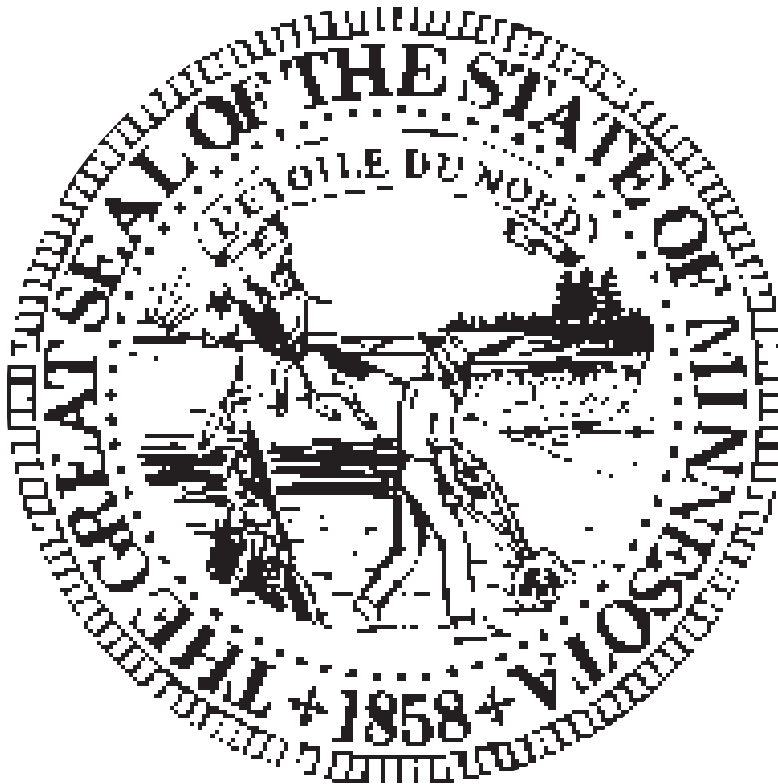


The Minnesota

State Register

Rules and Official Notices Edition



Published every Monday (Tuesday when Monday is a holiday) by the
Department of Administration – Communications Media Division

Monday 8 December 1997
Volume 22, Number 23
Pages 965-1020

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-consulting contracts, non-state bids and public contracts and grants.

Printing Schedule and Submission Deadlines

Vol. 22 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
# 23	Monday 8 December	Friday 21 November	Monday 1 December
# 24	Monday 15 December	Monday 1 December	Monday 8 December
# 25	Monday 22 December	Monday 8 December	Monday 15 December
# 26	Monday 29 December	Monday 15 December	Friday 19 December

Arne H. Carlson, Governor 612/296-3391	Hubert H. Humphrey III, Attorney General 612/297-4272	Joan Anderson Growe, Secretary of State 612/296-2079
Joanne E. Benson, Lt. Governor 612/296-3391	Judi Dutcher, State Auditor 612/297-3670	Michael A. McGrath, State Treasurer 612/296-7091
Department of Administration: Elaine S. Hansen, Commissioner 612/296-1424 Kent Allin, Asst. Commissioner 612/297-4261	Communications Media Division Mary Mikes, Director 612/297-3979	Robin PanLener, Editor 612/297-7963 Gretchen Stark, Assistant Editor 612/296-0929 Jessie Hill, Subscriptions 612/297-8774

Copyright © 1997 Communications Media Division, Department of Administration, State of Minnesota.
Publication Number: 326630. (ISSN 0146-7751)

PUBLISHING NOTICES IN THE *State Register*: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to 612-297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$84.00 per page, billed in tenths of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

An "Affidavit of Publication" can be obtained at a cost of \$10.00 for notices published in the *State Register*. This service includes a notarized "Affidavit of Publication" and a copy of the issue of the *State Register* in which the notice appeared.

SUBSCRIPTION SERVICES: The *State Register* is published by Communications Media Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; the Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Children, Families and Learning. Copies are available at Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Order by phone: Metro area: 297-3000 Toll free 800-657-3757. TTY relay service phone number: 1-800-627-3529. **NO REFUNDS.** Subscribers who do not receive a copy of an issue should notify the *State Register* Subscription Office immediately at (612) 297-8774. Copies of back issues may not be available more than two weeks after publication. Both editions are delivered postpaid to points in the United States, Periodicals Postage Paid for the *State Register* at St. Paul, MN, first class for the *Contracts Supplement*. See the *State Register* "Table of Contents" on our website: <http://www.comm.media.state.mn.us>

- **State Register** (published every Monday, or Tuesday if Monday is a holiday) One year subscription: \$160.00; via Internet: \$185.00. Users agree not to redistribute without authorization. Internet subscribers to the *State Register* agree not to use their subscription at multiple offices in different cities. For example, a business or organization with branch offices in St. Paul, Minneapolis, Duluth, St. Louis, Chicago, New York and Washington, D.C. will use their subscription in only one city.
- **Contracts Supplement** (published every Tuesday, Wednesday, Friday) One year subscription: \$135.00 via first class mail, \$150.00 via fax or through our website. Users agree not to redistribute without authorization.
- **13-week trial subscription** which includes both the *State Register* and *Contracts Supplement*. \$65.00
- **Single issues** are available for a limited time: *State Register* \$5.00, *Contracts Supplement* \$1.00. Shipping is \$3.00 per order.
- **"Professional, Technical and Consulting Contracts Awards Reports,"** – published each month listing the previous month's awards of contracts and RFPs that appeared in the Monday edition of the "*State Register*." Appears monthly in hard copy format only. Single copies are \$15.00 per report, plus \$3.00 shipping if applicable. Order stock # 99-43. Six-month subscriptions cost \$75.00. Order stock #90-15.

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:

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

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

Minnesota Rules: Amendments & Additions

Volume 22, issues #14-23 (issues #1-13 cumulative appeared in issue #13)..... 968

Proposed Rules

Agriculture Department

Seed potatoes..... 970

Adopted Rules

Agriculture Department

Hybrid seed corn..... 973

Nursing Board

Program approval..... 973

Revenue Notices

Revenue Department

Notice # 97-13: Sales and use tax - advertising signs..... 975

Notice # 97-14: Sales and use tax - leases of tangible personal property..... 975

Official Notices

Agriculture Department

Comments sought for planned amendments to rules for agricultural development grants..... 976

Capitol Area Architectural and Planning Board

Comments sought for planned amendment to rules for Capitol Area zoning and design..... 977

Health Department

Comments sought on biennial review of expedited rulemaking procedures and rules for the Minnesota Health Care Administrative Simplification Act..... 977

Health Technology Advisory Committee (HTAC) notice of 1) availability of preliminary HTAC evaluation report on "Genetic Testing for Susceptibility to Breast Cancer;" and 2) solicitation of written comments..... 978

Human Services Department

Correction to notice on vacancies on Medicaid Citizens' Advisory Committee 980

List of health services that require authorization as a condition of Minnesota Health Care Plan (MHCP) payment..... 980

Labor and Industry Department

Addition to prevailing wage rates in Pennington County..... 1001

Minnesota Property Insurance Placement Facility (FAIR Plan)

Meeting Wednesday 10 December 1997 of the governing board..... 1002

Minnesota Racing Commission

Membership of Public Advisory Committee to assist the Minnesota Racing Commission in promulgating pari-mutuel racing rules..... 1002

Revenue Department

Comments sought on planned amendments to rules on sales and use tax - payments, returns, assessments and collections..... 1002

Transportation Department

Appointment of, and meeting Wednesday 17 December 1997, of a State Aid Variance Committee..... 1003

Requests for variance from state aid requirements:

Eden Prairie petition for after-the-fact plan approval..... 1004

City of Marshall petition for bike path width..... 1004

Murray County Board petition for diagonal parking width..... 1005

Wright County petition for after-the-fact plan approval..... 1005

State Grants & Loans

Agriculture Department

Authority for fiscal year 1998 to make agricultural market development grants to help farmers finance new value-added cooperatives..... 1006

Minnesota Historical Society

Historic preservation grant application deadlines..... 1006

Housing Finance Agency

Proposal sought for low income tax credit program..... 1007

Super request for proposals for multifamily housing programs..... 1008

Human Services Department

Federal community mental health services block grant funds available for pilot project to design and implement innovative family to family mentorship..... 1010

Professional, Technical & Consulting Contracts

Administration Department

Proposals sought for the University of Minnesota new ice hockey arena and tennis center..... 1010

Minnesota State Colleges and Universities (MnSCU)

Proposals sought for owner's representative for design and construction of new library at St. Cloud State University..... 1013

Proposals sought for owner's representative for Winona State University new library construction..... 1014

Corrections Department

Proposals sought for psychiatric services for Red Wing Correctional Facility 1014

Finance Department

Proposals sought for training services in PC-based software packages (word processing, spreadsheets, PC-based databases, etc.)..... 1015

Human Services Department

Children, Families and Learning Department

Proposals sought to conduct database management and analysis for the Minnesota Treatment Demand and Needs Assessment Studies: Alcohol and Other Drugs..... 1015

Human Services Department

Proposals sought to facilitate the development, or operation of a culturally diverse and culturally competent specialty behavioral health care network..... 1016

Proposals sought to conduct 1998 Minnesota student survey optical scanning 1016

Legislative Coordinating Commission

Contract available for organizational development consultant..... 1017

Transportation Department

Proposal sought to develop and create a workshop detailing emerging architectural standards and support materials in support of Orion project recommendations..... 1017

Non-State Public Bids, Contracts & Grants

Metropolitan Council

Invitation for bids for courier service for lab samples..... 1018

Invitation for bids for security guard service..... 1018

Invitation for bids for janitorial service for Metro 94 facility..... 1018

Commodity, Service and Construction contracts are published in a bulletin, the *State Register Contracts Supplement*, published Tuesday, Wednesday and Friday. Award results are available from the Materials Management Helpline 612/296-2600.

Professional, Technical and Consulting contract awards are published monthly in an *Awards Report*.

Individual copies and subscriptions for both publications are available through Minnesota's Bookstore, (612) 297-3000 or 1-800-657-3757.

