D7955	Repair of maxillofacial soft and hard tissue defect
D7970	Excision of hyperplastic tissue, per arch
D7971	Excision of pericoronal gingiva
D7980	Sialolithotomy
D7981	Excision of salivary gland
D7982	Sialodochoplasty
D7991	Coronoidectomy
D7994	Implant—other than facial bones
D7999	Unspecified oral surgical procedure, by report

ORTHODONTICS MINOR TREATMENT FOR TOOTH GUIDANCE

D8110	Removable appliance therapy
D8120	Fixed or cemented appliance therapy

MINOR TREATMENT TO CONTROL HARMFUL HABITS

D8210	Removal appliance therapy
D8220	Fixed or cemented appliance therapy

Official Notices

INTERCEPTIVE ORTHODONTIC TREATMENT

<u>Service Code</u>	<u>Service Description</u>
D8360	Removable appliance therapy
D8370	Fixed appliance therapy

COMPREHENSIVE ORTHODONTIC TREATMENT OF THE TRANSITIONAL DENTITION

D8460	Class I malocclusion
D8470	Class II malocclusion
D8480	Class III malocclusion

TREATMENT OF THE PERMANENT DENTITION

D8560	Class I malocclusion
D8570	Class II malocclusion
D8580	Class III malocclusion
D8650	Treatment of the atypical or extended skeletal case
D8750	Post-treatment stabilization
X0515	Orthodontic full case study
D8999	Unspecified orthodontic treatment

MISCELLANEOUS SERVICES

D1202	Topical application of fluoride (including prophylaxis), adult
D1204	Topical application of fluoride (excluding prophylaxis), adult
D9940	Occlusal guards, by report
D9941	Fabrication of athletic mouth guards
D9951	Occlusal adjustment, limited
D9952	Occlusal adjustment, complete
D9999	Unspecified adjunctive procedure, by report

II. VISION CARE SERVICES

In addition to the codes specified below, all noncontract eyeglasses, lenses, and frames require prior authorization.

CONTACT LENS TREATMENT SERVICES (All contact lens services and supplies must be prior authorized except for recipients with a diagnosis of Aphakia, Aniseikonia, Keratoconus, or Bandage lenses.)

<u>Service Code</u>	<u>Service Description</u>
92070	Fitting of contact lens for treatment of disease, including supply of lens
92310	Prescription of optical and physical characteristics of and fitting of contact lens, with medical supervision of adaptation; corneal lens, both eyes, except for aphakia
92325	Modification of contact lens (separate procedure), with medical supervision of adaptation
92391	Supply of contact lenses, except prosthesis for aphakia

OPHTHALMIC TREATMENT SERVICES (PA required if the recipient utilized any service under this heading in the past 24 months)

92004	Ophthalmological services; comprehensive, new patient
92014	Ophthalmological services; comprehensive, established patient
92340	Fitting of spectacles, except for aphakia; monofocal
92341	bifocal
92342	multifocal, other than bifocal
92352	Fitting of spectacle prosthesis for aphakia; monofocal
92353	multifocal
92358	Prosthesis service for aphakia; temporary

LOW VISION TREATMENT SERVICES

92354	Fitting of spectacle mounted low vision aid; single-element system
92355	telescopic or other compound lens system

VISION THERAPY SERVICES

92065	Orthoptic and/or pleoptic training, with continuing medical direction and evaluation
-------	--

OTHER SPECIALIZED SERVICES

Service Code	Service Description
92285	External ocular photography with medical diagnostic evaluation for documentation of medical progress
92287	Anterior seg photo with fluorescein angiography
92390	Supply of spectacles, except prosthesis for aphakia and low vision aids
92392	Supply of low vision aids

MATERIAL CODES

V2500 to V2599	Contact Lens—for diagnosis <u>other than</u> Aphakia, Keratoconus, or Aniseikonia, or Bandage Lens. (When submitting invoices for one of these three diagnoses, be sure to specify the diagnosis on claim. If the diagnosis is omitted, the claim will reject.)
V2600	Hand held low vision aids and other nonspectacle mounted aids
V2610	Single lens spectacle mounted low vision aids
V2615	Telescopic and other compound lens system, including distance vision telescopic, near vision telescopes and compound microscopic lens system
V2629	Not otherwise classified, prosthetic eye
V2718	Press-on lens, Fresnell prism, per lens
V2743	Tint other than rose 1 or 2
V2744	Tint photochromic
V2755	U-V lens

III. MEDICAL SUPPLIES AND EQUIPMENT; PROSTHESES AND ORTHOSES
Medical Equipment/Supplies

Providers must get prior authorization for all procedure codes listed in Chapter 35, Section 06 where prior authorization is indicated, and the following general areas.

1. All wheelchairs and wheelchair accessories and repairs for nursing facility residents. Requests must state if the recipient or facility owns the wheelchair.
2. Repairs when the charge exceeds \$300. This includes labor and parts charges. All repairs and adaptations to equipment for nursing facility residents need written prior authorization. Specify who owns the equipment.
3. Maintenance of equipment.
4. Prior authorization is required for underpads and diapers if the recipient is under the age of four.
5. A battery charger for a wheelchair requires prior authorization if one has been purchased for the recipient within the last three years.
6. A home blood glucose monitor requires prior authorization if one has been purchased for the recipient within the last four years.

Nutritional Products (enteral)

1. All enteral nutrition products except those for treatment of phenylketonuria, hyperlysinemia, and maple syrup urine disease, and the first 30 days after hospital discharge to other than a long-term care facility. See Nutritional Services Chapter 54 for coverage standards and rebate requirements and the Prior Authorization phone-in Chapter 5 Section 04 for required information for prior authorization.

Prostheses and Orthoses

Providers must get prior authorization for the following.

1. Prostheses and orthoses when the purchase or projected cumulative rental costs exceeds \$2,000. This requirement excludes orthopedic footwear (see number two below).
2. Custom orthopedic footwear requires prior authorization (see codes below). Noncustom orthopedic footwear requires prior authorization if the shoe will not be attached to a leg brace.
3. Repairs and adaptations to a prosthesis or orthosis when the charge exceeds \$300.
4. Charges in excess of \$100 on L1499, L7499, and L8499.

Official Notices

<u>Service Code</u>	<u>Service Description</u>
L3230	Orthopedic footwear, custom shoes, depth inlay
L3250	Orthopedic footwear, custom molded shoes, removable inner molds, prosthetic shoe
Y5370	Wig

IV. HEARING AIDS

Services in the following categories require prior authorization:

1. Repairs to hearing aids when the cost of parts and labor exceeds \$100, or if a repair was made in the preceding 12 months.
2. The purchase of a noncontract hearing aid, including pocket talkers. Indicate model number and manufacturer on form.
3. The provision of more than one hearing aid in a five-year period.
4. Adult pure-tone average (PTA) is less than 20 dB HL in fitted ear.

V. DRUGS

The following drugs require prior authorization which can only be obtained on the phone-in prior authorization line.

Alferon N (Interferon Alfa-3)
Antihemophilic Factor VIII
Antihemophilic Factor IX
Astemizole (Hismanal)
Ceredase (Alglucerase)
Clozapine (Clozaril)
Declomycin
Epoetin Alfa/Erythropoietin (Epogen and Procrit)
Filgrastim (Neupogen)
Interferon Gamma-1b (Actimmune)
Lactulose
L-Carnitine
Omeprazole (Prilosec): for >8 week consecutive daily treatment
Ondansetron (Zofran): for >4 week consecutive daily treatment
Sargramostim (Leukine and Prokine)
Terfenadine (Seldane): >once daily
Thorazine spansule
Tretinoin (Retin-A): for patients who are 30 or older
Vancomycin oral formula

Prior authorization requests will not be accepted by the Department for drugs which do not appear on the above list. Non-covered drugs which have received previous approval may continue to be dispensed through the duration of the approved period.

VI. REHABILITATIVE SERVICES

OCCUPATIONAL THERAPY

The following occupational therapy services require prior authorization.

<u>Service Code</u>	<u>Service Description</u>
X4510	Occupational therapy evaluations/reevaluations that exceed 1½ hours per calendar year
X4511	Unlisted occupational therapy requires prior authorization
X4520	Occupational therapy group sessions require prior authorization
X5510	Occupational therapy consultations that exceed more than one hour per calendar year
X5511	Occupational therapy supplies that exceed more than \$30 per calendar year

<u>Service Code</u>	<u>Service Description</u>
----------------------------	-----------------------------------

Any combination of the following codes that exceed 50 hours per year.

X4515	Occupational therapy motor skills
X4517	Occupational therapy sensory integrative skills
X4522	Occupational therapy cognitive skills
X4524	Occupational therapy preventive skills
X4526	Occupational therapy therapeutic adaptations
97540	Activities of Daily Living
97541	Activities of Daily Living, additional 15 minutes

PHYSICAL THERAPY

X4521 Physical therapy group sessions require prior authorization

Any combination of the following codes that exceed two per calendar year.

Q0104	Physical therapy evaluation/reevaluation
Q0103	Initial physical therapy evaluation for new patient

Any combination of the following codes that exceeds 30 hours per calendar year:

97110	Therapeutic exercises
97112	Neuromuscular reeducation
97114	Functional activities
97116	Gait training
97118	Electrical stimulation
97120	Iontophoresis
97122	Traction, manual
97124	Massage
97126	Contrast baths
97128	Ultrasound
97145	Additional 15 minutes of 97110-97128, 90900 and 97799
97220	Hubbard tank initial 30 minutes
97221	Hubbard tank, additional 15 minutes
97240	Pool therapy, initial 30 minutes
97241	Pool therapy, additional 15 minutes
97500	Orthotics training, initial 30 minutes
97501	Orthotics training, additional 15 minutes
97520	Prosthetics training, initial 30 minutes
97521	Prosthetics training, additional 15 minutes
97530	Kinetic activities, initial 30 minutes
97531	Kinetic activities, additional 15 minutes
97700	Office visit for orthotics, prosthetics or ADL checkout
97701	Office visit for orthotics, prosthetics or ADL checkout, additional 15 minutes
90900	Biofeedback, initial 30 minutes
X5515	Wound care, initial 30 minutes

Any combination of the following modalities that exceed 30 per calendar year:

97010	Hot or cold packs
97012	Traction
97014	Electric stimulation
97016	Vasopneumatic devices
97018	Paraffin bath
97020	Microwave
97022	Whirlpool
97024	Diathermy
97026	Infrared
97028	Ultraviolet

Official Notices

Service Code	Service Description
-------------------------	--------------------------------

More than one of the following tests per calendar year require prior authorization.

97720	Extremity testing, initial 30 minutes
97721	Extremity testing, additional 15 minutes

Any combination of the following codes that exceed two per calendar year require prior authorization:

95831	Muscle testing, manual extremity
95832	Hand
95833	Total evaluation of body w/out hands
95834	Total evaluation of body w/hands

Either of the following codes that exceed two per calendar year:

97752	Muscle testing w/torque curves during isometric & isokinetic exercise
95842	Muscle testing

Any combination of the following that exceed 12 per calendar year:

95851	Range of motion measurements
95852	Range of motion measurements—hand with comparison to normal side

The following codes always require prior authorization:

97139	Unlisted procedure
97039	Unlisted modality
97545	Work hardening/conditioning; initial 2 hours;
97546	additional hour
97799	Unlisted physical medicine or procedure

SPEECH-LANGUAGE PATHOLOGY

The following codes require prior authorization:

X4612	Extended consultations that exceed two per calendar year must be prior authorized
X4614	Construction, programming or adaptation of an augmentative communication devices that exceeds four hours per calendar year
92599	Unlisted otorhinolaryngological services
V5362	Speech screenings that exceeds once per calendar year
V5363	Language screenings that exceeds once per calendar year
V5364	Dysphagia screenings that exceeds once per calendar year

Any combination of the following codes that exceed one per calendar year require prior authorization:

92506	Medical evaluation of speech
-------	------------------------------

Any combination of the following codes that exceeds 50 hours per calendar year.

92507	Individual speech, language and hearing treatment
92508	Group speech language or hearing treatment
X4610	Speech therapeutic services
X4611	Basic consultation

AUDIOLOGY

The following codes require prior authorization:

92506	Audiology evaluation/reevaluations that exceed two per calendar year
92507	Individual hearing therapy that exceeds five sessions per calendar year
92592	
92593	Monaural or binaural hearing aid checks that exceed four per calendar year
92599	Unlisted otorhinolaryngologic service must be prior authorized

Any combination of the following codes that exceeds one per calendar year.

92590	Monaural hearing aid exam & selection
92591	Binaural hearing aid exam & selection

<u>Service Code</u>	<u>Service Description</u>
92594	Electroacoustic evaluation for monaural hearing aid
92595	Electroacoustic evaluation for binaural hearing aid
92596	Ear protector attenuation measurements

Any combination of the following codes that exceed two per calendar year.

X4611	Basic Consultations
X4612	Extended Consultation

VII. HOME CARE SERVICES

Effective October 1, 1991, an MA recipient (except for Elderly Waiver [EW], Community Alternative Care [CAC], Community Alternatives for Disabled Individuals [CADI], or Traumatic Brain Injury [TBI] waiver recipients) may receive the following amounts of home care services each calendar year (**NOTE:** The first calendar year runs from October 1, 1991 through December 31, 1991. Subsequent years run from January 1st through December 31st.):

1. a combined total of forty (40) skilled nurse visits (X5284) or home health aide visits (X5285); and
2. a total of 40 units (10 hours) of R.N. supervision for personal care services (X4037 or X5644). **NOTE:** Skilled nurse visits provided to a recipient residing in an intermediate care facility for persons with mental retardation (ICF/MR) do not fall under this limit and must be prior authorized by the Department. Refer to section 507.03 for procedures to follow to request prior authorization.

MA reimbursement for these services above these limits requires Department prior authorization. Effective October 1, 1991, the following services require Department prior authorization **before any amount** of service may be provided. (**NOTE:** Some procedure codes have been changed or eliminated effective September 1, 1992. Refer to Instructional Bulletin #92-65A for further directions.)

<u>Service Code</u>	<u>Service Description</u>
X5643	15 minutes of personal care service by an independently enrolled personal care assistant (PCA)
X5645	15 minutes of personal care service by a provider organization
X5641	15 minutes of private duty nursing service by an independently enrolled R.N.
X5642	15 minutes of private duty nursing service by an independently enrolled licensed practical nurse (L.P.N.)
X5646	15 minutes of private duty nursing service by an R.N. employed by or under contract with a private duty nursing provider organization to a non-ventilator dependent recipient
X5647	15 minutes of private duty nursing service by an R.N. employed by or under contract with a private duty nursing provider organization to a ventilator dependent recipient
X5648	15 minutes of private duty nursing service by an L.P.N. employed by or under contract with a private duty nursing provider organization to a non-ventilator dependent recipient
X5649	15 minutes of private duty nursing service by an L.P.N. employed by or under contract with a private duty nursing provider organization to a ventilator dependent recipient
X5284	Skilled nurse visit (when provided to a recipient residing in an ICF/MR)

Refer to sections 507.01 or 507.03 for procedures to follow to request prior authorization.

VIII. ALL OTHER SERVICES

The following health services require prior authorization:

1. All air ambulance transportation that originates or is to a destination outside of Minnesota.
2. Scheduled ALS or BLS ambulance trips in excess of six trips per month. Procedure codes A0010 basic life support, A0222 ambulance return trip, A0225 neonatal transport, A0220 advanced life support, A0223 ALS supplies billed separately, and A0150 BLS nonemergency ambulance care are included.
3. Scheduled ground transportation provided outside of Minnesota.
4. Partial hospitalization programs, pain programs (billed as a package over a certain number of sessions), eating disorder programs, and other structured outpatient programs.
5. Investigative health services and procedures.
6. Procedures that may be considered cosmetic. If staged reconstructive surgery is being proposed for correction of a congenital anomaly the complete plan for future surgeries must be submitted with the first prior authorization.
7. All surgical or behavioral modification services aimed specifically at weight reduction.

Official Notices

8. Services provided outside of Minnesota. This requirement for prior authorization does not include services provided in a recipient's local trade area that would not require prior authorization if provided within Minnesota, emergency services, services needed because the recipient's health would be endangered if the recipient was required to return to Minnesota or services provided to children placed outside of Minnesota through the subsidized adoption assistance program under *Minnesota Statutes*, Section 256B.055, subdivision 1 or 2.

In addition, the following specific procedures require prior authorization:

Service Code	Service Description
A2000* ¹	Manipulation of spine by chiropractor (A2000 replaces X2010 and X2020)
E0750	Implantable electrical nerve stimulator, spinal cord
J0585	Botulinum Toxin Type A
X0691* ⁹	Day treatment, nervous and mental
X1420* ²⁰	Acupuncture
X2393-22* ³	Nutritional consultation, evaluation by R.D.
X2393* ³	Nutritional consultation, follow-up visit
X2395* ¹²	Individual diabetes education session, per hour—Type I—insulin dependent
X2396* ¹³	Individual diabetes education session, per hour—Type II—insulin dependent
X5231	Face-to-face contact between the case manager and the client
X5232	Face-to-face contact between the case manager and the client's family, legal representative, primary caregiver, mental health providers, or other service providers, or other interested persons
X5233	Telephone contact between the case manager and client, the client's mental health provider or other service providers, a client's family, legal representative, primary caregiver, or other interested persons (MA reimbursement limited to two hours per month)
X5234	Contacts between the case manager and the Case manager's clinical supervisor concerning the client
X5235	Development, review, and revision of the client's ICSP or IFCSP, including the case manager's functional assessment of the client
X5236	Time spent by the case manager traveling <u>outside</u> the county of financial responsibility to meet face-to-face with a client or the client's family, legal representative, or primary caregiver when the client is a resident of a regional treatment center, residential treatment facility, or an inpatient hospital located outside the county of financial responsibility (MA reimbursement limited to eight hours per day)
X5237	Time spent by the case manager traveling <u>within</u> the county of financial responsibility to meet face-to-face with the client or the client's family, legal representative, or primary caregiver
X5317* ¹⁵	Cognitive retraining (1 to 3 clients)
X5318* ¹⁵	Cognitive retraining (4 to 9 clients)
X5535* ¹⁶	Neuropsychological consultation (individual)
X5536* ¹⁷	Neuropsychological consultation (group)
X5537* ¹⁸	Neuropsychological consultation (agency)
X5329	Lithotripsy when used for treatment of gallstones
X5330	Partial hospitalization program—adult
X5331	Partial hospitalization program—adolescent
X5355* ¹⁰	Cardiac rehabilitation program; including physician services, per session
X5356* ¹⁰	Cardiac rehabilitation program; excluding physician services, per session
X5531* ⁴	Individual psychotherapy, discretionary visits, 45-50 minutes (replaces 90844-22)
X5535* ¹⁶	Neuropsychological consultation (individual)
X5536* ¹⁷	Neuropsychological consultation (group)
X5537* ¹⁸	Neuropsychological consultation (agency)
X5641* ²	Private duty nursing by RN
X5642* ²	Private duty nursing by LPN
X7010	ICF-MR and DAC special needs—service (review by Long-term Care Division)
X7020	ICF-MR and DAC special needs—equipment (review by Long-term Care Division)
I1920	Tattooing, intradermal introduction of insoluble opaque pigments to correct color defects of skin, including micro-pigmentation; 6.0 sq cm or less
I1921	6.1 to 20.0 sq cm
I1922	each additional 20.0 sq cm
I1950	Subcutaneous injection of "filling" material (e.g., collagen); 1 cc or less
I1951	1.1 to 5 cc

Service Code	Service Description
11952	5.1 to 10 cc
11954	over 10 cc
11960	Insertion of tissue expander
15775	Punch graft for hair transplant; 1 to 15 punch grafts
15776	more than 15 punch grafts
15780	Dermabrasion of skin
15781	less than total face
15782	regional
15783	superficial, any site (e.g., tattoo removal)
15786	Abrasion; single lesion
11587	each additional four lesions or less
15790	Chemical peel; total face
15791	regional, face, hand, or elsewhere
15810	Salabrasion; 20 sq cm or less
15811	over 20 sq cm
15820	Blepharoplasty, lower eyelid
15821	with extensive herniated fat pad
15822	Blepharoplasty, upper eyelid
15823	with excessive skin weighing down lid
15824	Rhytidectomy; forehead
15825	neck with platysmal tightening (platysmal flap, "P-flap")
15826	glabellar frown lines
15828	cheek, chin and neck
15831	Excision, excessive skin and subcutaneous tissue (including lipectomy), abdomen (abdominoplasty)
15835	buttock
15836	arm
15832	thigh
15833	leg
15834	hip
15837	forearm or hand
15838	submental fat pad
15839	other area
15876	Suction assisted lipectomy, head and neck
15877	trunk
15878	Suction assisted lipectomy, upper extremity
15879	lower extremity
17106	Destruction of cutaneous vascular proliferative lesions (e.g. laser technique); less than 10 sq cm
17107	10.0–50.0 sq cm
17108	over 50.0 sq cm
17360	Chemical exfoliation for acne (e.g., acne paste, acid)
17380	Electrolysis epilation, each ½ hour
19140	Mastectomy for gynecomastia through circumareolar or other incision
19316	Mastopexy
19318	Reduction mammoplasty
19324	Mammoplasty, augmentation without prosthetic implant
19325	with prosthetic implant
19328	Removal of intact mammary implant
19355	Correction of inverted nipples
21010	Arthrotomy, temporomandibular joint
21050	Condylectomy, temporomandibular joint (separate procedure)
21060	Meniscectomy, temporomandibular
21070	Coronoidectomy (separate procedure)
21086	Impression and custom preparation; auricular prosthesis
21087	Impression and custom preparation; nasal prosthesis
21088	Impression and custom preparation; facial prosthesis

Official Notices

<u>Service Code</u>	<u>Service Description</u>
21137	Reduction forehead; contouring only
21138	Reduction forehead; contouring and application of prosthetic material or bone graft (includes obtaining autograft)
21139	Reduction forehead; contouring and setback of anterior frontal sinus wall
21144	Reconstruction midface, Lefort I; intrusion, single piece (e.g., for long face syndrome)
21145	Reconstruction midface, Lefort I; single piece, any direction, requiring bone grafts (includes obtaining autografts)
21146	Reconstruction midface, Lefort I; two pieces, any direction, requiring bone grafts (includes obtaining autografts) (e.g., ungrafted unilateral alveolar cleft)
21147	Reconstruction midface, Lefort I; three or more pieces, any direction, requiring bone grafts (includes obtaining autografts) (e.g., ungrafted bilateral alveolar cleft or multiple osteotomies)
21150	Reconstruction midface, Lefort II; anterior intrusion (e.g., Teacher-Collins syndrome)
21151	Reconstruction midface, Lefort II; any direction, requiring bone grafts (includes obtaining autografts)
21154	Reconstruction midface, Lefort III (extracranial), any type, requiring bone grafts (includes obtaining autografts); without Lefort I
21155	Reconstruction midface, Lefort III (extracranial), any type, requiring bone grafts (includes obtaining autografts); with Lefort I
21159	Reconstruction midface, Lefort III (extra and intracranial), with forehead advancement (e.g., mono bloc), requiring bone grafts (includes obtaining autografts); without Lefort I
21160	Reconstruction midface, Lefort III (extra and intracranial), with forehead advancement (e.g., mono bloc), requiring bone grafts (includes obtaining autografts); with Lefort I
21172	Reconstruction superior-lateral orbital rim and lower forehead, advancement or alteration, with or without grafts (includes obtaining autografts)
21175	Reconstruction bifrontal, superior-lateral orbital rims and lower forehead, advancement or alteration (e.g., plagiocephaly, trigonocephaly, brachycephaly), with or without grafts (includes obtaining autografts)
21179	Reconstruction, entire or majority of forehead and/or supraorbital rims; with grafts (allograft or prosthetic material)
21180	Reconstruction, entire or majority of forehead and/or supraorbital rims; with autograft (includes obtaining grafts)
21181	Removal by contouring of benign tumor of cranial bones (e.g., fibrous dysplasia), extracranial
21182	Reconstruction of orbital walls, rims, forehead, nasoeethmoid complex following intra- and extracranial excision of benign tumor of cranial bone (e.g., fibrous dysplasia), with multiple autografts (includes obtaining grafts); total area of bone grafting less than 40 cm ²
21183	Reconstruction of orbital walls, rims, forehead, nasoeethmoid complex following intra- and extracranial excision of benign tumor of cranial bone (e.g., fibrous dysplasia), with multiple autografts (includes obtaining grafts); total area of bone grafting greater than 40 cm ² , but less than 80 cm ²
21184	Reconstruction of orbital walls, rims, forehead, nasoeethmoid complex following intra- and extracranial excision of benign tumor of cranial bone (e.g., fibrous dysplasia), with multiple autografts (includes obtaining grafts); total area of bone grafting greater than 80 cm ²
21188	Reconstruction midface, osteotomies (other than Lefort type) and bone grafts (includes obtaining autografts)
21193	Reconstruction of mandibular ramus, horizontal, vertical, "c" or "1" osteotomy; without bone graft
21194	Reconstruction of mandibular ramus, horizontal, vertical, "c" or "1" osteotomy; with bone graft
21195	Reconstruction of mandibular ramus, sagittal split; without internal rigid fixation
21196	Reconstruction of mandibular ramus, sagittal split; with internal rigid fixation
21198	Osteotomy, mandible, segmental
21206	Osteotomy, maxilla, segmental (e.g., Wassmund or Schuchard)
21240	Arthroplasty, temporomandibular joint, with or without autograft (includes obtaining graft)
21242	Arthroplasty, temporomandibular joint, with allograft
21243	Arthroplasty, temporomandibular joint with prosthetic joint replacement
21244	Reconstruction of mandible, extraoral, with transosteal bone plate
21245	Reconstruction of mandible or maxilla, subperiosteal implant, partial
21246	Reconstruction of mandible or maxilla, subperiosteal implant, complete
21247	Reconstruction of mandibular condyle with bone and cartilage autograft (includes obtaining grafts) (e.g., for hemifacial microsomia)
21248	Reconstruction of mandible or maxilla, endosteal implant, partial
21249	complete
21255	Reconstruction of zygomatic arch and glenoid fossa with bone and cartilage (includes obtaining autografts)
21256	Reconstruction of orbit with osteotomies (extracranial) and with bone grafts (includes obtaining autografts) (e.g., microphthalmia)

Service Code	Service Description
21299	Unlisted carnofacial and maxillofacial procedure
21260	Periorbital osteotomies for orbital hypertelorism
21261	combined intra and extracranial approach
21263	with forehead advancement
21267	Orbit repositioning
21268	combined intra and extracranial approach
21270	Malar augmentation, prosthetic material
21275	Secondary revision of orbitocraniofacial reconstruction
21462*7	Open treatment of closed or open mandibular fracture, with interdental fixation
21485	Complicated manipulative treatment of TMJ dislocation, initial or subsequent
30120	Excision or surgical planing of skin of nose
30400	Rhinoplasty, primary
30410	complete
30420	including major septal repair
30430	Rhinoplasty, secondary
30435	intermediate
30450	major revision
30460	Rhinoplasty for nasal deformity secondary to congenital cleft lip and/or palate, including columellar lengthening; tip only
30462	tip, septum, osteotomies
33212*11	Insertion or replacement of automatic implantable cardioverter-defibrillator pulse generator
33245	Implantation of automatic implantable cardioverter-defibrillator pads with or without sensing electrodes
33246	with insertion of automatic implantable cardioverter defibrillator pulse generator
40650	Repair lip, full thickness, vermilion only
40652	up to half vertical height
40654	over one half vertical height, or complex
40700*6	Plastic repair of cleft lip/nasal deformity; primary, partial, or complete, unilateral
40701*6	primary bilateral, one stage
40702*6	primary bilateral, one of two stages
40720*6	secondary, by recreation of defect and reclosure
42140	Uvulectomy, excision of uvula
42145	Palatopharyngoplasty (e.g., uvulopalatopharyngoplasty, uvulopharyngoplasty)
42200*6	Palatoplasty for cleft palate, soft and/or hard palate
42205*6	Palatoplasty for cleft palate, with closure alveolar ridge
42210*6	with bone graft to alveolar ridge
42215*6	Palatoplasty for cleft palate, major revision
42220*6	secondary lengthening procedure
4225*6	attachment pharyngeal flap
43810	Gastroduodenostomy
43820	Gastrojejunostomy
43825	with vagotomy, any type
43842	Gastroplasty, vertical-banded, for morbid obesity
43843	Gastroplasty, other than vertical-banded, for morbid obesity
43844	Gastric bypass for morbid obesity
43845	Gastroplasty, any method, for morbid obesity
43846	Gastric bypass with Roux-en-Y gastroenterostomy
43850	Revision of gastroduodenal anastomosis with reconstruction; without vagotomy
43855	with vagotomy
43860	Revision of gastrojejunal anastomosis (gastrojejunostomy) with reconstruction; with vagotomy
43865	with vagotomy
44131	Enteroenterostomy, anastomosis of intestine; intestinal bypass for morbid obesity
47135	Liver transplant, with or without recipient hepatectomy
54400	Insertion of penile prosthesis; non-inflatable
54401	inflatable
54405	Insertion of inflatable penile prosthesis