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 80 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. The current 1995 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a 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 most current edition of 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 issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

Volume 22, issues #14-23

Agriculture Department

1510.0111 (adopted).....	973
1525.0010-.0460; .1630-.2020 (adopted exempt)	950
1555.6740; .6950 (proposed).....	970
1555.6950 (proposed repealer)	970

Commerce Department

2642.0010; .0100; .0110; .0120; .0140; .0180; .0190; .0200; .0210; .0220; .0300; .0310; .0320; .0330; .0350; .0370; .0380; .0390; .0450; .0510; .0650; 2644.0010; .0100; .0110; .0120; .0150; .0190; .0300; .0330; .0360; .0370; .0380; .0400; .0410; .0510; .0600; .0620; .0670; .0730; .0750 (adopted)	594
2642.0010 s.2, 3, 5, 6, 8, 10, 12, 18, 21; .0170; .0180 s.3; .0620; 2644.0010 s.18, 21; .0120 s.1; .0150 s.1, 2, 3; .0160; .0170; .0180; .0350 (repealed)	594

Dietetics and Nutrition Practice Board

3250.0100; .0110; .0120; .0125; .0130; .0135; .0140; .0145; .0150 (adopted) 595	
3250.0050 (proposed).....	595

Economic Security Department

3310.2901; .2902; .2913 (adopted).....	950
3305.0300 s.2; .0600 s.7; .0700 s.4; .1000; .1100 s.4,5,6; .1200; 3310.0200; .0300; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .2300; .2400; .2500; .2600; .2700; .2800; .2927; .2928; .3000; .3100; .3200; .3300; .3400; .3700; .3800; .3900; .4000; .4500; .4600; .4700; .4800; .5200; .5400; .5500; .5600; .5700 (repealed)	950

Education Board

3525.1150 (adopted exempt).....	596
---------------------------------	-----

Health Department

4610.0420; .0600; .0650; .2800 (proposed).....	940
4717.7000; 4720.5100; .5110; .5120; .5130; .5200; .5205; .5210; .5220; .5230; .5240; .5250; .5270; .5280; .5290; .5300; .5310; .5320; .5330; .5340; .5350; .5360; .5400; .5500; .5510; .5520; .5530; .5540; .5550; .5555; .5560; .5570; .5580; .5590 (adopted).....	668

Higher Education Services Office

4830.7100; .7500; .7800 (proposed).....	617
4850.0014; .0015 (proposed).....	737

Housing Finance Agency

4900.2400; .2420; .2440; .2520; .2540 (proposed).....	905
---	-----

Labor and Industry Department

5205.0010; .0065 (proposed exempt).....	687
5207.0260 (proposed repealer)	687
5210.0007; .0060; .0150; .0160; .0310; .0420; .0530; .0532; .0536; .0539; .0542; .0551; .0554; .0596 (proposed)	944
5210.0554 s. 2, 3 (proposed repealer).....	944

Natural Resources Department

6212 (planned proposed rules withdrawn).....	880
6216.0100; .0200; .0230; .0250; .0260; .0265; .0270; .0280; .0290; .0300; .0350; .0400; .0500; .0600 (proposed)	651
6216.0200 s.4 (proposed repealer).....	651
6216.0350 (superseding permanent rule proposed repealer).....	651

Nursing Board

6301.0600; 6305.0100; .0300; .0500; .0600; 6310.2800; .2900; .3100; .3200; .3500; .3600; .3700; 6330.0350 (adopted)	973
6330.0350 F (withdrawn)	973

Peace Officer Standards and Training Board

Minnesota Rules: Amendments and Additions

<hr style="border: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 1px solid black; margin-bottom: 5px;"/> <p>6700.0600; .0800; .1000; .1101 (proposed)..... 589</p> <p>Pharmacy Board</p> <p>6800.0400; .1150; .1250; .1300 (proposed)..... 769</p> <p>Pollution Control Agency</p> <p>7007.0501; .0801; .1400; 7011.0551; .0625; .1201; .1205; .1210; .1215; .1220; .1225; .1227; .1228; .1229; .1230; .1235; .1240; .1260; .1265; .1270; .1272; .1275; .1280; .1281; .1282; .1283; .1284; .1285; .1290; (proposed)..... 741</p> <p>7011.1201 s.7, 10, 47; .1240 s.4, 6; .1265 s.9; .1285 s.4a (proposed repealer)..... 741</p> <p>7011.7340; .7360; .7380; .7400; .7420; .7440 (proposed)..... 665</p> <p>Public Safety Department</p> <p>7506.0100; .2100; .2200; .2300; .2500; .2600; .2700; .2900 (adopted)..... 711</p> <p>7506.0120 (repealed)..... 711</p> <p>Public Service Department</p> <p>7670.0100; .0325; .0610; .0800; .1115; 7672.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; 7674.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; 7676.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1300; .1400; 7678.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800 (proposed)..... 771</p> <p>7670.0495; .0610 s.2, 5, 6, 9, 10, 11, 13; .0660; .0800 s. 4</p>	<p>(proposed repealer)..... 771</p> <p>7670.1115 (proposed)..... 592</p> <p>Minnesota State Retirement System (MSRS)</p> <p>7905.0100; .0300; .0600; .1200; .1600; .1700; .1800; .1900; .2100; .2200; .2300; .2400; .2600; .2900; .3000 (adopted Exempt)..... 713</p> <p>Secretary of State</p> <p>8205.1000; .2000; .2010; .2100; .2110; .2120 (proposed)..... 918</p> <p>Veterinary Medicine Board</p> <p>9100.0500 (proposed)..... 922</p> <p>Human Services Department</p> <p>9505.0280 (proposed)..... 943</p> <p>9505.0501; .0505; .0515; .0520; .0530; .0540; .0545 (proposed)..... 908</p> <p>9505.0500; .0510; .0520 s.4, 5, 6, 9a, 12, 13, 14; .0521; .0522; .0540 s.1, 2, 6 (proposed repealer)..... 908</p>
---	---

Proposed Rules

Comments on Planned Rules or Rule Amendments

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing

After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. 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*.

Department of Agriculture

Proposed Permanent Rules Governing Seed Potatoes

Notice of Intent to Adopt a Rule Without a Public Hearing

Proposed Amendments to Rules Governing Seed Potatoes, *Minnesota Rules* 1555.6740 and 1555.6950.

Introduction. The Minnesota Department of Agriculture intends to adopt amendments to rules without a public hearing following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22-14.28 and rules of the Office of Administrative Hearings parts 1400.2300-1400.2310. You have 30 days to submit written comments on the proposed amendments and may also submit a written request that a hearing be held on the amendments.

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

Carol Milligan
Minnesota Department of Agriculture
90 West Plato Boulevard
St. Paul, MN 55107
Phone (612) 296-6906, Fax (612) 297-5522
TTY users may contact the Department of Agriculture through Minnesota Relay Service at 1-800/627-3529.

Subject of Rules and Statutory Authority. The proposed amendments are about inclusion of generation certified in seed potato grades and specifications for yellow tag certified seed potatoes. The statutory authority to adopt these amendments is *Minnesota Statutes*, section 21.118. A copy of the proposed amendments is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. January 7, 1998, to submit written comment in support of or in opposition to the proposed amendments or any subpart of the amendments. Your comments 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 amendments addressed and the reason for the comment. You are encouraged to propose any change desired. Any comment you would like to make on the legality of the proposed rule must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the amendments. 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 January 7, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed amendments to which you object or state that you oppose the entire rule. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed amendments.

Withdrawal of Requests. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their request in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131-14.20.

Modifications. The proposed amendments may be modified as a result of public comment. The modifications must be supported by the comments and information submitted to the agency, and the adopted rule may not be substantially different than the proposed amendment. If the proposed amendments affect you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A Statement of Need and Reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed amendments including a description of who will be affected by the proposed amendments/rule and an estimate of the probable cost of the proposed amendments.

Adoption and Review of the Rules. If no hearing is required, the agency may adopt the amendments after the end of the comment period. The amended rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the amended rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted amendments, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: 12 November 1997

Sharon Clark, Deputy Commissioner
Department of Agriculture

1555.6740 GENERAL GUIDANCE.

[For text of subs 1 to 4, see M.R.]

Subp. 5. **Certified seed potato grades.** Grades of certified seed potatoes are established according to the physical defects of the tubers. There are three grades used for shipping Minnesota certified seed potatoes.

A. The blue tag certified seed potato grade, the first grade, has tolerances for physical defects of the tubers stricter than the other grades. This grade may be used by growers of Primary Foundation certified, Foundation certified, Generation certified, and Certified seed potatoes. The blue tag grade may be used for intrastate and interstate shipments of certified seed potatoes.

B. The yellow tag certified seed potato grade is the second grade. This grade allows more physical defects of the tubers than the blue tag certified seed potato grade. It may be used by growers of Primary Foundation certified, Foundation certified, Generation certified, and Certified seed potatoes. The yellow tag grade may also be used for intrastate and interstate shipments of certified seed potatoes.

C. The white tag certified seed potato grade is the third grade. The tolerances for physical defects of the tubers are determined by agreement between purchaser and seller of the certified seed potatoes. ~~This grade may only be used by growers of Primary Foundation certified and Foundation certified seed potatoes.~~ It may only be used for intrastate shipments of certified seed potatoes.

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

1555.6950 MINNESOTA CERTIFIED SEED POTATO GRADES AND TOLERANCES.

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

Subp. 3. [See repealer.]

Subp. 3a. **Minnesota yellow tag certified seed potato grade.** To be graded as Minnesota yellow tag certified seed potatoes, the potatoes must meet the requirements in items A to D.

A. Condition. At the time of final inspection, the potatoes must be of one variety, unwashed, fairly well-shaped, free from bacterial ring rot, powdery scab, late blight, freezing, black heart, and soft rot or wet breakdown, and free from damage caused by second growth, air cracks, cuts, shriveling, pitted scab, surface scab, dry rot, other diseases, insects or worms, mechanical means or other means, and from serious damage caused by soil or other foreign matter, hollow heart, wireworm, growth cracks, russet scab, or internal discoloration other than hollow heart. Sunburn and silver scurf are not factors.