Official Notices

Service Code	Service Description
54660	Insertion of testicular prosthesis
55970	Intersex surgery; male to female
55980	female to male
56356	with endometrial ablation (any method)
58996	Hysteroscopy; with endometrial ablation (any method)
61885	Incision and subcutaneous placement of cranial neurostimulator pulse generator or receiver, direct or inductive coupling
61888	Revision or removal of cranial neurostimulator pulse generator or receiver
63185	Laminectomy with rhizotomy; 1 or 2 segments
63190	Laminectomy with rhizotomy; more than 2 segments
63650	Percutaneous implantation of neurostimulator electrodes; epidural
63685	Incision and subcutaneous placement of spinal neurostimulator pulse generator or receiver, direct or inductive coupling
63688	Revision or removal of implanted spinal neurostimulator pulse generator or receiver
64550	Application of surface (transcutaneous) neurostimulator
64553	Percutaneous implantation of neurostimulator electrodes; cranial nerve
64555	peripheral nerve
64560	autonomic nerve
64565	neuromuscular
64573	Incision for implantation of neurostimulator electrodes; cranial nerve
64575	peripheral nerve
64577	autonomic nerve
64580	neuromuscular
64585	Revision or removal of peripheral neurostimulator electrodes
64590	Incision and subcutaneous placement of peripheral neurostimulator pulse generator or receiver, direct or inductive coupling
64595	Revision or removal of peripheral neurostimulator pulse generator or receiver
64612**	Destruction by neurolytic agent (chemodenervation of muscle endplate); muscles innervated by facial nerve
64613**	cervical spinal muscles
65760	Keratomileusis
65765	Keratophakia
65767	Epikeratoplasty
65770	Keratoprosthesis
65771	Radial keratotomy
65772	Corneal relaxing incision for correction of surgically induced astigmatism
65775	Corneal wedge resection for correction of surgically induced astigmatism
67345	Chemodenervation of extraocular muscle
67900	Repair of brow ptosis (supraciliary, mid-forehead or coronal approach)
67901	Repair blepharoptosis, frontalis muscle technique with suture
67902	frontalis muscle technique with fascial sling
67903	(tarso) levator resection or advancement, internal approach
67904	(tarso) levator resection or advancement, external approach
67906	superior rectus technique with fascial sling
67909	Reduction of overcorrection of ptosis
67911	Correction of lid retraction
67916	Repair of ectropion; suture, blepharoplasty, excision tarsal wedge
67917	extensive
67923	Repair of entropion; suture blepharoplasty, excision tarsal wedge
67924	extensive
69300	Otoplasty, protruding ear, with or without size reduction
69930	Cochlear implant
90820*14	Interactive diagnostic assessment
90843-	Psychotherapy
98044*4	
90847*4	Family medical psychotherapy (bill using 90846 when family member being treated is not present)

Service Code	Service Description
90853* ⁴	Group medical psychotherapy
90855* ¹⁴	Interactive individual psychotherapy
90857* ¹⁴	Interactive group psychotherapy
90899* ⁵	Unlisted psychiatric service or procedure, e.g., pain clinics
90915* ⁴	Biofeedback training, other
93797* ¹⁰	Physician services for outpatient cardiac rehabilitation; without continuous ECG monitoring
93798* ¹⁰	with continuous ECG monitoring
95883* ¹⁹	Neuropsychological testing battery by doctoral-prepared licensed neuropsychologist
99199* ⁸	Chemodenervation *8

*¹PA is required for treatments in excess of 6 per month and 24 per calendar year.

*²All hours of private duty nursing provided in a hospital or facility certified as an ICF, SNF, or ICF/MR.

*³PA is required for nutritional counseling services in excess of one nutritional counseling evaluation and two nutritional counseling, follow-up visits per calendar year.

A. PA is required for more than twenty-six (26) hours (52 visits/units of 90843) or 90915 (when billed in one unit increments) and twenty (20) hours of 90844 or 40 units of 90915 (when billed in two-unit increments) per calendar year. Note: The 90915 when billed as one unit and 90843 combined decrements from the total 26 hours per calendar year. There is not a separate benefit level for each code. Likewise, 90915 when billed as two units and 90844 combined decrement from the total 20 hours per calendar year. There is not a separate benefit level for each code.

B. In addition to the twenty hours of 90844 allowed in A above, a recipient is entitled to six (6) X5531's which are discretionary visits and may be used in any frequency or in combination with any other psychotherapy which is subject to the PA requirement without requiring PA. For example, a provider may choose to provide a group therapy session (98053) and an individual therapy session (98044 or X5531) during the same five (5) day calendar period. This would normally require PA if the 90844 code was used. See F below. However, by using one of the six (6) X5531's the PA system can be bypassed. THE PURPOSE OF THESE X5531s IS TO PROVIDE FLEXIBILITY WITHOUT THE NEED FOR OBTAINING PA. PLEASE UTILIZE THEM CAREFULLY AND THOUGHTFULLY.

C. PA is required when 90843 or one unit of 90915 is provided more frequently than once every five (5) calendar days.

D. PA is required either when more than three (3) hours of 90853 are provided within a five (5) calendar day period, or when more than seventy-eight (78) hours per calendar year has been reached.

E. PA is required for 90847 in excess of 26 hours per calendar year or when provided more frequently than once every five (5) calendar days. (Note: 90846 must be used when the family member being treated is not present during the family therapy session. CPT 90846 is subject to the same P.A. requirements and limitations as those imposed on CPT 90847. Use of this code does not result in an additional benefit level but counts against the benefit level available for 90847.

F. PA is required when more than one type of psychotherapy (individual, group, or family) is provided within a five (5) calendar day period. However, 90843 and 90844 cannot be provided more frequently than once every ten (10) calendar days without PA. (Note: 90846 and 90847 are both considered to be family therapy.)

G. PA is required for 90844 or two units of 90915 when provided more frequently than once every ten (10) calendar days, and when 90843 or one unit of 90915, and 90844 or two units of 90915 are provided more frequently than one every ten (10) calendar days.

Calendar days are calculated by counting the first day after rendering a service as day one (1) and counting forward for a total of five (5) or ten (10) days as applicable. Additional services may not be provided until the sixth (6th) or eleventh (11th) day.

*⁵PA is required for pain clinic programs, eating disorder, and other structured outpatient programs.

*⁶PA required only when the service is performed on a patient 18 and over.

*⁷PA is required if this code is used more than 30 days after documented fracture.

*⁸PA is required for chemodenervation of any area.

*⁹PA is required for day treatment in excess of 390 hours.

*¹⁰PA is required in excess of 36 sessions per calendar year.

*¹¹This procedure code includes two services; the insertion or replacement of a pacemaker pulse generator or automatic implantable cardioverter-defibrillator pulse generator. When using this code to bill for the insertion or placement of pacemaker pulse generator, note this service in the Procedure box of the Practitioner Invoice, as this specific service does not require PA.

Official Notices

*¹²PA is required in excess of 6 sessions per calendar year.

*¹³PA is required in excess of 4 sessions per calendar year.

*¹⁴A doctoral-prepared licensed neuropsychologist may be approved to bill for interactive diagnostic assessment (90820), interactive individual psychotherapy (98055), and interactive group psychotherapy (90857) with PA.

*¹⁵PA is required for cognitive training (X5317, or X5318, or a combination of X5317 and X5318) in excess of 390 hours.

*¹⁶PA is required for neuropsychological consultation (X5535) prior to service initiation and for more than 20 hours.

*¹⁷PA is required for neuropsychological consultation (X5536) prior to service initiation and for more than 78 hours.

*¹⁸PA is required for neuropsychological consultation (X5537) prior to service initiation. PA must be renewed each calendar year (i.e., in January).

*¹⁹PA is required for neuropsychological testing and assessment (95883) prior to service initiation.

*²⁰Acupuncture is covered for chronic pain. PA is required in excess of 10 sessions.

Labor Standards Division

Notice of Prevailing Wage Certifications for Construction Projects

Effective March 1, 1993 prevailing wage rates are certified for commercial construction projects in: Faribault county: District #6059 School Building Construction-Blue Earth; Hennepin county: Hennepin County Medical Center-Minneapolis; Mower county: Austin Community College Remodel and Addition-Austin; Sherburne county: St. Cloud Rest Area-St. Cloud; St. Louis county: Darland Administration Building-Duluth; Stearns county: Eastman Hall St. Cloud State University-St. Cloud.

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

Minnesota Comprehensive Health Association

Notice of Actuarial Committee Meeting

NOTICE IS HEREBY GIVEN that a meeting of the Actuarial Committee of the Minnesota Comprehensive Health Association (MCHA), will convene at 12:00 p.m. on Tuesday, March 9, 1993 at Blue Cross Blue Shield of Minnesota, 3535 Blue Cross Road, Eagan, Minnesota, in the fourth floor Board Room.

For additional information please call Lynn Gruber at (612) 593-9609.

Notice of Board of Directors Meeting

NOTICE IS HEREBY GIVEN that the Minnesota Comprehensive Health Association (MCHA), Board of Directors will meet at 12:00 p.m. on Thursday, March 18, 1993 at Blue Cross Blue Shield of Minnesota, 3535 Blue Cross Road, Eagan, Minnesota, in the fourth floor Board Room.

For additional information please call Lynn Gruber at (612) 593-9609.

Minnesota Higher Education Facilities Authority

Notice of Public Hearing on Proposal to Issue Revenue Bonds

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds on behalf of the William Mitchell College of Law, a Minnesota nonprofit corporation and institution of higher education (the "College"), at the Authority's offices at Suite 450 Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on March 17, 1993 at 2:00 p.m. Under the proposal, the Authority would issue its revenue bonds in an original aggregate principal amount of up to approximately \$2,850,000 to provide financing for the refunding of the outstanding Minnesota Higher Education Facilities Authority Mortgage Revenue Bonds, Series Two-R (William Mitchell College of Law), dated November 1, 1988, originally issued to finance the acquisition and construction of a library building of approximately 63,000 square

feet, with appurtenant site improvements owned and operated by the College and located on its main campus, the principal street address of which is 875 Summit Avenue, St. Paul, Minnesota 55105.

At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: 1 March 1993

By Order of the Minnesota Higher
Education Facilities Authority
Joseph E. LaBelle
Executive Director

Department of Revenue

Appeals, Legal Services, and Criminal Investigation Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Sales and Use Tax Rules Governing Sales of Food, Meals, and Drinks

NOTICE IS HEREBY GIVEN that the Minnesota Department of Revenue is seeking information or opinions from sources outside the agency in preparing to propose the amendment of rules governing sales and use tax on food, meals, and drinks. The amendment of the rule is authorized by *Minnesota Statutes*, section 270.06, which permits the commissioner of revenue to make, publish, and distribute rules for the administration and enforcement of state tax laws.

The State Department of Revenue requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

Joan Tujetsch
Department of Revenue
Appeals, Legal Services, and
Criminal Investigation Division
10 River Park Plaza
Mail Station 2220
St. Paul, MN 55146-2220

Oral statements will be received during regular business hours over the telephone at (612) 296-1902 Extension 125, and in person at the above address.

All statements of information and opinions shall be accepted until March 31, 1993. Any written material received by the State Department of Revenue shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 1 March 1993

Joan Tujetsch
Attorney

City of St. Paul

Notice of Bridge Offering

For S.P. 164-191-06, Selby Avenue Bridge over Ayd Mill Road and the CP Rail System in Saint Paul, Minnesota.

The City of Saint Paul, Minnesota does hereby offer the Selby Avenue Bridge, carrying Selby Avenue over the CP Rail System right-of-way, to any state or local government agency, or responsible private entity, who might be interested in moving and rehabilitating this bridge for preservation purposes. Erected in 1890, the Selby Avenue Bridge is included in the National Register of Historic Places and is significant as an example of a pin-connected Pratt truss vehicular bridge built on an extreme skew.

The recipient must agree to rehabilitate and maintain the structure according to the Secretary of Interior's "Standards for Rehabilitation" in order to preserve the historic integrity of the structure. The recipient can be reimbursed for costs incurred in such activities as relocation, site preparation, reassembly, and rehabilitation. Costs eligible for reimbursement to preserve a historic bridge will not exceed the estimated costs of demolition of the bridge, as determined by the City of Saint Paul.

Official Notices

In addition, the new owner(s) must enter into agreement to:

1. Accept title to the bridge;
2. Maintain the bridge and the features that gave it its historical significance; and
3. Assume all future legal and financial responsibility for the bridge, including an agreement to hold the City of Saint Paul harmless in any liability action.

Interested parties should contact:

Art Werthaus
Saint Paul Public Works Department
900 City Hall Annex
25 W. Fourth Street
Saint Paul, Minnesota 55102
(612) 292-6320

A written proposal must be submitted no later than noon on March 22, 1993.

Office of the Secretary of State

Notice of Vacancies in Multi-Member Agencies

NOTICE IS HEREBY GIVEN to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, St. Paul, MN 55155-1299; (612) 297-5845, or in person at Room 174 of the State Office Building. More specific information about these vacancies may be obtained from the agencies listed below. These vacancies will remain open for application through March 23, 1993. Appointing Authorities may also choose to review applications received after that date. Applications are kept on file for a one year period.

The 1992 Annual Compilation and Statistical Report is available from the Minnesota Bookstore. This publication includes a complete listing of state boards and councils that follow the Open Appointments process, descriptions of these agencies and their memberships, and statistical information about appointments and vacancies made during the 1992 fiscal year. The 1992 Annual Compilation also indicates members with terms scheduled to end in January 1993. Many of these positions may still be open for application. The cost of the 1992 Annual Compilation is \$5.50 per copy plus sales tax. There is a \$2.00 charge for mailing per order; an order may include any number of copies. To order copies of the 1992 Annual Compilation please call the Minnesota Bookstore at 297-3000 or 1-800-657-3757.

ADVISORY COUNCIL ON THE MINNESOTA ACADEMY FOR THE DEAF AND THE BLIND

P.O. Box 308, Faribault, MN 55021. 507-332-3363.

Minnesota Statutes 128A.03.

APPOINTING AUTHORITY: State Board of Education. **COMPENSATION:** \$55 per diem.

VACANCY: One vacancy on the Advisory Council on the Minnesota Academy for the Deaf; the council advises the Board of Education on policies pertaining to the control, management, and administration of the academy.

The council advises the Board of Education on policies pertaining to the control, management, and administration of these academies. Up to fifteen members: shall be representative of the various geographic regions of the state and include parents or guardians of visually disabled or hearing impaired children, a staff representative of the applicable academy, two representatives from groups representing the interest of visually disabled or hearing impaired individuals. All members shall have knowledge, experience and interest in the problems of visually disabled or hearing impaired children.

ALCOHOL AND OTHER DRUG ABUSE ADVISORY COUNCIL

Chemical Dependency Program Division, 444 Lafayette Rd., St. Paul, MN 55155-3823. 612-296-3991.

Minnesota Statutes 254A.04.

APPOINTING AUTHORITY: Commissioners of Health/Human Services. **COMPENSATION:** \$55 per diem plus expenses.

VACANCY: One vacancy: members shall be individuals whose interest or training are in the fields of alcohol dependency or abuse or drug dependency or abuse.

The council advises the commissioner concerning problems of alcohol and other drug dependency and abuse. The council consists of ten members including five members appointed by the commissioner of Human Services with terms ending in even-numbered years and five members appointed by the commissioner of Health with terms ending in odd-numbered years. This includes five with interest

in alcohol dependency and abuse, and five interested in abuse of drugs other than alcohol. One member must be over 60 years of age. Monthly meetings.

AMERICAN INDIAN ADVISORY COUNCIL ON CHEMICAL DEPENDENCY

444 Lafayette Rd., St. Paul, MN 55155-3823. 612-296-4043.

Minnesota Statutes 254A.035.

APPOINTING AUTHORITY: Commissioner of Human Services. COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: member to represent the interests of the Upper Sioux Indian Community to the Department of Human Services, Chemical Dependency Division; must be American Indian.

The council establishes policies and procedures for American Indian chemical dependency programs, and reviews and recommends proposals for funding. The council consists of seventeen members including one member from each of eleven reservations, two members from Minneapolis, two members from St. Paul, one member from Duluth, and one member from International Falls. Quarterly meetings.