B. Size. For all varieties, unless otherwise specified, the maximum size is 14 ounces (396.9 grams) and the minimum size is 1-1/2 inch

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

(38.1 mm) in diameter, unless otherwise specified. For all varieties, the minimum diameter for size "B" shall not be less than 1-1/2 inches (38.1 millimeters) and the maximum diameter shall not be more than 2-1/4 inches (57.1 millimeters).

C. Lot tolerances. In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, are provided:

(1) for defects:

(a) 20 percent for potatoes seriously damaged by hollow heart;

(b) five percent for potatoes seriously damaged by internal discoloration (other than hollow heart);

(c) ten percent for potatoes seriously damaged by soil or other foreign matter;

(d) ten percent for potatoes seriously damaged by wireworm;

(e) 20 percent for potatoes that fail to meet the remaining requirements of the grade with not more than six percent serious damage provided that included in that amount not more than the following percentages are allowed for the following defects:

i. soft rot, frozen, or wet breakdown, 0.5 percent;

ii. damaged by surface or pitted scab, 5.0 percent;

iii. damaged by dry rot, 2.0 percent, of which not more than 1.0 percent is late blight tuber rot;

iv. bacterial ring rot, 0.0 percent;

v. powdery scab, 0.0 percent; and

vi. late blight tuber rot, 1.0 percent; and

(f) the following do not affect seed quality and must not be scored against the grade:

i. brown discoloration following skinning;

ii. dried stems;

iii. flattened or depressed areas with or without underlying flesh discoloration;

iv. greening;

v. sunburn

vi. skin checks;

vii. silver scurf; and

viii. sprouts; and

(2) for offsize:

(a) five percent for potatoes that fail to meet the required or specified minimum size; and

(b) ten percent for potatoes that fail to meet the required maximum size.

D. Shape. The potatoes must be fairly well shaped, with an exception for long varieties when specified as "except for shape." In that case the tubers may be misshapen.

[For text of subs 4 to 7, see M.R.]

REPEALER. *Minnesota Rules*, part 1555.6950, subpart 3, is repealed.

Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *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.

Exempt Rules

An exempt rule adopted under *Minnesota Statutes* §§ 14.386 or 14.388 is effective upon its publication in the *State Register*.

Emergency Expedited Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

Department of Agriculture

Adopted Permanent Rules Governing Hybrid Seed Corn

The rules proposed and published at *State Register*, Volume 22, Number 12, pages 484-485, September 22, 1997 (22 SR 484), are adopted as proposed.

Board of Nursing

Adopted Permanent Rules Relating to Program Approval

The rules proposed and published at *State Register*, Volume 21, Number 45, pages 1583-1589, May 5, 1997 (21 SR 1583) and Volume 22, Number 6, page 266, August 11, 1997 (22 SR 266), are adopted with the following modifications:

6310.2800 REGISTRATION RENEWAL REQUIREMENTS.

Subp. 11. **Exemption from renewal of registration.** Pursuant to *Minnesota Statutes*, section 326.56, a licensee who is in the armed forces of the United States or is employed outside the United States in employment which is essential to the prosecution of any war or the national defense, and whose registration was in effect at the time of entry into the armed forces or engagement in employment outside the United States, is not obligated to renew registration. The board must be notified in writing by the licensee regarding the qualifications for this exemption. The exemption ceases six months after discharge from active duty or termination of the aforementioned employment. A registration renewal application shall be sent to the licensee who has applied for the exemption at the time that a registration renewal application would normally be sent to the licensee. The licensee ~~has the responsibility~~ may be requested to reconfirm exempt status. If the licensee no longer qualifies for the exemption, the requirements for registration renewal must be met. The required number of contact hours are calculated based on the number of months since the exemption ceased to the month of the registration renewal application deadline and according to the ratio specified in subpart 3.

6310.3100 REREGISTRATION REQUIREMENTS.

Subp. 2. Fees.

D. For purposes of calculating the penalty fee for practicing nursing without current registration, the number of calendar months, or parts of months, of practice shall be calculated from the ~~date of expiration of the most recent~~ first day the licensee does not have current registration ~~period~~ to the date of last nursing practice.

Subp. 13. **Disciplinary action.** Nothing in this part shall be construed as preventing the board from proceeding with disciplinary action pursuant to *Minnesota Statutes*, section 148.261. ~~Reasons~~ Grounds for the board to proceed with disciplinary action include, but are not limited to, practicing nursing without current registration for more than two years, repeated occurrences of practicing nursing without current registration, or ~~willfully~~ knowingly practicing nursing without current registration.

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

6310.3500 VERIFICATION OF MINNESOTA LICENSE.

Subpart 1. **Verification of licensure.** A licensee wishing a certified statement of licensure status sent to another United States jurisdiction or foreign country or to any other third party may, upon written request and payment of a fee, have a certified statement of Minnesota licensure status issued to the Board of Nursing, other official agency empowered to issue nursing licenses in the other jurisdiction or country or a third party. A duplicate shall be printed without charge if requested by the nurse within six months of issue but not before two months from the date of issue. A replacement of the certified statement shall not be issued within the first two months nor more than six months after the original statement was issued. If requested by the licensee, a replacement shall be issued without charge between two and six months after the original statement was issued.

6330.0350 PROFESSIONAL NURSING ORGANIZATIONS WITH AUTHORITY TO CERTIFY.

The following organizations meet the criteria in part 6330.0300 and have the authority to certify registered nurses in the advanced nursing practice categories listed:

F. American Academy of Nurse Practitioners:

- (1) adult nurse practitioner; and
- (2) family nurse practitioner.

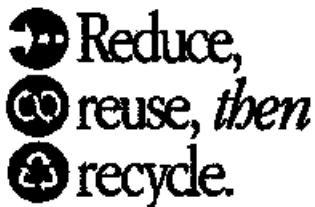
Environmental Protection — Videos & Training Material

Transport Packaging: Reducing Waste & Saving Money — Video **New!**

Video shows how business can eliminate waste and increase profits with reusable and source-reduced transport packaging. Includes *Reusable Transport Packaging Directory*. (color, 12 minutes, 1997) Stock No. 4-22 \$9.50

Source Reduction: How to Implement a Source Reduction Program — Video **New!**

Video and resource manual *Source Reduction* Now demonstrates how to set up a source reduction program in a commercial, industrial or institutional organization. (color, 12 minutes, 1997) Stock No. 4-21 \$9.50



Motor Vehicle Salvage Facility Environmental Compliance Manual & Video

Durable manual and color video *Salvage Yards & the Environment: The Next Generation, AND 3 work-site posters*. Convenient tabs guide you through general operating procedures, draining, dismantling & storage practices, waste handling, storage and disposal practices, PLUS a quick reference table for handling hazardous waste. 220pp. with VHS. (PCA, 1994) Stock No. 10-9 \$35.00

Hazardous Waste: Identification & Evaluation — Video

Find out how to determine if a waste is hazardous, and what basic steps to take to evaluate wastes. Fact sheets on F-listed wastes are included with video. (color, 9.5 minutes, 1995) Stock No. 4-7 \$16.00

Blue Ribbon Task Force Report

Findings and recommendations of task force examining the funding of Minnesota's water quality programs. 76pp. (PCA, 1995) Stock No. 10-5 \$19.95

Common Automotive Wastes — Video

Video covers eight sections on hazardous wastes most commonly found in vehicle maintenance and collision-repair operations (antifreeze, lead acid batteries, sludges and residues, parts washer solvents & cleaners, towels, wipes and sorbents, used oil and paint-related wastes). Includes management options for each plus a 'Used Oil' fact sheet. (color, 17.6 minutes, 1995) Stock No. 4-8 \$10.00

Hazardous Waste Storage — Video

Learn how to choose the right container, close and mark it correctly, plus proper care when moving it off-site. Also includes handy storage poster and fact sheet on labeling and storing hazardous waste correctly. (color, 12.5 minutes, 1994) Stock No. 4-6 \$10.00

MPCA Point-Source Final Report **New!**

Phase 2 of *Blue Ribbon Task Force Report* features Improvement Initiative. 142pp. (PCA, 1996) Stock No. 10-1 \$10.95

The Department of Revenue began issuing revenue notices in July of 1991. Revenue notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue revenue notices is found in *Minnesota Statutes* §270.0604.

Department of Revenue

Revenue Notice #97-13: Sales and Use Tax - Advertising Signs

Minnesota Statutes, section 297A.25, subdivision 22, provides that “the gross receipts from the sale of and the storage of material designed to advertise and promote the sale of merchandise or services” are exempt from sales and use tax if the material is to be shipped out of Minnesota for use solely outside the state. This exemption is limited to materials used to advertise and promote the sale of merchandise or services. The exemption may apply to the purchase of taxable advertising or to the purchase of tangible personal property that is used in creating or producing nontaxable advertising.

The Department of Revenue interprets “advertising” to include signs such as “SALE” or “20% OFF” as advertising. Purchases of such signs or materials consumed in producing such signs for use outside the state are exempt from Minnesota sales or use tax. However, directional or identifying signs such as “WOMEN’S APPAREL” and “JUNIORS” are not advertising. Purchases of such signs or materials to produce such signs in Minnesota for use outside the state do not qualify for the exemption.

Dated: 8 December 1997

Jennifer L. Engh
Assistant Commissioner for Tax Policy

Department of Revenue

Revenue Notice #97-14: Sales and Use Tax - Leases of Tangible Personal Property

Introduction

A change enacted by the 1997 Legislature created a specific definition for “leasing” in *Minnesota Statutes*, section 297A.01, subdivision 22. This definition differentiates between an agreement that *temporarily transfers possession* of tangible personal property and an agreement that *transfers title* to tangible personal property.