BOARD OF ELECTRICITY

Griggs Midway Bldg., Room S173, 1821 University Ave., St. Paul, MN 55104. 612-642-0800.

Minnesota Statutes 326.241.

APPOINTING AUTHORITY: Governor. COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: member must be a licensed journeyman electrician.

The board licenses electricians and inspects all new electrical installations in any construction, remodeling, replacement or repair. The board consists of eleven members including two representatives of rural electrical suppliers, two master electricians who are contractors, two journeymen electricians, one registered consulting electrical engineer, two licensed alarm and communication system contractors, and licensed alarm and communication system contractors, and two public members. Meetings once each month, St. Paul. Members must file with the Ethical Practices Board.

BOARD OF THE MINNESOTA CENTER FOR ARTS EDUCATION

6125 Olson Memorial Hwy., Golden Valley, MN 55422. 612-591-4700.

Minnesota Statutes 129C.10.

APPOINTING AUTHORITY: Governor. Senate confirmation. COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy. At-large member.

The board shall have the powers necessary for the care, management, and control of the Minnesota Center for Arts Education. The board consists of fifteen members, including at least one member from each congressional district. A member may not serve more than two consecutive terms. The board meets at 1:00 p.m. on the fourth Wednesday of the month, at their Golden Valley office. Members must file with the Ethical Practices Board.

EMERGENCY RESPONSE COMMISSION

175 Bigelow Bldg., 450 Syndicate St., St. Paul, MN 55104. 612-643-3000.

Laws of 1989, Chapter 315.

APPOINTING AUTHORITY: Governor. COMPENSATION: Per diem plus expenses.

VACANCY: One vacancy: member representing business and industry.

The commission coordinates the implementation of the federal Emergency Planning and Community Right-To-Know Act, carrying out the requirements of a commission under the Act, and may adopt rules in order to do so. The commission consists of twenty-one members, including the commissioners of the Department of Public Safety, Health, Agriculture, the commissioner of the Pollution Control Agency; and seventeen members (four from outside the metro area) to be appointed by the governor to include one representative each of: fire chiefs, professional firefighters, volunteer firefighters, fire marshals, law enforcement personnel, emergency medical personnel, health professionals, wastewater treatment operators, labor, local elected officials, three representatives of community groups or the public, four representatives from business and industry, at least one of whom must represent small business. Members must file with the Ethical Practices board.

ELEMENTARY-SECONDARY-VOCATIONAL (ESV) COMPUTER COUNCIL

Board of Education, Capitol Square Bldg., 550 Cedar St., St. Paul, MN 55101. 612-297-3752.

Minnesota Statutes 121.934 as amended by Laws of 1989.

APPOINTING AUTHORITY: Governor. COMPENSATION: None.

VACANCY: Two vacancies: One teacher from an urban school district; one person from the Department of Education.

The council advises and assists the Board of Education in the development of plans and standards for ESV-IS (elementary, secondary,

Official Notices

and vocational education) and SDE-IS (State Department of Education) information systems. Fourteen members include one administrator from a rural school district, one administrator from an urban school district, one school board member from an urban district, one school board member from a rural district, one teacher from a rural school district, one teacher from an urban school district; three private sector managers of whom at least two are data processing managers; three public sector managers of whom at least two are data processing managers; one person representing post-secondary vocational technical education, and one person from the Department of Education. Public and private sector managers shall not be employees or board members of school districts or the Department of Education. The Council should include at least one resident of each congressional district. Meetings are approximately once a month at various statewide locations.

MARKET DEVELOPMENT COORDINATING COUNCIL

MN Office of Waste Management, 1350 Energy Lane, St. Paul, MN 55108. 612-649-5750.

Minnesota Statutes 115A.12(1).

APPOINTING AUTHORITY: Office of Waste Management. **COMPENSATION:** Expenses.

VACANCY: One vacancy: persons representing private recycling markets, recycled product producers or environmental/business development agencies are encouraged to apply.

The council develops and coordinates statewide strategy for developing markets for recyclable materials and advises the Office of Waste Management on expenditure of Market Development funds. The council consists of not less than nine nor more than eighteen members: one representative each from the Department of Trade and Economic Development, Department of Administration, Pollution Control Agency, Greater Minnesota Corporation, Metropolitan Council, Legislative Commission on Waste Management; also representation from local government, private recycling markets and collectors. Monthly meetings at the Office of Waste Management in St. Paul.

MN EARLY CHILDHOOD CARE & EDUCATION COUNCIL

117 University Ave., 3rd Fl., St. Paul, MN 55155. 612-296-4738.

Laws of 1991, Chpt. 292, Section 62.

APPOINTING AUTHORITY: Governor. **COMPENSATION:** \$55 per diem, plus expenses.

VACANCY: One vacancy: Child care center provider.

The council is to collaborate child care programs statewide and plans for allocating state and federal funds; develop a biennial plan for early childhood care and education in Minnesota; advocate for a coordinated child care system, and provide a report to the legislature on January 1st of every odd-numbered year describing work plan and legislative recommendations of council. Nineteen members to represent parents, family and center child care providers, private foundations, corporate executives, small business owners, and public school districts; also includes the commissioners of two Minnesota counties, three members from child care resources and referral programs, one from county operated resource and referral, one from rural location, one from metro area, and a community group representative. The governor shall consult with state councils of color to ensure council ethnic and racial representation. Meeting schedule and location undetermined at this time.

PESTICIDE APPLICATOR EDUCATION AND EXAMINATION REVIEW BOARD

90 W. Plato Blvd. St. Paul, MN 55107. 612-297-7175.

Minnesota Statutes 18B.035, Sec. 34. s3.

APPOINTING AUTHORITY: Commissioner of Agriculture. **COMPENSATION:** None.

VACANCY: Two vacancies: One member representing industry, one member representing industry, private, non-profit organizations.

The Board reviews, revises and updates pesticide applicator training manuals and examinations, and discusses topics of concern that can be incorporated into pesticide applicator training. The board consists of fifteen members, representing industry, private, nonprofit organizations, and other governmental agencies, including the University of Minnesota, the Pollution Control Agency, Department of Health, Department of Natural Resources, and Department of Transportation. Membership on the board must include representatives from environmental protection organizations. The terms of members are indefinite. Quarterly meetings of approximately three hours, specific dates are set by the board. Meetings are held at the MN Department of Agriculture.

PETROLEUM TANK RELEASE COMPENSATION BOARD

133 E. Seventh St., St. Paul, MN 55101. 612-297-4634.

Minnesota Statutes 115C.07.

APPOINTING AUTHORITY: Governor. **COMPENSATION:** \$55 per diem plus expenses.

VACANCY: One vacancy: Insurance member.

The board administers compensation from the petroleum tank release clean-up fund for clean-up of leaks and spills from petroleum storage tanks. The board consists of three members including two representatives from the petroleum industry and one representative from the insurance industry. Members must file with the Ethical Practices Board.

STATE ADVISORY COUNCIL ON MENTAL HEALTH

444 Lafayette Rd., St. Paul, MN 55155-3828. 612-297-4163.

Minnesota Statutes 245.697.

APPOINTING AUTHORITY: Governor. **COMPENSATION:** \$55 per diem. Reimbursed for expenses.

VACANCY: One vacancy: General member. Preference would be for a person of color (Native American, African American, Asian or Hispanic) who is a parent of a child with serious emotional disturbance, or a consumer or family member of an adult consumer of mental health services.

The council advises the governor, the legislature, and state agency heads about policy, programs, and services affecting people with mental illness. Thirty members include commissioner designees from the Departments of Education, Corrections, Vocational Rehabilitation, and the Housing Finance Agency, one representative in the state agency responsible for the state's Title XIX program, one member from each of the four core mental health professional disciplines (psychiatry, psychology, social work, nursing); one representative from each of the following advocacy groups: Mental Health Association of MN, MN Alliance for the Mentally Ill, MN Mental Health Law Projects; providers of mental health services, consumers of mental health services, family members of persons with mental illnesses, legislators, social service agency directors, county commissioners, and other members reflecting a broad range of community interest.

STATE CURRICULUM ADVISORY COMMITTEE

635 Capitol Square Bldg., 550 Cedar St., St. Paul, MN 55101. 612-296-1485.

Minnesota Statutes 126.67.

APPOINTING AUTHORITY: Commissioner of Education. **COMPENSATION:** None.

VACANCY: One vacancy: must live in Region 5 area, Education Cooperative Service Region; must have been a former or current member of a local curriculum advisory committee and must be a parent, teacher, school administrator or a member of a local Board of Education.

The committee advises the State Board and Department of Education on the planning, evaluation, and reporting process. The committee consists of eleven members including nine members, one appointed from each educational cooperative service unit, and two at-large members.

SUBCOMMITTEE ON CHILDREN'S MENTAL HEALTH

444 Lafayette Rd., St. Paul, MN 55155-3828. 612-297-4163.

Laws of 1988, Chapter 689.

APPOINTING AUTHORITY: Chairman, State Advisory Council on Mental Health. **COMPENSATION:** \$55 per diem plus expenses.

VACANCY: Six positions (includes one new position and five vacancies): Persons of color (African American, Native American, Asian, Hispanic) are encouraged to apply. One new position is for a parent of a child with serious emotional disturbance. Other vacancies are 1.) One past or present consumer of children's or adolescent mental health services; 2.) one representative of county social services; 3.) one provider of children's mental health services; 4.) one provider of children's mental health services, hospital based; 5.) one parent of a child with serious emotional disturbance.

The subcommittee must make recommendations to the advisory council on policies, law, regulations, and services relating to children's mental health. Members include: commissioners or designees of Department of Commerce, Corrections, Education, Health, Human Services, Finance, and State Planning; one member children's mental health advocacy group, three service providers (preadolescent, adolescent, and hospital-based), parents of emotionally disturbed children; a consumer of adolescent mental health services; educators currently serving emotionally disturbed children; people who worked with emotionally disturbed minority children, or with emotionally disturbed juvenile status offenders; social service representatives; county commissioners; advisory council members; one representative of the local corrections system; and one representative from the Minnesota District Judges Association juvenile committee. The subcommittee meets once a month.

State Board of Investment

Executive Council, State Board of Investment Meeting

The Executive Council, State Board of Investment, will meet on Thursday, March 11, 1993, at 8:30 a.m. in Room 125, State Capitol, Saint Paul, MN.

The Investment Advisory Council will meet on Wednesday, March 10, 1993, at 2:00 p.m. in Suite 105, 55 Sherburne Avenue, Saint Paul, MN.

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 Administration

Facilities Management Bureau

To Professional Elevator Consultants and Interested Parties: Request for Proposal for a Department of Administration Survey

The Facilities Management Bureau of the Department of Administration has been requested to select a consultant to survey, record and draft a report of all Capitol area vertical elevators. Individuals who wish to be considered for this survey should deliver proposals on or before **4:00 p.m. Tuesday, March 23, 1993**, to:

A. Thomas Ulness, A.I.A.
Assistant Director
Division of State Building Construction
Room G-10, Administration Building
50 Sherburne
St. Paul, Minnesota 55155-3000

The proposal must conform to the following:

- 1) Six copies of the proposal will be required.
- 2) All data must be on a 8½"x11" sheets, soft-bound.

Mandatory Proposal contents in sequence:

- a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture this information must be provided for individuals or firms comprising the joint venture.
- b) Names of the persons who would be directly responsible for the major elements of the work, including, associates, together with a brief description of their qualifications. Identify participating roles that such persons played in projects which are relevant to the project at hand.
- c) A commitment to enter the work promptly, if selected, by engaging the associates, and assigning the persons named in paragraph 4b above, along with adequate staff to meet the requirements of work.

Statutory Proposal Requirements:

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of **\$50,000.00**, all responding parties having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal can be accepted.

The proposal will not be accepted unless it includes one of the following:

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
- b) A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights; or
- c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or
- d) A statement certifying that the firm has an application pending for a certificate of compliance.

Project—

Elevator Survey
Capitol Area
Facilities Management Bureau
Department of Administration
St. Paul, Minnesota

The Facilities Management Bureau of the Department of Administration, in order to successfully plan for updating and renovating its vertical elevator transportation equipment in the Capitol Area of St. Paul, MN recommends the following survey be conducted of its facilities. The fee for the study is estimated to be \$50,000.00.

The study will include surveying elevator equipment in 13 separate Capitol area buildings comprising 46 elevators. Also, the study should catalog all existing conditions and highlight all deficiencies to building, elevator and accessibility codes.

As a minimum, the following subjects should be addressed in the study:

- A. Equipment (for each individual elevator)
 - 1. Manufacturer
 - 2. Year installed
 - 3. Current warranty
 - 4. Single elevator or multiple elevators
- B. Operations
 - 1. Capacity
 - 2. Speed
 - 3. Overall travel distance
 - 4. Landings served
 - 5. Machinery type
 - 6. Control system
 - 7. Power supply, motor or pump capacities
 - 8. Special auxiliary equipment
 - 9. Signal equipment
- C. Car Characteristics
 - 1. Interior car dimensions
 - 2. Exterior car dimensions
 - 3. Clear inside dimensions
 - 4. Brief description of interior materials
 - 5. Light source and lumens
 - 6. Emergency telephone equipment
 - 7. Housekeeping power source
 - 8. Provisions for blanket protection
 - 9. Removal ceiling panels
 - 10. Door sizes and operations
- D. Hoistway Characteristics
 - 1. Depth of elevator pit
 - 2. Pit physically separated from adjoining elevator
 - 3. Pit includes drain, sump and/or ladder
 - 4. Hoistway clear dimensions, widths, height and condition
 - 5. Hoistway divided from adjoining elevators
 - 6. Condition of cables, hoisting and/or hydraulic equipment
 - 7. Penthouse dimensions
 - 8. Penthouse ventilation
- E. Equipment Operations
 - 1. Computerized analysis of all motors and/or pumps
 - 2. Computerized analysis of elevator's operation, total distance, both ways

Professional, Technical & Consulting Contracts

F. Accessible Standards

1. Record all existing accessibility standards within the cab including physical impairment, visual impairment and hearing impaired.
2. Record delay action on doorways, voice actuation and braille.
3. Compliance with all existing state and federal A.D.A. standards.

Following review of all the data set forth from this study, the Facilities Management Bureau will establish a course of action with the Department of Administration and request future legislative funding. Upon receipt of those allocated funds the Department of Administration will continue into the development stages. Demonstrative experience in preparing studies of this technical nature are required.

G. Elevator Locations

The following are the buildings and number of elevators per building included in the R.F.P. for reference.

1. Capitol Building (SCB), 6 elevators
2. Centennial Building (COB), 5 elevators
3. Administration Building (SAB), 2 elevators
4. State Office Building (SOB), 5 elevators
5. State Transportation Building (STB), 6 elevators
6. Veterans Service Building (VSB), 3 elevators
7. Central Power Plant (CPP), 1 elevator
8. Capitol Square Building (CSB), 5 elevators
9. State Ford Building (SFB), 2 elevators + 1 car elevator
10. Bureau Criminal Apprehension (BCA), 2 elevators
11. Minnesota Ceremonial Residence (MCR), 1 elevator
12. Department of Health Building (DHB), 3 elevators
13. Judicial Building (JB), 5 elevators*

H. Totals

That gives a present count of 46 elevators and a 1 car elevator.