Minnesota Statutes, section 297A.01, subd. 22, reads as follows: “Leasing” includes all transfers of possession of tangible personal property or the use thereof by the lessee for a consideration when title remains with the lessor at the end of the lease. If a contract designated as a lease binds the lessee for a fixed term and the lessee is to obtain title at the end of the term of the agreement or has the option at that time to purchase the property for a nominal amount, the contract is regarded as a sale and not as a lease. For purposes of this chapter, a lease of tangible personal property is a series of transactions that impose upon the lessee multiple payment obligations. A taxable transaction is considered to have occurred when an obligation to make a lease payment becomes due under the terms of the agreement or trade practices of the lessor. For purposes of the subdivision, “nominal amount” means an amount so small, slight, or negligible that it is not economically significant and bears no relation to the real value of the item being purchased.

Issues and Conclusions:

1. What clarification does the new language provide? *Minnesota Statutes*, section 297A.01, subd. 22 makes it clear that a contract where the lessor retains title to the property at the end of the contract is a lease, and sales or use tax is due on each lease payment. A contract is a sale if the lease provides that the lessee is to obtain title at the end of the contract, or if the lessee may obtain title for a nominal amount at the end of the contract. If the contract is a sale, sales or use tax is due on the entire contract amount at the time the contract is signed.

2. What is a “nominal amount”? For purposes of administering the provisions of *Minnesota Statutes*, section 297A.01, subd. 22, “nominal amount” is defined as one percent or less of the value of the tangible personal property at the time that the contract is signed.

3. How does this law change apply to existing leases? This law change is effective for leases entered into after June 30, 1997. Sales made or leases entered into prior to July 1, 1997 are subject to the laws and rules in effect at the time of the sale or lease. Tax treatment for extensions or renewals of leases will be determined by whether the lease, as originally signed, included an option to extend or renew the lease. The renewal or extension of an agreement originally entered into prior to July 1, 1997 that was considered a lease under prior law will continue to be treated as a lease under the renewal or extension. However, if the original agreement did not include an option to extend or renew the contract, the tax treatment will be determined based on whether the new contract is considered a sale or a lease under the new language above.

4. What tax rate will be refunded on leases of replacement capital equipment under this new language? Beginning July 1, 1997, the tax rate to be refunded on leases of replacement capital equipment is the rate in effect at the date the lease payment is made. This is true regardless of when the lease was originally signed. The statute now clearly indicates that a lease is a series of transactions taxable when the obligation to

Official Notices

make a lease payment becomes due under the terms of the agreement. In other words, if tax rates increase or decrease over the term of a lease agreement, the tax rate on lease payments changes accordingly.

This is a change from past practice. Prior to this law change the department took the position that the rate of refund for replacement capital equipment was fixed at the time the lease was entered into. Thus, even though the rate of refund for replacement capital equipment increased each year, the purchaser was only eligible for a refund of the tax at the rate in effect at the time the lease was originally entered into.

5. How does this law change apply to motor vehicles? Vehicles are often financed using a lease agreement that includes a buyout option at the end of the agreement. The new law clarifies that a transaction designated as a lease will be considered a sale if the agreement provides that the lessee is to obtain title at the end of the term of the agreement or has the option at the time to purchase the property for a nominal amount. Under these agreements, the lessor collects and reports the general Minnesota sales or use tax to the Department of Revenue on all lease payments. If the customer exercises their option to purchase the vehicle, the sales tax on motor vehicles is reported to the Department of Public Safety on the buyout amount.

Effective date

This revenue notice is effective for leases or sales made on or after July 1, 1997.

Dated: 8 December 1997

Jennifer L. Engh
Assistant Commissioner for Tax Policy

Department of Agriculture

Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Agriculture Marketing and Development Division

Request for Comments on Planned Amendments to Rules Governing Agricultural Development Grants, *Minnesota Rules*, part 1552.0040 - 1552.0050

Subject of the Rule. The Minnesota Department of Agriculture requests comments on its planned amendments to rules governing agricultural development grants. The department is considering rule amendments that expand the types of projects that are eligible for an agricultural development grant.

Persons Affected. The rule amendments would likely affect agricultural commodity organizations and agriculture related businesses. The department does not contemplate appointing an advisory committee to comment on the planned rules amendments.

Statutory Authority. *Minnesota Statutes*, section 17.101, subd. 2 requires the commissioner to adopt rules for the administration of agricultural development grants and contracts.

Public Comment. Interested persons or groups may submit comments or information on the planned rule amendments in writing or orally until 4:30 p.m. on February 6, 1998. The department has prepared a draft of the planned rule amendments. Written or oral comments, questions, requests to receive a draft of the proposed rule amendments, and requests for more information on the planned rule amendments should be addressed to: Paul Hugunin, Minnesota Department of Agriculture, 90 W. Plato Blvd., St. Paul, MN 55107: Phone 612/297-5510, Fax 612/296-6890. TTY users may contact the Department of Agriculture through Minnesota Relay Service at 1-800/627-3529.

Comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: 20 November 1997

Sharon Clark
Deputy Commissioner

Capitol Area Architectural and Planning Board

Request for Comments on Planned Amendment to Rules Governing Capitol Area Zoning and Design Rules, *Minnesota Rules*, Chapter 2400

Subject of Rules. The Capitol Area Architectural and Planning Board (CAAPB) is requesting comments on its planned amendment to rules governing Capitol Area Zoning and Design, a sixty-block area surrounding the State Capitol Building in Saint Paul. The CAAPB is considering rule amendments that represent the first rewrite and update of the rules since 1982.

Persons Affected. The amendment to the rules would likely affect those who live, work or own property in or near the Capitol Area as well as architects, developers and others who have or may have an interest in development in the sixty-block area. Additionally, the State Department of Administration and the City of Saint Paul would also be affected.

Statutory Authority. *Minnesota Statutes*, 15.50, Subd. 2(a) authorizes the CAAPB to adopt and occasionally amend the Comprehensive Plan and Zoning Ordinance for the Capitol Area.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing until further notice is published in the *State Register* that the Agency intends to adopt or to withdraw the rules.

Rules Drafts. The Agency does not anticipate that a draft of the planned rules amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions and requests for more information on these planned rules should be addressed to: Paul Mandell, CAAPB, 204 Administration Building, 50 Sherburne Ave., Saint Paul, MN 55155, (612-296-6719).

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Note: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Nancy Stark, Executive Secretary
Capitol Area Architectural and Planning Board

Department of Health

Request for Comments on Biennial Review of Expedited Rulemaking Procedures and Rules Related to the Minnesota Health Care Administrative Simplification Act, *Minnesota Statutes*, Sections 62J.50 to 62J.61

Expedited rulemaking authority. *Minnesota Statutes*, section 62J.61, sets out an expedited rulemaking procedure for adopting rules to implement the Minnesota Health Care Administrative Simplification Act. The expedited procedure provides:

- the Commissioner of Health must publish proposed rules in the *State Register*;
- the Commissioner may publish a notice describing the rules and offering a free copy instead of publishing the text of the rules, if the rules would be so lengthy as to be unduly cumbersome to publish;
- interested parties have 30 days to comment; and
- after considering all comments, the Commissioner may adopt the rules by publishing a notice of adoption in the *State Register*.

Reason for expedited rulemaking authority. Health care industry billing procedures change frequently. It is important that rules keep current with these frequently changing procedures. The Legislature recognized that the normal rulemaking procedures in *Minnesota Statutes*, chapter 14, which take an average of 18 months, would not be adequate to keep pace with the changes in the health care industry. Further, some of the billing manuals and implementation guides are hundreds of pages long. It would not be practical to publish these in the *State Register*, especially when these are of interest to a very small group of interested parties. It would be more cost effective to publish a notice and to give a free copy to anyone who requests one.

Official Notices

Biennial review of rulemaking procedures and rules. Section 62J.61, subdivision 5, requires that the Commissioner of Health do a biennial review of the rulemaking procedures and rules by seeking "comments from affected parties about the effectiveness of and continued need for the [expedited] rulemaking procedures . . . and about the quality and effectiveness of rules adopted using these procedures." The Commissioner is required to invite oral or written comments by holding a meeting and by publishing a notice in the *State Register* at least 30 days before the meeting. The Commissioner is also required to write a report summarizing the comments and to submit the report to the Minnesota Health Data Institute and the Minnesota Administrative Uniformity Committee by January 15 of every even-numbered year.

Notice of meeting. The Department will hold a meeting to receive oral comments about the expedited rulemaking procedures in section 62J.61. The meeting will be in the Large Conference Room of Suite 400, Metro Square Building, 121 East Seventh Place, St. Paul, Minnesota 55101, starting at 2:00 p.m. on Thursday, January 8, 1998.

Oral and written comments invited; agency contact person. Oral and written comments are invited about the effectiveness and continuing need for the expedited rulemaking procedures and about the quality and effectiveness of rules adopted using these procedures. The agency contact person is: Dave Orren at the Minnesota Department of Health, 121 East Seventh Place, P.O. Box 64975, St. Paul, MN 55164-0975, (612) 282-6310. TTY users may call the Department of Health at (612)623-5522.

Background. The expedited rulemaking authority in section 62J.61 was amended effective June 30, 1997. The requirement to do a biennial review was also effective on June 30, 1997. Since that date, the Department has not adopted any rules using the expedited rulemaking authority. The Department anticipates using the expedited authority in mid-1998 to adopt rules related to the HCFA 1500 Manual.

Dated: December 1, 1997

Department of Health

Health Technology Advisory Committee (HTAC)

Notice of: 1) Availability of Preliminary HTAC Evaluation Report on "Genetic Testing for Susceptibility to Breast Cancer"; and 2) Solicitation of Written Comments

The Health Technology Advisory Committee (HTAC) is charged under *Minnesota Statutes* 62J.152 with conducting evaluations of specific technologies and their specific use and application. For the purposes of evaluation, the definition of technologies in statute includes "...drugs, devices, procedures, or processes applied to human health care..." As part of the evaluation process, HTAC is required to submit a preliminary report to the Minnesota Department of Health, and to solicit written comments on the report. Before completing its final comments and recommendations on Genetic Testing for Susceptibility to Breast Cancer, public testimony is being solicited. Any interested individuals or organizations may submit written comments regarding this technology evaluation report within 30 days from the publication of this notice to the attention of Nancy Cusick at:

Health Technology Advisory Committee
121 East 7th Place, Suite 450
P.O. Box 64975
St. Paul, MN 55164-0975
Fax: 612-282-5628

Any written material received shall be subject to the requirements of the Minnesota Data Practices Act (*Minnesota Statutes*, Section 13).

For information regarding HTAC, or to obtain a copy of the preliminary HTAC evaluation report on Genetic Testing for Susceptibility to Breast Cancer, please contact Nancy Cusick at 612-282-6374, or via fax at 612-282-5628.

Brief Summary of Preliminary HTAC Report: Genetic Testing for Susceptibility to Breast Cancer

FINDINGS

1. Today only five percent to ten percent of all breast cancer is inherited.
2. Genetic testing for women at high risk of breast cancer because of their family history holds the potential to improve health.
3. Increased surveillance of women with mutations for breast cancer and for ovarian cancer also may contribute to a longer and healthier life. Other medical decisions might also be affected by knowledge of one's mutation status.
4. Although not easily quantifiable, resolution of uncertainty through testing might also provide benefits to family members, both about their own status and about the possibility of passing on the mutation to offspring.
5. Testing also has the potential to cause both psychological and practical difficulties in people's lives. Currently, there is little systematically collected information on the psychological impact of learning a person has a mutation, but there is great concern that such a result could lead to poorer mental health. The possibility of employment and insurance discrimination based upon mutation status

also exists. Access to health care could be affected, should discrimination be practiced on this basis.

RECOMMENDATIONS

Recommendation One:

Information should be made available to women on the benefits and limitations of genetic testing. There is still a need for appropriate medical checkups and breast self-exams whether or not a mutation is present.

Discussion:

While breast cancer is a common disease, it is estimated that only five to ten percent of all breast cancers are due to inherited mutations. If a woman does not have a specific mutation that is also present in family members with breast cancer, she has at least the same risk for breast cancer as the rest of the female population. Thus it is important that all women continue to receive regular checkups regardless of whether they have a genetic predisposition to breast cancer.

Recommendation Two:

Women considering genetic testing should receive evaluation and guidance from a genetic counselor or physician with expertise in cancer genetics prior to being tested.

Discussion:

Scientists have discovered a good deal of knowledge about genetics and mutations that cause a greater susceptibility to breast cancer. However, there is much less information available about a specific mutation's impact on an individual's risk for developing breast cancer.

Information about the effectiveness of prevention and treatment strategies for those women who carry a mutation in genes linked to a susceptibility to breast cancer is also incomplete. It is therefore important that someone considering genetic testing receive the most current and complete information available on the possible impacts of testing for herself or her family.

Recommendation Three:

Women in Minnesota should be informed about the need to check health plan coverage and life insurance requirements before testing is begun.

Discussion:

The conditions under which health plans cover genetic testing vary. Women considering testing should check whether their health plan covers genetic testing, counseling and follow-up before beginning the genetic testing process. A genetic counselor should also discuss patients' concerns about future insurability with them before testing is done.

In addition, some states, including Minnesota, and the federal government have taken action to protect the confidentiality of genetic information. However, these actions may not protect a patient's confidentiality in every situation. Women being tested, and other members of her family being tested should discuss whether each family member would like the test results shared, and with whom.

Recommendation Four:

Women who choose to be tested should receive follow-up counseling with a genetic counselor or physician experienced in cancer genetics.

Discussion:

Information on the prevention of breast cancer and treatment options for those found to have a genetic mutation which puts them at higher risk is changing rapidly. If genetic testing finds a mutation present, it is important that a woman has the opportunity to explore the most effective options available to her. A woman also should have the opportunity to discuss what it means for her if no specific mutation is found. It does not mean that no mutation is present which may be harmful, but that she does not have the specific mutation for which she was tested. It is likely that all inherited mutations which put a woman at increased risk for breast cancer have not yet been identified.

Recommendation Five:

Copies of this report should be distributed to the master HTAC dissemination list and to those organizations listed in the Report Distribution Plan in *Appendix III*.

Department of Human Services

Correction to Notice on Vacancies on Medicaid Citizens' Advisory Committee

An incorrect telephone number was listed in the above notice, published Monday 1 December 1997 in the *State Register*, Vol. 22, #22 on page 952. The correct telephone number is (612) 297-7198 for more information about this notice.

Department of Human Services:

Notice of List of Health Services that Require Authorization as a Condition of Minnesota Health Care Plan (MHCP) Payment

The following is the current authorization list which replaces any other list published in the *State Register*. This authorization list is effective on or after January 7, 1998.

Authorization List

As authorized by *Minnesota Statutes*, section 256B.0625, subdivision 25, the following list includes all health services that require authorization as a condition of MHCP payment. The list is presented in sections: Dental Services, Vision Care Services, Medical Supplies and Equipment, Prosthetics and Orthotics, Hearing Aids, Drugs, Rehabilitative 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.

THIS LIST OF HEALTH SERVICES REQUIRING AUTHORIZATION IS PRESENTLY IN EFFECT. NEWLY ADDED CODES WILL REQUIRE AUTHORIZATION FOR SERVICES PROVIDED ON OR AFTER JANUARY 7, 1998.

NOTE: * Identifies any changes in coding or limits.

I. DENTAL SERVICES

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

1. Surgical services, (except D7210, D7220, D7230, D7240, X7216 surgical extractions). For emergencies follow the after-the-fact authorization procedures.
2. Removable Resin base and Cast Metal Partials.

It is essential that requests submitted for authorization consideration be accompanied by adequate case information and appropriate diagnostic materials (i.e., x-rays, prosthesis information, teeth to be replaced, prognosis for remaining dentition, complete 6 point perio charting for cast metal partials).

RADIOGRAPHS

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

(Prior authorization required only if provided more than once in a three-year period or for person under age 8)

D0210	Intraoral series (including bitewings)
D0330	Panoramic film

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

D0335	Panorex, includes bitewings and additional peripheral films
-------	---

(Prior authorization required only if six in a 12-month period are exceeded)

D0230	Intraoral, periapical, each additional film
D0240	Intraoral, occlusal film
D0250	Extraoral, first film
D0260	Extraoral, each additional film

(Prior authorization required only if any combination of up to four in a 12-month period is exceeded)

D0270 Bitewing, single film
 D0272 Bitewings, two films
 D0274 Bitewings, four films

TESTS AND LABORATORY EXAMINATIONS

D0999 Unspecified diagnostic procedure, by report (When no medical procedure is being done in addition to the dental procedure)

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 - 3/4 cast metallic

OTHER RESTORATIVE SERVICES

D2952 Cast post and core in addition to crown
 D2960 Labial veneer (laminate)
 D2961 Labial veneer (resin laminate)-laboratory
 D2962 Labial veneer (porcelain laminate)-laboratory
 D2999 Unspecified restorative procedure, by report

OTHER ENDODONTIC PROCEDURES

D3460 Endodontic endosseous implant
 D3960 Bleaching of discolored tooth
 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 flap procedures, including root planning - per quadrant

Service Code Service Description

D4249 Crown lengthening - hard and soft tissue, by report
 D4250 Mucogingival surgery - per quadrant
 D4260 Osseous surgery, including flap entry and closure per quadrant
 D4263 Bone replacement graft - first site in quadrant
 D4264 Bone replacement graft - each additional site in quadrant
 D4266 Guided tissue regeneration - resorbable barrier, per site, per tooth
 D4267 Guided tissue regeneration - nonresorbable barrier, per site, per tooth (includes membrane removal)

Official Notices

D4270	Pedicle soft tissue grafts
D4271	Free soft tissue grafts including donor site
D4273	Subepithelial connective tissue graft procedure (including donor site surgery)
D4274	Distal or proximal wedge procedure (when not performed in conjunction with surgical procedures in the same anatomical area)

ADJUNCTIVE PERIODONTAL SERVICES

D4320	Provisional splinting, intracoronal
D4321	Provisional splinting, extracoronal
D4341	Periodontal scaling, and root planning - per quadrant
D4381	Localized delivery of chemotherapeutic agents via a controlled release vehicle into diseased crevicular tissue, by tooth, by report

OTHER

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

PROSTHODONTICS, REMOVABLE DENTURES

D5110	Complete upper
D5120	Complete 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

D5860	Overdenture complete, by report
D5861	Overdenture partial, by report
D5862	Precision attachment, by report
D5899	Unspecified removable prosthodontics procedure, by report

MAXILLOFACIAL PROSTHETICS

D5951	Feeding aid
D5952	Speech aid prosthesis, pediatric
D5953	Speech aid prosthesis, adult
D5954	Palatal augmentation prosthesis
D5955	Palatal lift prosthesis, definitive
D5958	Palatal lift prosthesis, interim
D5959	Palatal lift prosthesis, modification
D5960	Speech aid prosthesis, modification
D5982	Surgical stent
D5983	Radiation carrier
D5984	Radiation shield
D5985	Radiation cone locator
D5986	Fluoride gel carrier
D5987	Commissure splint

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

IMPLANTS

D6055	Implant connecting bar
D6080	Implant maintenance procedures, including: removal of prosthesis, cleansing of prosthesis and abutment reinsertion of prosthesis.
D6095	Repair implant abutment, by report

PROSTHODONTICS, FIXED BRIDGE PONTICS (Only covered in situations where documented medical condition prohibits use of removable prostheses)

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

RETAINERS

D6545	Retainer - cast metal for acid etched fixed prosthesis
-------	--

CROWNS (Only covered in situations where documented medical condition prohibits use of removable prostheses)

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 - 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

D6920	Connector bar
D6940	Stress breaker
D6950	Precision attachment

ORAL SURGERY EXTRACTION

D7241	Removal of impacted tooth - completely bone, with unusual surgical complications
-------	--

OTHER SURGICAL PROCEDURES

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

REDUCTION OF DISLOCATION AND MANAGEMENT OF OTHER TEMPOROMANDIBULAR JOINT DYSFUNCTIONS

D7880	Occlusal orthotic appliance
D7899	Unspecified TMD therapy, by report

Official Notices

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

LIMITED ORTHODONTIC TREATMENT

D8010	Limited orthodontic treatment of primary dentition
D8020	Limited orthodontic treatment of transitional dentition
D8030	Limited orthodontic treatment of adolescent dentition
D8040	Limited orthodontic treatment of adult dentition

INTERCEPTIVE ORTHODONTIC TREATMENT

D8050	Interceptive orthodontic treatment of primary dentition
D8060	Interceptive orthodontic treatment of transitional dentition

COMPREHENSIVE ORTHODONTIC TREATMENT

D8070	Comprehensive orthodontic treatment of transitional dentition
D8080	Comprehensive orthodontic treatment of adolescent dentition
D8090	Comprehensive orthodontic treatment of adult dentition

MINOR TREATMENT TO CONTROL HARMFUL HABITS

D8210	Removal appliance therapy
D8220	Fixed or cemented appliance therapy

TREATMENT OF THE PERMANENT DENTITION/OTHER ORTHODONTIC SERVICES

D8660	Pre-orthodontic treatment visit (PA required once every five years)
D8670	Periodic orthodontic treatment visit
D8680	Orthodontic retention
D8690	Orthodontic treatment
D8750	Post-treatment stabilization
X0515	Orthodontic full case study (PA required once every five years)
D8999	Unspecified orthodontic treatment

MISCELLANEOUS SERVICES

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 - Inpatient anesthesia for dental services.