*The old Historical Building is presently being renovated to become the main entry to the Judicial Building and when that renovation occurs the Judicial Building will lose one elevator and gain 3 elevators for a total net of 7 elevators.

Questions may be referred to A. Thomas Ulness, A.I.A. at (612) 296-4646.

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.

Metropolitan Council

Request for Proposals (RFP) for a Waste Generation Forecast to the Year 2015

Notice is hereby given that the Metropolitan Council under its Metropolitan Landfill Abatement Account, FY93 Request for Proposals Grant Program, is requesting proposals from businesses or post-secondary educational institutions to prepare a waste generation forecast to the year 2015, with analysis of composition type, management alternatives and implementation strategies.

The generation forecast must include an analysis of data from the previous waste generation studies conducted by the Council and

other pertinent generation and market studies by the Minnesota Pollution Control Agency, Office of Waste Management, Solid Waste Management Coordinating Board and metropolitan counties. The report must use the Council's regional forecasts from the *Metropolitan Development and Investment Framework* and must include: a) a review of previous waste generation projections; b) waste generation forecasts for each metropolitan county by waste composition type each year until 2000 and for 2005, 2010 and 2015; c) a mechanism by which the waste generation forecasts can be monitored, evaluated and updated; d) analysis of the waste management system and costs; e) discussion of alternative waste management techniques or programs that will improve the efficiency and effectiveness of the waste management system; f) a mechanism by which alternative waste management techniques can be monitored and evaluated; and g) a recommendation for an optimal regional waste management system with a transition plan to move to the alternative system. The estimated grant request amount is \$150,000. Beginning date of the project will be May 3, 1993, and the activities will end on May 2, 1994.

One original and eight copies of the proposal should be submitted to the Metropolitan Council, Waste Generation Forecast to 2015, Mears Park Centre, 230 E. Fifth St., St. Paul, MN 55101, attention: Victoria Reinhardt, no later than 4 p.m., Tuesday, March 23, 1993.

Copies of the RFP may be requested from Vivian Ramirez at (612) 291-6468, the Council's Data Center at (612) 291-8140 or 291-0904 (TDD). Questions on the RFP should be directed to Vic Ward at (612) 291-6460, Victoria Reinhardt at (612) 291-6536 or 291-0904 (TDD).

Request for Proposals (RFP) for a Comparative Economic Analysis of Regional Municipal Solid Waste (MSW) and Recyclables Collection Strategies

Notice is hereby given that the Metropolitan Council, under its Metropolitan Landfill Abatement Account, FY93 Request for Proposals Grant Program, is requesting proposals from businesses or post-secondary educational institutions to prepare a comparative economic analysis of MSW and recyclables collection strategies.

The comparative economic analysis must be segmented in the following areas: commercial/institutional, industrial and residential. The analysis must include the following for current and future regional MSW and recyclables collection strategies: a) environmental impacts; b) efficiency and effectiveness; c) current and future cost components; and d) alternatives and implementation strategies. The analysis must also include a survey of national trends and programs and include a model program applicable to future changes in waste generation and recyclables volumes. The estimated request amount is \$50,000. Beginning date of the project will be May 3, 1993, and the activities will end on January 13, 1994.

One original and eight copies of the proposal should be submitted to the Metropolitan Council, Comparative Analysis of Regional MSW and Recyclables Collection Strategies, Mears Park Centre, 230 E. Fifth St., St. Paul, MN 55101, attention: Victoria Reinhardt, no later than 4 p.m., Tuesday, March 23, 1993.

Copies of the RFP may be requested from Vivian Ramirez at (612) 291-6468, the Council's Data Center at (612) 291-8104 or 291-0904 (TDD). Questions on the RFP should be directed to Paul Smith at (612) 291-6408, Victoria Reinhardt at (612) 291-6536 or 291-0904 (TDD).

Metropolitan Waste Control Commission

Public Notice for Letters of Interest (LOI), Request for Qualifications (RFQ), and Statement of Qualifications (SOQ) for Professional Services

The Metropolitan Waste Control Commission is soliciting Letters of Interest for professional services for Phosphorous Removal Facilities and RBS Replacement Facilities (Anaerobic Digesters or Centrifuges) projects at the MWWTP. The Work will consist of Step II Design Services and Step III Construction Support Services, and include:

1. Assisting the Commission with regulatory issues.
2. Preparing reports/memorandums and Bidding Documents.
3. Assisting with facility start-up, O&M manuals, and operator training.
4. Assisting with public relations, public participation, and labor relations.
5. Coordinating the project with concurrent projects for the MWWTP.

Firms interested in being considered for this work are to submit a LOI requesting the RFQ submittal package for the Phosphorous Removal Facilities and RBS Replacement Facilities projects. LOI's are to be received no later than Friday, March 12, 1993. RFQ submittal packages will be issued promptly upon receipt of LOI's. SOQ's are due by 12 Noon on Wednesday, March 24, 1993. LOI's are to be directed to:

Non-State Public Bids and Contracts

Metropolitan Waste Control Commission
Mears Park Centre
230 East 5th Street
St. Paul, MN 55101
Attn: Manager, Contracts & Documents Division

Dated: 22 February 1993

By Order of the
Metropolitan Waste Control Commission
Gordon O. Voss, Chief Administrator

Metropolitan Waste Control Commission

Public Notice for Letters of Interest (LOI), Request for Qualifications (RFQ), and Statement of Qualifications (SOQ) for Professional Services

The Metropolitan Waste Control Commission is soliciting Letters of Interest for professional services for coordinating the planning, design, construction and implementation of future projects at the MWWTP. These projects will include but are not necessarily limited to the following: Fine Bubble Retrofit, Meter Improvements, Phosphorous Removal, RBS Replacement, EIS for Floodwall Dike, New Laboratory Services Building, and Process Computer System Improvements.

Firms interested in being considered for this work are to submit a LOI requesting the RFQ submittal package for Coordination of Future MWWTP Projects. LOI's are to be received no later than Friday, March 12, 1993. RFQ submittal packages will be issued promptly upon receipt of LOI's. SOQ's are due by 12 Noon on Wednesday, March 24, 1993. LOI's are to be directed to:

Metropolitan Waste Control Commission
Mears Park Centre
230 East 5th Street
St. Paul, MN 55101
Attn: Manager, Contracts & Documents Division

Dated: 22 February 1993

By Order of the
Metropolitan Waste Control Commission
Gordon O. Voss, Chief Administrator

Minnesota Historical Society

Notice of Request for Proposals for Museum Gift Shop Design

The Minnesota Historical Society is seeking proposals from qualified firms and individuals to provide design services for a gift shop of approximately 2,000 square feet to be located in the Trading Post at the Mille Lacs Indian Museum Historic Site.

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.

Proposals must be received no later than March 15, 1993.

Details concerning submission requirements 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.

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

Materials Management Division: Commodities and Requisitions Awarded

Item: Paint, Alkyd, White, Traffic Marking
Req.#: 79500-83506-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$55,671.66
Awarded date: February 16, 1993
Expir/deliv date: April 23, 1993
Shipped to: Minnesota Department of Transportation

Item: Paint, Polyolefin, White, Traffic Marking
Req.#: 79700-03924-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$1,603.50
Awarded date: February 16, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of Transportation

Item: Paint, Polyolefin, White, Traffic Marking
Req.#: 79150-00340-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$1,711.66
Awarded date: February 16, 1993
Expir/deliv date: April 23, 1993
Shipped to: Minnesota Department of Transportation

Item: Paint, Alkyd, White, Traffic Marking
Req.#: 79600-13069-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$94,422.90
Awarded date: February 16, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of Transportation

Item: Salt, Water Conditioning (Softening)
Req.#: 79750-01263-01
Awarded to: HyVee Food Stores, Windom, MN
Awarded amount: \$2,320.00
Awarded date: February 16, 1993
Expir/deliv date: March 2, 1993
Shipped to: Minnesota Department of Transportation

Item: Paint, Alkyd, White, Traffic Marking
Req.#: 79150-00341-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$51,402.34
Awarded date: February 16, 1993
Expir/deliv date: April 23, 1993
Shipped to: Minnesota Department of Transportation

Item: Paint, Alkyd, White, Traffic Marking
Req.#: 79650-00652-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$42,856.88
Awarded date: February 16, 1993
Expir/deliv date: April 23, 1993
Shipped to: Minnesota Department of Transportation

Item: Paint, Alkyd, White, Traffic Marking
Req.#: 79750-01261-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$70,638.15
Awarded date: February 16, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of Transportation

Item: Paint, Polyolefin, Yellow, Traffic Marking
Req.#: 79200-04659-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$267.70
Awarded date: February 16, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of Transportation

Item: Paint, Alkyd, White, Traffic Marking
Req.#: 79700-03923-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$68,275.02
Awarded date: February 16, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of Transportation

Item: Paint, Polyolefin, White, Traffic Marking
Req.#: 79900-73505-02
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$19,781.03
Awarded date: February 16, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of Transportation

Item: Paint, Alkyd, White, Traffic Marking
Req.#: 79200-04662-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$64,858.20
Awarded date: February 16, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of Transportation

Awards of State Contracts and Advertised Bids

Item: Paint, Polyolefin, White, Traffic Marking
Req. #: 79200-04663-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$2,004.73
Awarded date: February 16, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of Transportation

Item: Paint, Polyolefin, White, Traffic Marking
Req. #: 79300-09343-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$1,871.65
Awarded date: February 16, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of Transportation

Item: Paint, Alkyd, White, Traffic Marking
Req. #: 79300-09344-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$60,450.78
Awarded date: February 16, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of Transportation

Item: Paint, Alkyd, White, Traffic Marking
Req. #: 79350-01252-01
Awarded to: Centerline Industries, Ennis, TX
Awarded amount: \$41,809.69
Awarded date: February 16, 1993
Expir/deliv date: April 23, 1993
Shipped to: Minnesota Department of Transportation

Item: Copy Machine, High Speed; Over 50 CPM
Req. #: 26071-38614-01
Awarded to: Chamber of Commerce, Albert Lea, MN
Awarded amount: \$6,400.00
Awarded date: February 16, 1993
Expir/deliv date: February 16, 1993
Shipped to: Mankato State University

Item: Printing Equipment, Miscellaneous
Req. #: 26072-04077-01
Awarded to: Instant Graphics, Inc., Fargo, ND
Awarded amount: \$1,500.34
Awarded date: February 16, 1993
Expir/deliv date: March 1, 1993
Shipped to: Moorhead State University

Item: Truck, Light; to 11,000 GVM
Req. #: 26072-04095-01
Awarded to: Corwin Buick, Toyota, Fargo, ND
Awarded amount: \$4,500.00
Awarded date: February 16, 1993
Expir/deliv date: February 19, 1993
Shipped to: Moorhead State University

Item: Service, Photography
Req. #: 26074-14850-01
Awarded to: Winona Daily News, Winona, MN
Awarded amount: \$1,000.00
Awarded date: February 16, 1993
Expir/deliv date: March 10, 1993
Shipped to: Winona State University

Item: Contractor, General Remodeling
Req. #: 27183-53858-01
Awarded to: Facilities Group, Edina, MN
Awarded amount: \$4,900.00
Awarded date: February 16, 1993
Expir/deliv date: February 16, 1993
Shipped to: Community College Board Office

Item: Scanner/optical Reader, Computer
Req. #: 27148-61104-01
Awarded to: Christensen Mark & Associates, St. Cloud, MN
Awarded amount: \$5,545.00
Awarded date: February 16, 1993
Expir/deliv date: February 17, 1993
Shipped to: Rochester Community College

Item: Meat
Req. #: 78620-00492-02
Awarded to: Harkers, Inc., Lemars, IA
Awarded amount: \$5,248.00
Awarded date: February 16, 1993
Expir/deliv date: March 15, 1993
Shipped to: Minnesota Correctional Facility

Item: Meat
Req. #: 78620-00492-01
Awarded to: Professional Food Systems, South St. Paul, MN
Awarded amount: \$12,479.03
Awarded date: February 16, 1993
Expir/deliv date: March 15, 1993
Shipped to: Minnesota Correctional Facility

Item: Van, (Contract)
Req. #: 02514-30190-01
Awarded to: Thane Hawkins Polar Chevrolet, White Bear Lake, MN
Awarded amount: \$19,475.00
Awarded date: February 16, 1993
Expir/deliv date: May 30, 1993
Shipped to: Central Motor Pool

Item: Van, (Contract)
Req. #: 02514-30142-01
Awarded to: Coon Rapids Chrysler, Coon Rapids, MN
Awarded amount: \$29,454.00
Awarded date: February 16, 1993
Expir/deliv date: May 30, 1993
Shipped to: Central Motor Pool

Item: Van, (Contract)
Req. #: 02514-30141-01
Awarded to: Becker Ron, Hastings, MN
Awarded amount: \$24,480.00
Awarded date: February 16, 1993
Expir/deliv date: May 30, 1993
Shipped to: Central Motor Pool

Item: Van, (Contract)
Req. #: 02514-30191-01
Awarded to: Becker Ron, Hastings, MN
Awarded amount: \$13,983.00
Awarded date: February 16, 1993
Expir/deliv date: May 30, 1993
Shipped to: Central Motor Pool

Item: Aircraft, Repair/Maintenance Equipment
Req. #: 07500-42159-01
Awarded to: South State Avionics, Mankato, MN
Awarded amount: \$9,670.00
Awarded date: February 16, 1993
Expir/deliv date: March 1, 1993
Shipped to: Department of Public Safety/State

Awards of State Contracts and Advertised Bids

Item: Transformer, Small, Electronic
Req.#: 21200-53748-01
Awarded to: Jensen Transformers, North Hollywood, CA
Awarded amount: \$1,601.57
Awarded date: February 16, 1993
Expir/deliv date: March 12, 1993
Shipped to: Minnesota Department of Jobs and Training

Item: Video Equipment, Parts and Accessories
Req.#: 26071-26377-01
Awarded to: Alpha Video & Audio, Bloomington, MN
Awarded amount: \$27,576.00
Awarded date: February 16, 1993
Expir/deliv date: February 28, 1993
Shipped to: Mankato State University

Item: Contractor, Plumbing
Req.#: 26071-91056-01
Awarded to: Weber Plumbing & Heating, North Mankato, MN
Awarded amount: \$2,800.00
Awarded date: February 16, 1993
Expir/deliv date: March 5, 1993
Shipped to: Mankato State University

Item: Lift, Hydraulic, Vehicle, Repair/Maintenance
Req.#: 79000-33155-01
Awarded to: Myers Tire Supply, St. Paul, MN
Awarded amount: \$4,887.00
Awarded date: February 18, 1993
Expir/deliv date: March 22, 1993
Shipped to: Minnesota Department of Transportation

Item: Analyzing Equipment, Auto Repair/Maintenance
Req.#: 79000-33151-01
Awarded to: Snap on Tools, New Hope, MN
Awarded amount: \$1,499.25
Awarded date: February 18, 1993
Expir/deliv date: March 22, 1993
Shipped to: Minnesota Department of Transportation

Item: Auto, (Contract)
Req.#: 79382-02589-01
Awarded to: Superior Ford, Minneapolis, MN
Awarded amount: \$12,725.00
Awarded date: February 18, 1993