II. VISION CARE SERVICES

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.)

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

VISION THERAPY SERVICES

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

MATERIAL CODES

V2500	Contact Lens - for diagnosis other than Aphakia, Keratoconus, or Aniseikonia, or to Bandage Lenses.
to	When submitting invoices for one of these three diagnosis, be sure to specify the diagnosis on the claim
V2599	

III. MEDICAL SUPPLIES AND EQUIPMENT; PROSTHESES AND ORTHOSES

Medical Equipment/Supplies

Providers must get authorization for all procedure codes listed in the Equipment and Supplies code list, where authorization is indicated, and the following general areas:

- * 1. All wheelchairs: When purchased, rented beyond three months, or for use in nursing facilities.
- 2. Maintenance of equipment.
- 3. Authorization is required for underpads and diapers if the recipient is under the age of four.
- * 4. Repairs to equipment when combined parts and labor exceeds \$400.00. Specify who owns the equipment.
- 5. E1399 is the unspecified equipment code. This code is only to be used when there is no specific, descriptive HCPCS or DHS code assigned. Refer to equipment guide. Authorization required if more than \$100.00

Nutritional Products (enteral)

- 1. All enteral nutrition products except those for treatment of phenylketonuria, hyperlysinemia, and maple syrup urine disease, require authorization after the first 30 days. See Nutritional Services chapter for coverage standards and the Authorization chapter for submission by FAX, I.T.S./FAX or mail.

Prostheses and Orthoses

Providers must get authorization for the following:

- * 1. Prostheses and orthoses when the purchase or projected cumulative rental cost exceeds \$3,000.

<u>Service Code</u>	<u>Service Description</u>
Y5370	Wig

IV. HEARING AIDS

Services in the following categories require authorization:

- 1. The purchase of a noncontract hearing aid, including pocket talkers. Indicate model number and manufacturer on form.
- 2. The provision of more than one hearing aid or hearing aid dispensing fee in a five-year period.
- 3. Purchase of a hearing aid when pure-tone average is less than 25 dB HL in an adult and less than 20 dB HL in a child.

V. DRUGS

The following drugs require authorization through the FAX, I.T.S./ FAX or mail from the first day of service.

- * Alferon N (Interferon Alfa-3)
- * Alglucerase (Ceredase)
- * Agents used to promote smoking cessation (including patches, nasal sprays, gum and inhaler)
- * Botulinum Toxin Type A
- * Ceredase (Alglucerase)
- Declomycin
- Epoetin Alfa/Erythropoietin (Epogen and Procrit)
- Filgrastim (Neupogen)
- Granisetron
- * Interferon Alpha N-3
- Interferon Gamma-1b (Actimmune)
- Lansoprazole (Prevacid)
- Omeprazole (Prilosec)
- Ondansetron (Zofran)
- Sargramostim (Leukine and Prokine)

For services performed in physician office: (Authorization comes from physician)

- * J1626 Granisetron HCL Kytril
- * J2820 Sargramostim (G-CSF)
- * J0205 Alglucase
- * J0585 Botulinum Toxin Type A
- * J1830 Interferon Beta 1-B

Official Notices

<u>Service Code</u>	<u>Service Description</u>
* J2405	Ondansetron HCHL Zofran
* J9215	Interferon Alfa -N3
* J9216	Interferon Gamma - 1B

Authorization requests will not be accepted by the Department for drugs which do not appear on the above list.

VI. REHABILITATIVE SERVICES

OCCUPATIONAL THERAPY

Any combination of the following codes that exceed 6 units per calendar year.

* 97003	Occupational therapy evaluation, initial
* 97004	Occupational therapy reevaluation, periodic

The following Occupational therapy codes always require authorization.

X4511	Unlisted occupational therapy
97150	Occupational therapy group sessions
* 97750	Physical performance test, functional capacity

Occupational Therapy code requiring authorization.

* X5511	Occupational therapy supplies that exceed \$32.00 per calendar year
---------	---

Any combination of the following codes that exceed 25 hours per year.

X4515	Occupational therapy, motor skills
X4524	Occupational therapy, preventive skills
X4526	Occupational therapy, therapeutic adaptations
*97535	Self care home management training, (e.g., Activities of Daily Living [ADL's] compensatory, training, meal preparation, safety procedures, and instruction in use of adaptive equipment)
*97537	Community work reintegration training (e.g., shopping, transportation, money management, avocational activities and/or work environment/modification analysis, work task analysis)
*97770	Sensory integrative or cognitive skills

PHYSICAL THERAPY

Any combination of the following codes that exceed 8 units per calendar year

*97001	Physical therapy evaluation, initial
*97002	Physical therapy evaluation, periodic

*Any combination of the following codes that exceeds 20 hours per calendar year:

97032	Electrical stimulation
97033	Iontophoresis
97034	Contrast baths
97035	Ultrasound
97036	Hubbard tank
97110	Therapeutic procedure, exercises
97112	Therapeutic procedure, neuromuscular
97113	Therapeutic procedure, aquatic therapy
97116	Therapeutic procedure, gait training
97122	Therapeutic procedure, traction
97124	Massage
*97504	Orthotics fitting and training; upper and lower extremity
97520	Prosthetics, initial
97530	Therapeutic activities
*97542	Wheelchair management propulsion training
*97703	Checkout for orthotic/prosthetic use
X5515	PT wound care

*Any combination of the following modalities that exceed 10 per calendar year:

Service Code	Service Description
90901	Biofeedback training by any modality
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
97250	Myofascial release
97265	Joint mobilization

*Any combination of the following codes that exceed six services per calendar year require authorization:

95831	Muscle testing, manual extremity
95832	Hand
95833	Total evaluation of body without hands
95834	Total evaluation of body with hands
95851	Range of motion measurements
95852	Range of motion measurements - hand with comparison to normal side.

The following codes always require authorization:

97039	Unlisted modality
97139	Unlisted therapeutic procedure
*97150	Therapeutic procedures, group, two or more persons
97545	Work hardening/conditioning; initial 2 hours
97546	Work hardening, additional hour
*97750	Physical performance test or measurement (functional capacity)
*97799	Unlisted physical med/rehab service

SPEECH-LANGUAGE PATHOLOGY

The following codes require authorization:

92599	Unlisted otorhinolaryngological services
*V5362	Speech screenings (articulation) that exceeds four per calendar year.
*V5363	Language screenings (receptive or expressive) that exceeds four per calendar year.
*V5364	Dysphagia screenings that exceeds four per calendar year.
*92506	Medical evaluation of speech that exceeds one per calendar year
92508	Group speech language or hearing treatment
*92525	Evaluation of swallowing or oral function for feeding that exceeds four per calendar year
*92597	Evaluation for use and/or fitting of voice prosthetic or augmentative/alternative communication device to support oral speech that exceed eight units per calendar year
*92598	Modification of voice prosthetic or augmentative/ alternative communication device to support oral speech

*Any combination of the following codes that exceeds 25 hours per calendar year.

92507	Individual speech, language and hearing treatment
*92510	Aural rehab following cochlear implant
*92526	Treatment of swallowing dysfunction and/or oral function for feeding

Official Notices

AUDIOLOGY

The following codes require authorization:

<u>Service Code</u>	<u>Service Description</u>
92506	Audiology evaluation/reevaluations that exceed two per calendar year
92507	Individual hearing therapy that exceeds five sessions per calendar year
*92592	Monaural or binaural hearing aid checks that exceed four per calendar year (one unit maximum per day)
*92593	Monaural or binaural hearing aid checks that exceed four per calendar year (one unit maximum per day)
92599	Unlisted otorhinolaryngologic service

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

92590	Monaural hearing aid exam & selection
92591	Binaural hearing aid exam & selection
92594	Electroacoustic evaluation for monaural hearing aid
92595	Electroacoustic evaluation for binaural hearing aid
92596	Ear protector attenuation measurements

VII. ALL OTHER SERVICES

The following health services require authorization:

1. All air ambulance transportation that originates or is to a destination outside of Minnesota.
 - * 2. ALS or BLS non emergency ambulance trips in excess of six trips per month.
 3. Scheduled ground transportation provided outside of Minnesota.
 4. Partial hospitalization 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 authorization.
 7. All surgical or behavioral modification services aimed specifically at weight reduction.
 - * 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. Includes any transportation costs.
- * In addition, the following specific procedures and investigative procedures require authorization. There are four lists: Non-investigative services, no code list, investigative services (alpha), and investigative services (numeric).

I. Non-Investigative Services

<u>Service Code</u>	<u>Service Description</u>
*A4301	Implantable access total system, catheter, port reservoir (venous, arterial or epidural), percutaneous access.
E0751	Implantable pulse generator
E0782	Infusion pump, implantable
E0783	Programmable infusion pump
*E0784	External ambulatory pump, insulin
J0585	Botulinum Toxin Type A
*K0454	Nonpowered pressure mattress
Q0134	Collagen implant material
X0691*9	Day treatment, nervous and mental
X5231*21	Face-to-face contact between the case manager and the client
X5232*21	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*21	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 three hours per month)

<u>Service Code</u>	<u>Service Description</u>
X5234*21	Contacts between the case manager and the case manager's clinical supervisor concerning the client
X5235*21	Development, review, and revision of the client's ICSP or IFCS, including the case manager's functional assessment of the client
X5236	Time spent by the case manager traveling outside 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*2	Time spent by the case manager traveling within 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 remediation training (1 to 3 clients)
X5318*15	Cognitive remediation training (4 to 9 clients)
X5535*16	Neuropsychological rehabilitation (individual)
X5536*17	Neuropsychological rehabilitation (group)
X5330	Partial hospitalization program - adult
X5331	Partial hospitalization program - adolescent
*X5528*22	Crisis assistance in a family community support service program
*X5538*22	Individual skills training in a home-based mental health, therapeutic support of foster care, and family community support service program.
*X5539*22	Family skills training in a home-based mental health, therapeutic support of foster care, and family community support service program.
*X5540*22	Group skills training in a home-based mental health, therapeutic support of foster care, and family community support service program.
*X5541*22	Travel in a home-based mental health, therapeutic support of foster care and family community support service program
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)
11920	Tattooing, intradermal introduction of insoluble opaque pigments to correct color defects of skin, including micropigmentation; 6.0 sq cm or less
11921	6.1 to 20.0 sq cm
11922	each additional 20.0 sq cm
11950	Subcutaneous injection of "filling" material (e.g., collagen); 1 cc or less
11951	1.1 to 5 cc
11952	5.1 to 10 cc
11954	over 10 cc
*11450	Excision of skin and subcutaneous tissue for hidradenitis, axillary; with simple or intermediate repair
*11451	with complex repair
*11462	Excision of skin and subcutaneous tissue for hidradenitis, inguinal; with simple or intermediate repair
*11463	with complex repair
*11470	Excision of skin and subcutaneous tissue for hidradenitis; perianal, perineal, or umbilical; with simple or intermediate repair
*11471	with complex repair
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
15787	each additional four lesions or less
15788	Chemical peel, facial; epidermal
15789	facial; dermal
15792	non-facial; epidermal

Official Notices

Service Code	Service Description
15793	non-facial; dermal
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)
15832	thigh
15833	leg
15834	hip
15835	buttock
15836	arm
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*24	Destruction of cutaneous vascular proliferative lesions (e.g. laser technique); less than 10 sq. cm
17107*24	10.0 - 50.0 sq. cm
17108*24	over 50.0 sq. cm
17360	Chemical exfoliation for acne (e.g., acne paste, acid)
17380	Electrolysis epilation, each 1/2 hour
19140	Mastectomy for gynecomastia through circumareolar or other incision
19182	Subcutaneous mastectomy
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
*20550*25	Injection, tendon sheath, ligment, trigger point or ganglion cyst
20975	Electrical stimulation to bone healing invasive (operative)
21010	Arthrotomy, temporomandibular joint
21050	Condylectomy, temporomandibular joint (separate procedure)
21060	Meniscectomy, temporomandibular
21070	Coronoidectomy (separate procedure)
21085	Impression and custom preparation; oral surgical splint
21110	Application of interdental fixation device, includes removal
21137	Reduction forehead; contouring only
21138	Reduction forehead; contouring and application of prosthetic material or bone graft (includes obtaining auto graft)
21139	Reduction forehead; contouring and setback of anterior frontal sinus wall
*21141	Reconstruction midface, Lefort I; single piece, segment movement in any direction (eg, for Long Face Syndrome), without bone graft
*21142	two pieces, segment movement in any
*21143	three or more pieces, segment movement in any direction, without bone graft
21145	Reconstruction midface, Lefort I; single piece, any direction, requiring bone grafts (includes obtaining auto grafts)

<u>Service Code</u>	<u>Service Description</u>
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., Treacher-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, nasoethmoid 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 40cm ²
21183	Reconstruction of orbital walls, rims, forehead, nasoethmoid 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, nasoethmoid 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 "l" osteotomy; without bone graft
21194	Reconstruction of mandibular ramus, horizontal, vertical, "c" or "l" 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)
*21208	Osteoplasty, facial bones; augmentation (autograft, or prosthetic implant)
*21209	Osteoplasty, facial bones; reduction
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 autografts (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)
21299	Unlisted craniofacial and maxillofacial procedure
21260	Periorbital osteotomies for orbital hypertelorism
21261	combined intra and extracranial approach

Official Notices

<u>Service Code</u>	<u>Service Description</u>
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
*21720	Division of sternocleidomastoid for torticollis, open operation; without cast application
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
*32491	Removal of lung other than pneumonectomy;excision/plication of emphysematous lung(s) (bullous or non bullous) for lung volume reduction. Sternal split or transthracic approach with or without any pleural.
32851	Lung transplant, single; without cardiopulmonary bypass
32852	with cardiopulmonary bypass
32853	double (bilateral sequential or en bloc); without cardiopulmonary bypass
32854	double (bilateral sequential or en bloc); with cardiopulmonary bypass
33935	Heart-lung transplant with recipient cardiectomy, pneumonectomy
36468	Single or multiple injections of sclerosing solutions, spider veins (telangiectasia); limb or trunk
36469	face
36470	Injection of sclerosing solution; single vein
36471	multiple veins, same leg
*36530	Insertion of implantable intravenous infusion pump
38240	Bone marrow transplant , allogenic
38241	Bone marrow transplant, autologous
42140	Uvulectomy, excision of uvula
42145	Palatopharyngoplasty (e.g., uvulopalatopharyngoplasty, uvulopharyngoplasty)
43842	Gastroplasty, vertical-banded, for morbid obesity
43843	Gastroplasty, other than vertical-banded, for morbid obesity
43845	Gastroplasty, any method, for morbid obesity
43846	Gastric restrictive procedure, with gastric bypass for morbid obesity with short limb (less than 100 cm) Roux-en-Y gastroenterostomy
43847	Gastric restriction procedure, with gastric bypass for morbid obesity
43848	Revision of gastric restriction procedure for morbid obesity (separate procedure)
43850	Revision of gastroduodenal anastomosis with reconstruction; without vagotomy
43855	with vagotomy
43860	Revision of gastrojejunal anastomosis (gastrojejunostomy) with reconstruction; without vagotomy
43865	with vagotomy
*44130	Enteroenterostomy, anastomosis of intestine; with or without cutaneous enterostomy (separate procedure)
47135	Liver transplant, with or without recipient hepatectomy
47136	Liver allotransplantation, heterotoxic, partial or whole, from cadaver or living donor any age
48160	Pancreatectomy, total or subtotal, with autologous transplantation of pancreas or pancreatic islets
48554	Transplantation of pancreatic allograft
51715	Endoscopic injection of implant material into submucosal tissues of the urethra
54400	Insertion of penile prosthesis; non-inflatable, semi-rigid.
54401	inflatable, self contained
54405	Insertion of inflatable penile prosthesis
54660	Insertion of testicular prosthesis
55970	Intersex surgery; male to female
55980	female to male
56356	Hysteroscopy; with endometrial ablation (any method)

<u>Service Code</u>	<u>Service Description</u>
*61770	Stereotactic localization, or any method, including burr hole(s), with insertion of catheter(s) for brachytherapy (for Parkinsonism)
61885	Incision and subcutaneous placement of cranial neurostimulator pulse generator or receiver, direct or inductive coupling (for Parkinsonism)
61888	Revision or removal of cranial neurostimulator pulse generator or receiver
62350	Implantation, revision or repositioning of intrathecal or epidural catheter
62351	Insertion or replacement, subarachnoid or epidural catheter, with reservoir and/or pump for intermittent or continuous infusion of drug, including laminectomy
62360	Implantation or replacement of device for intrathecal or epidural drug
62361	Implantation or replacement of device or intrathecal epidural drug
63185	Laminectomy with rhizotomy; 1 or 2 segments
63190	Laminectomy with rhizotomy; more than 2 segments
63655	Laminectomy for implantation of neurostimulator electrodes
63685	Incision and subcutaneous placement of spinal neurostimulator pulse generator or receiver, direct or inductive coupling
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
64590	Incision and subcutaneous placement of peripheral neurostimulator pulse generator or receiver, direct or inductive coupling
64612*8	Destruction by neurolytic agent (chemodeneration of muscle endplate); muscles innervated by facial nerve
64613*8	cervical spinal muscles
*64772	Transection or avulsion or other spinal nerve extradural (for Dx of spasmodic torticollis)
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	Chemodeneration 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
69300	Otoplasty, protruding ear, with or without size reduction
69710	Implantation or replacement of electromagnetic bone conduction hearing device in temporal bone
69930	Cochlear implant
G0032	PET myocardial perfusion imaging, (following rest spect, 78464); single study, rest or stress (exercise and/or pharmacologic).
G0033	PET myocardial perfusion imaging, (following rest spect, 78464); multiple studies, rest or stress (exercise and/or pharmacologic).
G0034	PET myocardial perfusion imaging, (following rest spect, 78465); single study, rest or stress (exercise and/or pharmacologic).
G0035	PET myocardial perfusion imaging, (following rest spect, 78465); multiple studies, rest or stress (exercise and/or pharmacologic).