Expir/deliv date: May 5, 1993
Shipped to: Minnesota Department of Transportation

Item: Radio, 2-Way, Mobile Equipment (Under \$500)
Req.#: 79000-33093-01
Awarded to: Pulsar Distributing, Inc., St. Paul, MN
Awarded amount: \$2,835.00
Awarded date: February 18, 1993
Expir/deliv date: February 26, 1993
Shipped to: Minnesota Department of Transportation

Item: Tank, Storage, Portable
Req.#: 79800-04138-01
Awarded to: Linear Dynamics, Inc., Omaha, NE
Awarded amount: \$8,593.00
Awarded date: February 18, 1993
Expir/deliv date: April 12, 1993
Shipped to: Minnesota Department of Transportation

Item: Storage Units, Mobile, Parts
Req.#: 80300-93224-01
Awarded to: Truck Utilities & Manufacturing, St. Paul, MN
Awarded amount: \$6,358.80
Awarded date: February 18, 1993
Expir/deliv date: April 15, 1993
Shipped to: Weights & Measures Division

Item: Fire Fighting Equipment, Forest
Req.#: 29000-60183-01
Awarded to: Wajax Pacific Fire Equipment, Seattle, WA
Awarded amount: \$1,180.00
Awarded date: February 18, 1993
Expir/deliv date: March 15, 1993
Shipped to: Department of Natural Resources Regional Headquarters

Item: Pump, Powered and Hand
Req.#: 29000-60184-01
Awarded to: Wajax Pacific Fire Equipment, Seattle, WA
Awarded amount: \$3,200.00
Awarded date: February 18, 1993
Expir/deliv date: March 15, 1993
Shipped to: Department of Natural Resources Regional Headquarters

Item: Clothing, Rainwear
Req.#: 29006-31022-01

Awarded to: Machovecs the Boat Store, St. Paul, MN
Awarded amount: \$916.30
Awarded date: February 18, 1993
Expir/deliv date: March 12, 1993
Shipped to: Department of Natural Resources—Southern Service Center

Item: Bag/Sack, Plastic
Req.#: 29003-04433-01
Awarded to: Carlisle Plastics, Inc., Fairmont, MN
Awarded amount: \$5,555.60
Awarded date: February 18, 1993
Expir/deliv date: March 31, 1993
Shipped to: Various Locations

Item: Plumbing Supplies, Miscellaneous
Req.#: 55106-03165-01
Awarded to: My Tana Manufacturing Company, St. Paul, MN
Awarded amount: \$1,385.09
Awarded date: February 18, 1993
Expir/deliv date: March 5, 1993
Shipped to: Willmar Regional Treatment Center

Item: Toilet
Req.#: 78620-00491-01
Awarded to: Goodin, Company, St. Paul, MN
Awarded amount: \$2,560.00
Awarded date: February 18, 1993
Expir/deliv date: March 31, 1993
Shipped to: Minnesota Correctional Facility

Item: Pool and Billiard Equipment
Req.#: 78790-30762-01
Awarded to: Peters K E Billiards, Minneapolis, MN
Awarded amount: \$5,520.00
Awarded date: February 18, 1993
Expir/deliv date: April 5, 1993
Shipped to: Minnesota Correctional Facility—Faribault

Item: Fan, Industrial
Req.#: 78790-30761-01
Awarded to: Grainger W W, Inc., St. Paul, MN
Awarded amount: \$1,439.40
Awarded date: February 18, 1993
Expir/deliv date: April 5, 1993
Shipped to: Minnesota Correctional Facility—Faribault

Awards of State Contracts and Advertised Bids

Item: Auto, New
Req.#: 07300-41852-01
Awarded to: US Federal Credit Union,
Bloomington, MN
Awarded amount: \$9,182.25
Awarded date: February 18, 1993
Expir/deliv date: March 1, 1993
Shipped to: Department of Public Safety

Item: Ammunition
Req.#: 07300-41787-01
Awarded to: Pony Express Reloaders,
St. Paul, MN
Awarded amount: \$7,924.50
Awarded date: February 18, 1993
Expir/deliv date: March 15, 1993
Shipped to: Department of Public Safety

Item: Service, Freight: Total for all Line
Items
Req.#: 21200-53058-02
Awarded to: Anixter, Minn, Plymouth,
MN
Awarded amount: \$50.00
Awarded date: February 18, 1993
Expir/deliv date: February 18, 1993
Shipped to: Minnesota Department of
Jobs and Training

Item: Van, Modification, Handicap
Req.#: 21605-01821-01
Awarded to: Handicapped Driving,
Bloomington, MN
Awarded amount: \$1,260.00
Awarded date: February 18, 1993
Expir/deliv date: February 25, 1993
Shipped to: Various Locations

Item: Laboratory/Science Equipment,
Miscellaneous
Req.#: 26071-74102-01
Awarded to: Med Graphics Corporation,
St. Paul, MN
Awarded amount: \$20,975.00
Awarded date: February 18, 1993
Expir/deliv date: March 20, 1993
Shipped to: Mankato State University

Item: Training Aids and Supplies,
Medical
Req.#: 26072-04088-01
Awarded to: Fisher Scientific Company,
Chicago, IL
Awarded amount: \$4,427.00
Awarded date: February 18, 1993
Expir/deliv date: March 31, 1993
Shipped to: Moorhead State University

Item: Telecommunication Equipment,
Miscellaneous
Req.#: 26073-24461-01
Awarded to: S & T Office Products, St.
Cloud, MN
Awarded amount: \$1,349.16
Awarded date: February 18, 1993
Expir/deliv date: March 8, 1993
Shipped to: St. Cloud State University

Item: Camera, Video Tape
Req.#: 27146-93518-01
Awarded to: Audio Visual Wholesalers,
Plymouth, MN
Awarded amount: \$3,029.50
Awarded date: February 18, 1993
Expir/deliv date: February 28, 1993
Shipped to: Worthington Community
College

Item: Laboratory/Science Equipment,
Miscellaneous
Req.#: 07300-41637-01
Awarded to: Spectra Physics Lasers,
Cranbury, NJ
Awarded amount: \$77,900.00
Awarded date: February 17, 1993
Expir/deliv date: April 15, 1993
Shipped to: Department of Public Safety

Item: Computer, Personal
Req.#: 10000-05026-01
Awarded to: Unique Software,
Corporation, Eagan, MN
Awarded amount: \$36,619.00
Awarded date: February 17, 1993
Expir/deliv date: March 1, 1993
Shipped to: Department of Finance

Item: Software, Personal Computer
Req.#: 26071-67108-01
Awarded to: 800 Software, Richmond,
CA
Awarded amount: \$2,094.00
Awarded date: February 17, 1993
Expir/deliv date: February 26, 1993
Shipped to: Mankato State University

Item: Software, Personal Computer
Req.#: 26074-14856-01
Awarded to: Intercomputer, Cincinnati,
OH
Awarded amount: \$4,702.50
Awarded date: February 17, 1993
Expir/deliv date: February 19, 1993
Shipped to: Winona State University

Item: Facsimile Machine, Plain Paper
Req.#: 55000-32324-01
Awarded to: Dex Business Systems,
Lakeville, MN
Awarded amount: \$5,840.70
Awarded date: February 17, 1993
Expir/deliv date: February 17, 1993
Shipped to: Various Locations

Item: Computer Equipment,
Miscellaneous
Req.#: 67420-53517-01
Awarded to: On Sync, Minneapolis,
MN
Awarded amount: \$7,190.00
Awarded date: February 17, 1993
Expir/deliv date: March 1, 1993
Shipped to: Department of Revenue,
Support

Item: Spreader Attachment, Sand, Truck
Req.#: 79382-02569-01
Awarded to: Bearcat Manufacturing,
Wickenburg, AZ
Awarded amount: \$25,685.00
Awarded date: February 17, 1993
Expir/deliv date: May 22, 1993
Shipped to: Minnesota Department of
Transportation

Item: Construction Material,
Miscellaneous
Req.#: 79200-04670-01
Awarded to: Wheeler Hardware
Company, St. Paul, MN
Awarded amount: \$16,689.50
Awarded date: February 17, 1993
Expir/deliv date: February 28, 1993
Shipped to: Minnesota Department of
Transportation

Item: Construction Material,
Miscellaneous
Req.#: 79200-04670-02
Awarded to: JGC Equipment Company,
Blaine, MN
Awarded amount: \$1,724.36
Awarded date: February 17, 1993
Expir/deliv date: February 28, 1993
Shipped to: Minnesota Department of
Transportation

Awards of State Contracts and Advertised Bids

Item: Software, Personal Computer
Req.#: 79800-04135-01
Awarded to: CAD CAM Engineering,
 Eagan, MN
Awarded amount: \$2,864.00
Awarded date: February 17, 1993
Expir/deliv date: February 22, 1993
Shipped to: Minnesota Department of
 Transportation

Item: Air Conditioning Equipment,
 Commercial
Req.#: 02310-36368-01
Awarded to: Carrier Air Conditioning,
 Bloomington, MN
Awarded amount: \$177,760.00
Awarded date: February 22, 1993
Expir/deliv date: May 28, 1993
Shipped to: North Hennepin Community
 College

Item: Computer Equipment,
 Miscellaneous
Req.#: 02410-32424-01
Awarded to: Storage Tech Corporation,
 Minneapolis, MN
Awarded amount: \$882,380.00
Awarded date: February 22, 1993
Expir/deliv date: April 15, 1993
Shipped to: Intertechnologies Group

Item: Service, Printing Equipment,
 Repair/Maintenance
Req.#: 02520-30049-01
Awarded to: Heidelberg Eastern, Inc.,
 Plymouth, MN
Awarded amount: \$4,200.00
Awarded date: February 22, 1993
Expir/deliv date: March 1, 1993
Shipped to: Minnesota Department of
 Administration

Item: Service, Printing Equipment,
 Repair/Maintenance
Req.#: 02520-30050-01
Awarded to: Dales Offset Service,
 Minneapolis, MN
Awarded amount: \$1,700.00
Awarded date: February 22, 1993
Expir/deliv date: March 1, 1993
Shipped to: Minnesota Department of
 Administration

Item: Service, Printing Equipment,
 Repair/Maintenance
Req.#: 02520-30051-01

Awarded to: Didde Graphic Systems,
 Emporia, KS
Awarded amount: \$1,000.00
Awarded date: February 22, 1993
Expir/deliv date: March 1, 1993
Shipped to: Minnesota Department of
 Administration

Item: Auto, Used
Req.#: 21604-95390-01
Awarded to: 99 Minnesota State
 Administration Department, St. Paul,
 MN
Awarded amount: \$1,800.00
Awarded date: February 22, 1993
Expir/deliv date: March 31, 1993
Shipped to: Various Locations

Item: Furniture, Office, Miscellaneous
Req.#: 21200-53875-01
Awarded to: CNK, Inc., Mendota
 Heights, MN
Awarded amount: \$1,497.00
Awarded date: February 22, 1993
Expir/deliv date: March 29, 1993
Shipped to: Minnesota Department of
 Jobs and Training

Item: Computer Network Supplies
Req.#: 26072-04107-01
Awarded to: Financial Proformas,
 Littleton, CO
Awarded amount: \$14,415.00
Awarded date: February 22, 1993
Expir/deliv date: March 15, 1993
Shipped to: Moorhead State University

Item: Video Equipment, Parts and
 Accessories
Req.#: 26072-04063-01
Awarded to: Alpha Video & Audio,
 Bloomington, MN
Awarded amount: \$19,574.00
Awarded date: February 22, 1993
Expir/deliv date: March 15, 1993
Shipped to: Moorhead State University

Item: Stereo Equipment
Req.#: 26073-24429-01
Awarded to: Electrical Tech. Group,
 Inc., St. Paul, MN
Awarded amount: \$4,837.00
Awarded date: February 22, 1993
Expir/deliv date: March 15, 1993
Shipped to: St. Cloud State University

Item: Stereo Equipment
Req.#: 26073-24429-02
Awarded to: Audio King, St. Cloud,
 MN
Awarded amount: \$719.96
Awarded date: February 22, 1993
Expir/deliv date: March 15, 1993
Shipped to: St. Cloud State University

Item: Copy Machine Supplies
Req.#: 26175-03310-01
Awarded to: CNJ Office Equipment,
 Truman, MN
Awarded amount: \$3,065.00
Awarded date: February 22, 1993
Expir/deliv date: February 26, 1993
Shipped to: Southwest State University

Item: Copy Machine Supplies
Req.#: 26175-03311-01
Awarded to: CNJ Office Equipment,
 Truman, MN
Awarded amount: \$1,816.00
Awarded date: February 22, 1993
Expir/deliv date: February 26, 1993
Shipped to: Southwest State University

Item: Microscope
Req.#: 27157-49017-01
Awarded to: Leeds Precision
 Instruments, Minneapolis, MN
Awarded amount: \$7,576.00
Awarded date: February 22, 1993
Expir/deliv date: March 1, 1993
Shipped to: Inver Hills Community
 College

Item: Spectrophotometer
Req.#: 27154-47562-01
Awarded to: Hewlett Packard Company,
 St. Paul, MN
Awarded amount: \$7,864.50
Awarded date: February 22, 1993
Expir/deliv date:
Shipped to: Lakewood Community
 College

Item: Laboratory/Science Equipment,
 Miscellaneous
Req.#: 27148-61107-01
Awarded to: Wards Natural Science,
 Rochester, NY
Awarded amount: \$749.50
Awarded date: February 22, 1993
Expir/deliv date: March 15, 1993
Shipped to: Rochester Community
 College

Awards of State Contracts and Advertised Bids

Item: Truck, Light; to 11,000 GVW
Req.#: 29000-59979-01

Awarded to: Thane Hawkins Polar Chevrolet, White Bear Lake, MN
Awarded amount: \$17,867.00
Awarded date: February 22, 1993
Expir/deliv date: June 25, 1993
Shipped to: Department of Natural Resources—Southern Service Center

Item: Software, Personal Computer
Req.#: 32200-34842-01
Awarded to: SAS Inst, Inc., Cary, NC
Awarded amount: \$695.00
Awarded date: February 22, 1993
Expir/deliv date: March 10, 1993
Shipped to: Minnesota Pollution Control Agency

Item: Audio/Video Equipment, Miscellaneous
Req.#: 32400-34827-01
Awarded to: Alpha Video & Audio, Bloomington, MN
Awarded amount: \$1,567.00
Awarded date: February 22, 1993
Expir/deliv date: March 15, 1993
Shipped to: Minnesota Pollution Control Agency

Item: Computer, Personal
Req.#: 55105-09287-01
Awarded to: PC Image, Mankato, MN
Awarded amount: \$2,570.00
Awarded date: February 22, 1993
Expir/deliv date: March 11, 1993
Shipped to: St. Peter Regional Treatment Center

Item: Printer, Computer
Req.#: 55105-09288-01
Awarded to: PC Image, Mankato, MN
Awarded amount: \$370.00
Awarded date: February 22, 1993
Expir/deliv date: March 11, 1993
Shipped to: St. Peter Regional Treatment Center

Item: Partition, Toilet
Req.#: 55106-03163-01
Awarded to: Goodin Company, St. Paul, MN
Awarded amount: \$22,561.25
Awarded date: February 22, 1993
Expir/deliv date: March 31, 1993
Shipped to: Willmar Regional Treatment Center

Item: Ice Making Machine
Req.#: 78790-30758-01
Awarded to: Ice Services, Inc., Burnsville, MN
Awarded amount: \$2,210.00
Awarded date: February 22, 1993
Expir/deliv date: April 5, 1993
Shipped to: Minnesota Correctional Facility—Faribault

Item: Audio/Video Equipment, Miscellaneous
Req.#: 78890-43021-01
Awarded to: Jayen, Inc., Duluth, MN
Awarded amount: \$3,545.00
Awarded date: February 22, 1993
Expir/deliv date: March 15, 1993
Shipped to: Minnesota Correctional Facility—Willow River/Moose Lake

Item: Auto Repair/Maintenance Equipment, Specialized
Req.#: 79000-33161-01
Awarded to: P.J. Distributing Company, Mound, MN
Awarded amount: \$1,809.33
Awarded date: February 22, 1993
Expir/deliv date: March 27, 1993
Shipped to: Minnesota Department of Transportation

Item: Snowplow Attachment, Truck
Req.#: 79382-02561-01
Awarded to: Tellefsdal A. S., Fiane, MN
Awarded amount: \$28,800.00
Awarded date: February 22, 1993
Expir/deliv date: March 30, 1993
Shipped to: Minnesota Department of Transportation

Item: Computer, Personal
Req.#: 02310-36396-02
Awarded to: Ameridata Systems, Inc., St. Paul, MN
Awarded amount: \$1,299.00
Awarded date: February 19, 1993
Expir/deliv date: February 28, 1993
Shipped to: Rochester Community College

Item: Computer, Personal
Req.#: 02310-36396-01
Awarded to: IBM Corp., Minneapolis, MN

Awarded amount: \$401.00
Awarded date: February 19, 1993
Expir/deliv date: February 28, 1993
Shipped to: Rochester Community College

Item: Computer, Personal
Req.#: 02310-36396-03
Awarded to: Apple Computers, Inc., Bloomington, MN
Awarded amount: \$3,146.30
Awarded date: February 19, 1993
Expir/deliv date: February 28, 1993
Shipped to: Rochester Community College

Item: Cabinet, Storage, Photographic Slides
Req.#: 02305-35942-01
Awarded to: Mid-America Business Systems, Minneapolis, MN
Awarded amount: \$1,259.00
Awarded date: February 19, 1993
Expir/deliv date: April 1, 1993
Shipped to: Building Construction Division

Item: Drier (Not Laundry)
Req.#: 26072-04082-01
Awarded to: Balston, Inc., Minneapolis, MN
Awarded amount: \$2,520.00
Awarded date: February 19, 1993
Expir/deliv date: February 26, 1993
Shipped to: Moorhead State University

Item: Training Aids and Supplies, Medical
Req.#: 26073-24448-01
Awarded to: Tektronix, Inc., Beaverton, OR
Awarded amount: \$1,232.50
Awarded date: February 19, 1993
Expir/deliv date: March 1, 1993
Shipped to: St. Cloud State University

Item: Laboratory/Science Supplies
Req.#: 26073-24445-01
Awarded to: Rainin Instrument, Inc., Woburn, MA
Awarded amount: \$1,327.00
Awarded date: February 19, 1993
Expir/deliv date: March 1, 1993
Shipped to: St. Cloud State University

Awards of State Contracts and Advertised Bids

Item: Laboratory/Science Supplies
Req.#: 26073-24465-01
Awarded to: Mid Co Television Systems,
 Plymouth, MN

Awarded amount: \$739.00
Awarded date: February 19, 1993
Expir/deliv date: March 8, 1993
Shipped to: St. Cloud State University

Item: Chemicals, Laboratory
Req.#: 26073-24484-01
Awarded to: Fisher Scientific Company,
 Itasca, IL

Awarded amount: \$423.20
Awarded date: February 19, 1993
Expir/deliv date: March 16, 1993
Shipped to: St. Cloud State University

Item: Copy Machine, Medium Speed; 15
 to 50 CPM

Req.#: 26073-24365-01
Awarded to: Minnesota Copy Systems,
 Inc., St. Cloud, MN
Awarded amount: \$3,150.00
Awarded date: February 19, 1993
Expir/deliv date: March 1, 1993
Shipped to: St. Cloud State University

Item: Grinding Machine, Metal Work
Req.#: 26074-14854-01

Awarded to: A Line Machine Tool
 Company, LaCrosse, WI
Awarded amount: \$7,001.00
Awarded date: February 19, 1993
Expir/deliv date: March 15, 1993
Shipped to: Winona State University

Item: Gas, Laboratory
Req.#: 32200-34837-01

Awarded to: Oxygen Service Company,
 St. Paul, MN
Awarded amount: \$728.60
Awarded date: February 19, 1993
Expir/deliv date: April 3, 1993
Shipped to: Minnesota Pollution Control
 Agency

Item: Safety Equipment, Miscellaneous
Req.#: 32100-34870-01

Awarded to: VWR Scientific, Chicago,
 IL
Awarded amount: \$345.96
Awarded date: February 19, 1993
Expir/deliv date: March 17, 1993
Shipped to: Minnesota Pollution Control
 Agency

Item: Calculator
Req.#: 37106-13018-01

Awarded to: Don's Television & Radio,
 St. Paul, MN

Awarded amount: \$7,245.00
Awarded date: February 19, 1993
Expir/deliv date: March 9, 1993
Shipped to: Minnesota Department of
 Education, Receiving

Item: Copy Machine, High Speed, Over
 50 CPM

Req.#: 63000-30414-01
Awarded to: Wagers Inc., St. Paul, St.
 Paul, MN

Awarded amount: \$31,860.00
Awarded date: February 19, 1993
Expir/deliv date: March 1, 1993
Shipped to: PERA

Item: Meat

Req.#: 78790-30731-01
Awarded to: Quality Meats Seafood,
 West Fargo, ND

Awarded amount: \$124,979.40
Awarded date: February 19, 1993
Expir/deliv date: March 2, 1993
Shipped to: Minnesota Correctional
 Facility—Faribault

Item: Lawn and Garden Devices and
 Supplies

Req.#: 79000-33088-01
Awarded to: Beisswengers, New
 Brighton, MN
Awarded amount: \$1,095.00
Awarded date: February 19, 1993
Expir/deliv date: March 31, 1993
Shipped to: Minnesota Department of
 Transportation

Item: Drive, Disk or Tape, Computer
Req.#: 79000-33148-01

Awarded to: EMCOMM, Loretto, MN
Awarded amount: \$1,611.80
Awarded date: February 19, 1993
Expir/deliv date: February 26, 1993
Shipped to: Minnesota Department of
 Transportation

Item: Auto Repair/Maintenance
 Equipment, Specialized

Req.#: 79000-33154-01
Awarded to: American Tool Supply
 Company, St. Paul, MN

Awarded amount: \$1,283.90
Awarded date: February 19, 1993
Expir/deliv date: March 22, 1993
Shipped to: Various Locations

Item: Highway Maintenance Equipment,
 Miscellaneous

Req.#: 79000-33156-01
Awarded to: Carlson Equipment
 Company, St. Paul, MN
Awarded amount: \$887.00
Awarded date: February 19, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of
 Transportation

Item: Truck, Light, to 11,000 GVW
Req.#: 79382-02583-01

Awarded to: Superior Ford,
 Minneapolis, MN
Awarded amount: \$20,187.00
Awarded date: February 19, 1993
Expir/deliv date: May 1, 1993
Shipped to: Minnesota Department of
 Transportation

Item: Paint, Alklyd, White, Traffic
 Marking

Req.#: 79200-04657-01
Awarded to: Centerline Industries,
 Ennis, TX
Awarded amount: \$3,565.00
Awarded date: February 19, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of
 Transportation

Item: Paint, Alklyd, Yellow, Traffic
 Marking

Req.#: 79200-04658-01
Awarded to: Centerline Industries,
 Ennis, TX
Awarded amount: \$3,236.40
Awarded date: February 19, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of
 Transportation

Item: Cabinet, Storage Locker
Req.#: 79500-83509-01

Awarded to: JGC Equipment Company,
 Blaine, MN
Awarded amount: \$2,151.39
Awarded date: February 19, 1993
Expir/deliv date: March 26, 1993
Shipped to: Minnesota Department of
 Transportation

Awards of State Contracts and Advertised Bids

Item: Hoist

Req.#: 80300-93269-01

Awarded to: Minnesota Bearing Inc.,
Minneapolis, MN

Awarded amount: \$2,766.00

Awarded date: February 19, 1993

Expir/deliv date: March 25, 1993

Shipped to: Weights and Measures
Division

Item: Audio/Video Equipment,
Miscellaneous

Req.#: 02310-36355-01

Awarded to: Blumberg

Communications, Minneapolis, MN

Awarded amount: \$2,983.00

Awarded date: February 23, 1993

Expir/deliv date: March 1, 1993

Shipped to: Rochester Community
College

Item: Stereo Equipment

Req.#: 02310-36355-03

Awarded to: Alpha Video & Audio,
Bloomington, MN

Awarded amount: \$1,888.00

Awarded date: February 23, 1993

Expir/deliv date: March 1, 1993

Shipped to: Rochester Community
College

Item: Recorder, Video Tape/Disc

Req.#: 02310-36355-02

Awarded to: EPA Audio Visual,
Rockford, MN

Awarded amount: \$1,154.46

Awarded date: February 23, 1993

Expir/deliv date: March 1, 1993

Shipped to: Rochester Community
College

Item: Computer, Personal

Req.#: 02420-34583-01

Awarded to: PC Tailors, Roseville, MN

Awarded amount: \$4,034.00

Awarded date: February 23, 1993

Expir/deliv date: March 8, 1993

Shipped to: Department of
Administration

Item: Van (Contract)

Req.#: 02514-30192-01

Awarded to: Brookdale Pontiac GMC,
Minneapolis, MN

Awarded amount: \$9,470.00

Awarded date: February 23, 1993

Expir/deliv date: May 31, 1993

Shipped to: Central Motor Pool

Item: Van (Contract)

Req.#: 02514-30194-01

Awarded to: Brookdale Pontiac GMC,
Minneapolis, MN

Awarded amount: \$99,120.00

Awarded date: February 23, 1993

Expir/deliv date: May 31, 1993

Shipped to: Central Motor Pool

Item: Printer, Computer

Req.#: 06000-12319-01

Awarded to: Cedar Computer Center,
Bloomington, MN

Awarded amount: \$7,664.40

Awarded date: February 23, 1993

Expir/deliv date: March 4, 1993

Shipped to: Various Locations

Item: Ammunition

Req.#: 07500-42153-01

Awarded to: Enforcement Products, St.
Cloud, MN

Awarded amount: \$2,734.00

Awarded date: February 23, 1993

Expir/deliv date: March 12, 1993

Shipped to: Department of Public Safety
Warehouse

Item: Ammunition

Req.#: 07500-42151-01

Awarded to: Ultramax, Rapid City, SD

Awarded amount: \$1,737.50

Awarded date: February 23, 1993

Expir/deliv date: March 1, 1993

Shipped to: Department of Public Safety
Warehouse

Item: Audio/Video Equipment,
Miscellaneous

Req.#: 21200-53725-01

Awarded to: Otari Corporation, Foster
City, CA

Awarded amount: \$1,478.00

Awarded date: February 23, 1993

Expir/deliv date: March 15, 1993

Shipped to: Minnesota Department of
Jobs and Training

Item: Shipping System

Req.#: 21200-53831-01

Awarded to: Mailers Equipment, Inc.
(MEI), Eagan, MN

Awarded amount: \$3,795.00

Awarded date: February 23, 1993

Expir/deliv date: March 1, 1993

Shipped to: Various Locations

Item: Video Equipment, Parts and
Accessories

Req.#: 26072-04064-01

Awarded to: Photomart Cine Video,
Inc., Orlando, FL

Awarded amount: \$1,828.00

Awarded date: February 23, 1993

Expir/deliv date: March 1, 1993

Shipped to: Moorhead State University

Item: Computer Network Equipment

Req.#: 26073-24468-01

Awarded to: EMCOMM, Loretto, MN

Awarded amount: \$563.00

Awarded date: February 23, 1993

Expir/deliv date: March 8, 1993

Shipped to: St. Cloud State University

Item: Computer Network Equipment

Req.#: 26073-24469-01

Awarded to: EMCOMM, Loretto, MN

Awarded amount: \$563.00

Awarded date: February 23, 1993

Expir/deliv date: March 8, 1993

Shipped to: St. Cloud State University

Item: Computer Accessories

Req.#: 26073-24502-01

Awarded to: Equus Computer Systems,
St. Paul, MN

Awarded amount: \$368.00

Awarded date: February 23, 1993

Expir/deliv date: March 17, 1993

Shipped to: St. Cloud State University

Item: Board, Computer

Req.#: 26073-24500-01

Awarded to: Jameco Electric, Belmont,
CA

Awarded amount: \$1,087.05

Awarded date: February 23, 1993

Expir/deliv date: March 17, 1993

Shipped to: St. Cloud State University

Awards of State Contracts and Advertised Bids

Item: Copy Machine, Low Speed; Less Than 15 CPM
Req. #: 26074-14853-01
Awarded to: Monroe Systems Business, Mendota Heights, MN
Awarded amount: \$3,720.00
Awarded date: February 23, 1993
Expir/deliv date: February 26, 1993
Shipped to: Winona State University

Item: Fish Hatchery Supplies
Req. #: 29000-60353-01
Awarded to: Bio Products, Inc., Warrenton, OR
Awarded amount: \$295.65
Awarded date: February 23, 1993
Expir/deliv date: April 1, 1993
Shipped to: Department of Natural Resources

Item: Fish Hatchery Supplies
Req. #: 29000-60354-01
Awarded to: Bio Products, Inc., Warrenton, OR
Awarded amount: \$4,886.50
Awarded date: February 23, 1993
Expir/deliv date: April 1, 1993
Shipped to: Department of Natural Resources—Peterson Hatchery

Item: Fish Hatchery Supplies
Req. #: 29000-60355-01
Awarded to: Bio Products, Inc., Warrenton, OR
Awarded amount: \$2,456.50
Awarded date: February 23, 1993
Expir/deliv date: April 1, 1993
Shipped to: Department of Natural Resources

Item: Dictating/Transcribing Equipment
Req. #: 36000-31638-01
Awarded to: Lanier Business Products, Minneapolis, MN
Awarded amount: \$841.00
Awarded date: February 23, 1993
Expir/deliv date: March 22, 1993
Shipped to: Board of Vocational-Technical Education

Item: Laundry and Dry Cleaning Equipment, Miscellaneous
Req. #: 55304-09480-01
Awarded to: Minnesota Chemical Company, St. Paul, MN
Awarded amount: \$25,986.98
Awarded date: February 23, 1993
Expir/deliv date: April 16, 1993
Shipped to: Brainerd Regional Human Services CE

Item: Motor, Electrical
Req. #: 55303-93568-01
Awarded to: Minnesota Chemical Company, St. Paul, MN
Awarded amount: \$350.00
Awarded date: February 23, 1993
Expir/deliv date: March 15, 1993
Shipped to: Faribault Regional Center

Item: Meat
Req. #: 78790-30731-01
Awarded to: Quality Meats Seafood, West Fargo, ND
Awarded amount: \$2,526.30
Awarded date: February 23, 1993
Expir/deliv date: March 2, 1993
Shipped to: Minnesota Correctional Facility—Faribault

Item: Case, Display
Req. #: 80500-09340-01
Awarded to: Skyline Displays Midwest, Burnsville, MN
Awarded amount: \$5,493.00
Awarded date: February 23, 1993
Expir/deliv date: March 15, 1993
Shipped to: Department of Public Service

A Wise Investment—the rules of the game

Securities Laws, 1990. Governs the activities of broker/dealers, agents and investment advisors. *Minnesota Statutes* Chapter 80A. Code #2-12, \$7.00 plus tax.

Securities Rules, 1991. Rules implementing the legislative mandate. Subjects include equity securities and investment companies. *Minnesota Rules* Chapter 2875. Code #3-5, \$14.00 plus tax.

Minnesota Guidebook to State Agency Services, 1992-95. Packed with information to help you, this 640-page resource guides you through license requirements, forms, fees, reports, services, grants, and more. Its listing of addresses, phones, and agency descriptions cut red tape for easy and fast service from state agencies. Code #1-11, \$16.90 plus tax.

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.

Getaway in Style

Room at the Inn Wisconsin. Includes hard-to-find lodgings in out-of-the-way places, as well as in Wisconsin's major metropolitan areas and most popular vacation destinations. 224pp. Stock #19-3, \$12.95 plus tax.

Room at the Inn Minnesota. Looking for a weekday or weekend get-away? For a business meeting or simply pleasure? This is the only guide to more than 60 historic "Bed & Breakfast" homes, hotels, and country inns. 160pp. Stock #19-72, \$9.95 plus tax.

Roughing It Elegantly. A guide for the canoe camper visiting the BWCA, Voyageurs Park and Quetico Provincial Park. Full of practical tips and information: planning, organizing, packing, site location, and camp set-up. Simple, creative, enjoyable meals are a major feature. 159pp. Stock #9-3, \$9.95 plus tax.

A Paddler's Guide to the Boundary Waters Canoe Area, 78 pages of detailed maps and descriptions of 31 wilderness canoe routes in the Superior National Forest of Northern Minnesota. Includes what to bring along on canoe trips, regulations, canoe tips and detailed information for self-guided tours. Stock #19-17, \$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, either as is, reduced, or redesigned to suit your format.

River Stories That Warm Your Heart

A Stretch on the River. 1950 novel about the son of a wealthy family who goes to work on a Mississippi River towboat to avoid being drafted. With power, gusto and humor, author Richard Bissel creates an energetic, rowdy, and delightful account of a typical trip up the river, accurately re-creating a colorful era of towboating on America's major waterway. Stock #17-6, \$8.95 plus tax.

High Water. During the worst flood on the Mississippi River anyone can remember, the mate of a towboat has his hands full on a perilous trip, working with an unhappy crew, an angry captain, and too many barges to push against too much river. A 1954 Richard Bissel novel reveals the drama, humor and charm of working on the river. Stock #17-8, \$8.95 plus tax.

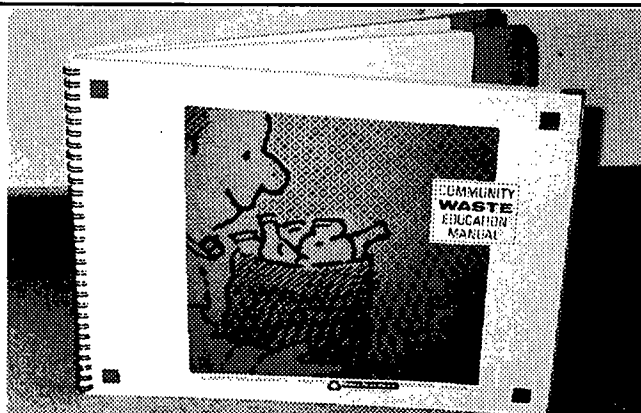
Old Times on the Mississippi River. George Merrick's lively, loving, and humorous reminiscences of his steamboat life from the bottom up, as a pantry boy, apprentice engineer, second clerk, and "cub" pilot. First published in 1909, he describes steamboat operations—from machinery and personnel to the economics of the business—with vivid examples and rich detail. 323 pp. includes appendices and index. Stock #17-45, \$8.95 plus tax.

Canoeing with the Cree. Minnesota's distinguished newsman, Eric Sevareid, wrote his first book in 1935 about a canoe journey he and a classmate made to Hudson Bay. The classic recounts their trip on the Mississippi, Minnesota and Red River of the North Rivers into Lake Winnipeg, and then God's River to Hudson Bay. 209 pp. includes index, maps and photos. Stock #17-14, \$6.95 plus tax.

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, either as is, reduced, or redesigned to suit your format.



Community Waste Education Manual available at Minnesota's Bookstore

NEW—Reduced Price!

Waste Education Campaigns

The **COMMUNITY WASTE EDUCATION MANUAL** offers practical guidance to help communities develop waste education campaigns. Tremendous step-by-step guide to organizing volunteers, planning a budget, working with media and more. Includes camera-ready art and copy for media and publication needs. 82 pp. Produced by the Minnesota Office of Waste Management. Stock #5-7. **Now only \$9.95.**

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.

Minnesota: national leader in education

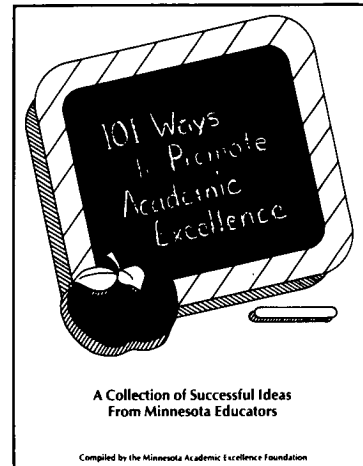
101 Ways to Promote Academic Excellence

A collection of nuts-and-bolts methods educators have successfully used to foster academic achievement. These are techniques that directly help students, can be replicated easily, are cost-effective, and that work in meeting the public education's great challenge: helping every single child learn. Code #5-1, \$4.50.

Education Directory, 1991-92

This popular comprehensive directory contains Minnesota school districts, superintendents, principals, addresses, phone numbers and enrollment. 170 pages, paperbound. Code #1-93, \$9.95.

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.



Now, for the cost of a phone call, you can access a complete listing of products and services available from **Minnesota's Bookstore**. Using your personal computer and a modem you can access the new **Minnesota's Bookstore Online Service**.

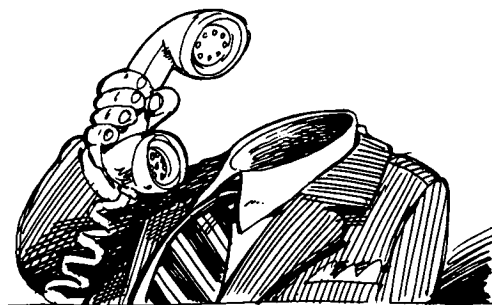
On screen you will find a user-friendly menu allowing you to get information about anything from lake maps to mailing lists, law and rule extracts to posters. You can even place a credit card order, or leave a message requesting our reply to your specific concerns. It's easy to use and available 24 hours/day, 7 days/week.

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.

Ever called this guy?

1992 State of Minnesota Telephone Directory. Get a direct line to the persons you want to speak to. Contains names, numbers, and agencies in the executive, legislative and judicial branches of state government. Four sections give listings alphabetically by name, agency, Minnesota region, plus an index for cross referencing. Over 288 pages, paperback, 8½"x11". Code #1-87, #12.95.

Minnesota Guidebook to State Agency Services. A treasure of information that cuts red tape and gets you **RESULTS** from Minnesota state government. This important resource helps you through applications, fees, licenses, reports, history, recreation and travel. It describes agencies in detail and how they can assist you, giving addresses, phones and contact people. Stock #1-11, \$16.90.



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.

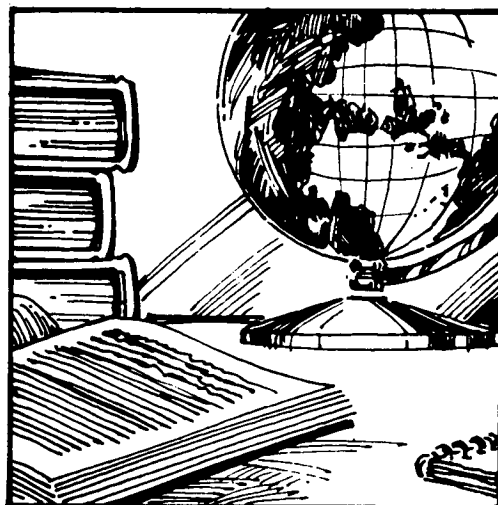
Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

Get Smart with these Education Resources

Board of Teaching-Licensure Rules 1990. Minnesota Rules Chapter 8700. Requirements for the issuance and renewal of all licenses, from vo-tech and hearing impaired to librarians and media generalists. Includes the Code of Ethics for Minnesota Teachers, and standards for teachers prepared in other states. Code #3-74. \$14.95 plus tax.

Education Directory 1991-92. All the elementary and secondary schools in the state. Includes Minnesota school districts, superintendents, boards, principals, district addresses, phone numbers and enrollment figures. Code #1-93. \$9.95 plus tax.

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.

Resolve Bargaining Disputes and Grievances

Public Employment Labor Relations Act 1989. The collective bargaining rights and responsibilities of public employers and public employees. Details employees' right to organize and the legislature's authority. Code #2-90, \$6.00 plus tax.

Public Sector Labor Relations in Minnesota. A practical resource and training guide analyzing public sector labor relations in Minnesota. A special emphasis on contract administration, grievance handling and the arbitration process. 286 pages, paperbound. Code #10-51, \$12.50.

Minnesota Guidebook to State Agency Services 1992-95. A treasure of helpful, useful, and interesting information about Minnesota state government. This important resource guides you through applications, fees, licenses, reports, history and travel highlights. Describes agencies in detail, giving addresses, phones and contact people. Code #1-11, \$16.90 plus tax. 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.

Minnesota's Bookstore

Publications, Services, Subscriptions

Order Form on Back—For Information, Call 297-3000

1991 Minnesota Rules. Eleven volume set includes 1992 Supplement as a subscription service. Stock #18-100, \$200 + tax (Minnesota residents only). Individual volumes can be purchased at \$20.00 + tax.

1992 Minnesota Session Laws. Two volume set includes laws passed during the 1992 session. Stock #18-12, \$30.00 + tax.

101 Ways to Promote Academic Excellence. A collection of nuts-and-bolts methods educators have successfully used to foster academic achievement. These are techniques that directly help students, can be replicated easily, are cost-effective, and that work in meeting the public education's great challenge: helping every single child learn. Code #5-1, \$4.50.

1989 Pollution Control Laws. Laws dealing with water pollution, disposal facilities, solid waste management, the Minnesota Environmental Rights Act, recycling, and more. Code #2-21, \$24.95.

1992 Hazardous Waste Rules. Governs the production, storage, transportation and disposal of hazardous waste. *Minnesota Rules* Chapter 7001, 7045 and 7046. Code #3-71, \$16.95.

Real Estate Rules 1991. Chapters 2800, 2805 and 2810 from the *Minnesota Rules. Essential* for both students and established brokers and salespersons. It contains all education and licensing requirements. Code #3-99, \$6.00.

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 #14-13, \$15.00.

OTHER PUBLICATIONS

Secrets of the Congdon Mansion. A complex, intriguing murder case set in one of Minnesota's most spectacular mansions. Now a top Minnesota tourist attraction on Duluth's famous Lake Superior North Shore Drive. By Joe Kimball. Code #19-56, \$5.95.

A Paddler's Guide to the Boundary Waters Canoe Area. Advice on what to bring along on canoe trips, regulations, canoe tips and detailed information for self-guided tours. Includes detailed maps and descriptions of 31 wilderness canoe routes in the Superior National Forest of Northern Minnesota. Stock #19-17, \$4.95.

Minnesota Geographic Names. Names of places by the thousand plus interesting historical tidbits included in this 800+ page book. Minnesota history buffs—this is for you! Stock #17-13, \$12.95.

Room at the Inn Minnesota. The only guide to more than 60 historic Bed & Breakfast homes, hotels and country inns. Stock #19-72, \$9.95.

Minnesota Manufacturer's Directory, 1992. More than 7,000 entries listing name, address, phone, staff size, sales volume, market area, year of establishment, type of firm, CEO, sales or marketing and purchase managers, and four manufactured products. Stock #40-2, \$90.00.

1992 Lake Map Index. Listing over 4,000 lake maps. Free.

SUBSCRIPTIONS:

State Register. Minnesota's official weekly publication for agency rules and notices, executive orders of the Governor, state contracts, Supreme Court Calendar, Supreme Court and Tax Court Decisions. Annual subscription: Monday edition only \$150.00; Monday and three State Register Contracts Supplements \$195; 13-week trial (includes all four editions) \$60.00.

State Register Binder. Durable 3½ inches, forest green binders imprinted with the *State Register* logo. \$10.00 + tax.

Workers Compensation Decisions. Volume 47. Selected landmark decisions of the Worker's Compensation Court of Appeals during the period July '92 through Dec. '92. The subscription rate for this volume is \$195.00.

SERVICES:

Mailing Lists. Lists of Minnesota licensed professionals and permit holders. Write or call (612) 297-2552 for a free mailing list catalog which contains available lists, selections, formats, pricing and ordering information.

American Flag. Perfect for home or office. 3' x 5' with embroidered stars. Heavy nylon bunting. Code No. 6-1. \$21.00 + tax.



**Department of
Administration**

Print Communications Division

117 University Avenue • St. Paul, Minnesota 55155
Metro Area 612-297-3000 (FAX: 612-296-2265)
Toll free 1-800-657-3757
TDD (Minnesota Relay Service)
Metro Area (612) 297-5353 Greater MN 1-800-627-3529

**Second Class
U.S. Postage
Paid
Permit No.
326630
St. Paul, MN**

Please notify us of any address changes so that we can continue to give you our best service. Include your old mailing label to speed your service.

Legislative Reference Library
Zona DeWitt
645 State office Bldg
INTEROFFICE

TO ORDER:

Complete attached order blank. Include either your VISA/MasterCard, American Express or Discover credit card number with the expiration date, or a check/money order made out to the State of Minnesota. Orders by phone are accepted when purchasing with your credit card. Please include a phone number where you can be reached during the day in case we have questions about your order.

Please include 6½% sales tax and \$2.00 postage and handling.

PREPAYMENT REQUIRED.

Merchandise may be returned if it is in resalable condition.

NOTE:

STATE REGISTER and other subscriptions do not require sales tax or postage and handling fees.



Metro area (612) 297-3000
Toll-free 1-800-657-3757
Facsimile (FAX) (612) 296-2265

Prices subject to change without notice.

**Please allow about 6 weeks for delivery. In a hurry?
Stop by our Bookstore. Bookstore Hours
8 a.m.-4:30 p.m., Monday through Friday.**

For Your Convenience, photocopy this order blank

[illegible]