Official Notices

<u>Service Code</u>	<u>Service Description</u>
G0036	PET myocardial perfusion imaging, (following coronary angiography, 93510-93529); single study, rest or stress (exercise and/or pharmacologic).
G0037	PET myocardial perfusion imaging. (Following coronary angiography, 93510-93529); multiple studies, rest or stress (exercise and/or pharmacologic).
G0038	PET myocardial imaging, (following stress planar myocardial perfusion, 78460); single study, rest or stress (exercise and/or pharmacologic).
G0039	PET myocardial perfusion imaging, (following stress planar myocardial perfusion, 78460); multiple studies, rest or stress (exercise and/or pharmacologic).
G0040	PET myocardial perfusion imaging, (following stress echocardiogram, 93350); single study, rest or stress (exercise and/or pharmacologic).
G0041	PET myocardial perfusion imaging, (following stress echocardiogram, 93350.)
G0042	PET myocardial perfusion imaging, (following stress ventriculogram, 78481 or 78483); single study, rest or stress (exercise and/or pharmacologic).
G0043	PET myocardial perfusion imaging, (following stress ventriculogram, 78481 or 78483); multiple studies, rest or stress (exercise and/or pharmacologic).
G0044	PET myocardial perfusion imaging, (following rest ECG, 93000); single study, rest or stress (exercise and/or pharmacologic).
G0045	PET myocardial perfusion imaging (following rest ECG, 93000); multiple studies, rest or stress (exercise and/or pharmacologic).
G0046	PET myocardial perfusion imaging, (following rest ECG, 93015); single study, rest or stress (exercise and/or pharmacologic).
G0047	PET myocardial perfusion imaging (following rest ECG, 93015); multiple studies, rest or stress (exercise and/or pharmacologic).
*75553	Cardiac MRI for morphology; with contrast material
*75554	Cardiac MRI for function, with or without morphology, complete study
*75555	Cardiac MRI for function, with or without morphology; limited study
*75556	Cardiac MRI for velocity flow mapping
*76070	Computerized tomography, bone mineral density study, one or more sites; axial skeleton (e.g., hips, pelvis, spine)
76075	Dual energy x-ray-absorptiometry (DEXA), Bone density study
*76076	Dual-energy x-ray absorptiometry (DEXA), Bone density study, one or more sites
*76078	Radiographic absorptiometry (photodensitometry), one or more sites
76093	MRI breast, unilateral, with or without contrast
76094	MRI breast, bilateral, with or without contrast
*76390	Magnetic resonance spectroscopy (for magnetic resonance imaging, use appropriate MRI body site code)
78350	Bone density (bone mineral content) study; single photon absorptiometry
78351	dual photon absorptiometry
*78459	MRI, positron emission tomography (PET), metabolic evaluation
*78491	MRI, positron emission tomography (PET), perfusion; single study at rest or stress
*78492	MRI, positron tomography (PET), perfusion; multiple studies at rest or stress
78608	PET scan; metabolic evaluation
78609	Brain Imaging (PET) positron emission tomography
78807	Radionuclide localization of abscess (SPECT)
*78810	Tumor imaging, positron emission tomography (PET), metabolic evaluation
*90802*14	Interactive diagnostic assessment
*90804 *4	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an office or outpatient facility, 20-30 minutes face to face with patient.
*90805*4	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an office or outpatient facility, 20-30 minutes face to face with patient; with medical evaluation and management services
*90806*4,22	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in office or outpatient facility, 45-50 minutes face to face with patient
*90807*4,22	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in office or outpatient facility, 45-50 minutes face to face with patient; with medical evaluation and management services
*90808*4,22	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in office or outpatient facility, 75-80 minutes face to face with patient;

<u>Service Code</u>	<u>Service Description</u>
*90809*4,22	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in office or outpatient facility, 75-80 minutes face to face with the patient; with medical evaluation and management services
*90810*14	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communications, in an office or outpatient facility, 20-30 minutes face to face with patient
*90811*14	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication in an office or outpatient, facility, 20-30 minutes face to face with patient; with medical evaluation and management services
*90812*14	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an office or outpatient facility, 45-50 minutes face to face with patient
*90813*14	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication in an office or outpatient facility, 45-50 minutes face to face with patient, with medical evaluation and management services
*90814*14	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication in an office or outpatient facility, 75-80 minutes face to face with patient
*90815*14	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an office or outpatient facility, 75-80 minutes face to face with patient with medical evaluation and management services
*90846 *4,22	Family psychotherapy (without the patient present)
*90847 *4,22	Family psychotherapy (conjoint psychotherapy) (with patient present)
90853 *14	Group therapy (other than of a multiple-family group)
90857*14	Interactive group psychotherapy
*90875 *4	Individual psychophysiological therapy incorporating biofeedback training by any modality (face to face) with the patient and, with psychotherapy (e.g., insight oriented, behavior modifying or supportive psychotherapy); 20-30 minutes
90899	Unlisted psychiatric service or procedure
93784	Ambulatory blood pressure monitoring, utilizing a system such as magnetic tape and/or computer disk, for 24 hours or longer; including recording, scanning analysis, interpretation and report
95805*23	Multiple sleep latency testing
95807*23	Sleep study, 3 or more parameters...
95808*23	Polysomnography; sleep staging with 1-3 additional parameters...
95810*23	Polysomnography; sleep staging with 4 or more additional parameters...
*97780*20	Acupuncture, one or more needles; without electrical stimulation
*98940*1	Chiropractic manipulative treatment (CMT); spinal, one to two regions
*98941*1	spinal, three to four regions
*98942*1	spinal, five regions

*1 For any combination of the CMT codes authorization is required for treatments in excess of 6 per month and 24 per calendar year.

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

- * *4 A. Authorization is required for more than twenty-six (26) hours (52 visits/units of 90804, 90805) or 90875 (when billed in one unit increments) and twenty (20) hours of 90806 or 90807 or 40 units of 90875 (when billed in two-unit increments) per calendar year. Note: The 90875 when billed as one unit and 90804 or 90805 combined decrements from the total 26 hours per calendar year. There is not a separate benefit level for each code. Likewise, 90875 when billed as two units and 90806 or 90807 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 90806 or 90807 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 (90853) and an individual therapy session (90806 or 90807 or X5531) during the same five (5) day calendar period. This would normally require PA if the 90806 or 90807 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 90804 or 90805 or one unit of 90875 is provided in excess of 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

Official Notices

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 in excess of 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, 90804-90807 cannot be provided in excess of once every ten (10) calendar days without PA. (Note: 90846 and 90847 are both considered to be family therapy.) For children under age 21, these restrictions do not apply. For children, there are no spacing requirements applied between individual and family psychotherapy. They are flexible with no spacing requirement applied between these services.
- * G. PA is required for 90806 or 90807 or two units of 90875 when provided in excess of once every ten (10) calendar days, and when 90804 or 90805 or one unit of 90875 and 90806 or 90807 or two units of 90875 are provided in excess of one every ten (10) calendar days. For children under age 21, these restrictions do not apply. The provision of these services for children will be subject to a weekly (5 day) spacing with PA needed after the basic benefit is used.
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.
 - *7 Authorization is required if this code is used more than 30 days after documented fracture.
 - *8 Authorization is required for chemodenervation of any area.
 - *9 Authorization is required for day treatment in excess of 390 hours.
- * *14 Authorization is required for 90802, 90810-90814, 90857 when the thresholds of 90801, 90806 or 90807, 90853 have been used. These codes will be included in the thresholds of codes 90801, 90806 or 90807, 90853. (The provider cannot bill both a 90806 or 90807 and 90810-90814. They must choose one or the other.)
 - *15 Authorization is required for cognitive remediation training (X5317, or X5318, or a combination of X5317 and X5318) in excess of 390 hours.
 - *16 Authorization is required for neuropsychological rehabilitation (X5535) prior to service initiation and for more than 20 hours.
 - *17 Authorization is required for neuropsychological rehabilitation (X5536) prior to service initiation and for more than 78 hours.
- * *19 Authorization is required for neuropsychological testing and assessment (96117) a) to exceed 7 hours (or 28 units) of CPT code 96117 services per calendar year. A maximum of 10 hours (or 40 units) may be approved with prior authorization for a single assessment; and/or if multiple assessments (i.e., re-evaluation) are requested and determined to be medically necessary, a maximum of 15 hours (or 60 units) of CPT code 96117 may be allowed with authorization for the calendar year.
 - *20 Acupuncture is covered for chronic pain. Authorization is required in excess of 10 sessions, and must be performed by an M.D or by a health professional that is **employed** and **supervised** by an M.D.
 - *21 A child under age 21 may exceed the payment limitation of 10 hours per calendar month of case management services (exclusive of out-of-county travel) with prior authorization.
- * *22 A child under age 21 eligible for home-based mental health, therapeutic support of foster care, family community support services may exceed the payment limitations for this pack age with authorization.
 - *23 Authorization is required for persons 18 years of age and under.
 - *24 Authorization is not required for port wine stain birthmarks.
- * *25 Authorization needed after three sessions, up to five injections per session within thirty days.

*** II. INVESTIGATIVE LIST ALPHA ORDER**

- * Angioscopy/vascular endoscopy (no specific code)
- * Angel Wings Occluder (no specific code)
- * Autograft skin culture & Culture transplants (no specific code)
- * Autologous Chondrocyte Implantation (no specific code)
- * Bullectomy (laser)
- * Cardiomyoplasty (no specific code)
- * Cold laser treatment for pain relief or healing (no specific code)
- * Cryosurgical Ablation of Prostate (no specific code)
- * Contact Dissolution Therapy (no specific code)
- * Diastasis Recti Abdominis repair
- * Electrostimulated Gracilis Neosphincter (no specific code)
- * Energy Emission Analysis (no specific code)
- * Fetal Tissue transplantation (no specific code)
- * Homeopathy & Homeopathic Gene Therapy Treatment Drugs
- * Homeopathic Medicine, Electrodiagnostic Machine
- * Knee Cartilage (Meniscus) Transplants
- * Impedance Cardiography
- * Impotence - Vascular Surgery
- * Isolated Limb Perfusion
- * Nerve Expansion
- * Nephrectomy (Percutaneous)
- * Omental Transposition to Spinal Cord
- * Phototherapeutic Keratectomy
- * Radioimmunoguided Surgery
- * Tissue Engineering
- * Topographic Brain Mapping
- * Transmyocardial Laser Revascularization
- * Transurethral Cryosurgical removal of Prostate
- * Vertebral Axial Compression
- * Seismocardiogram
- * Vagal Nerve Stimulator using Neuralcybernetics Prosthesis (NCP)

Alpha- 1 Antitrypsin Deficiency Replacement Therapy - investigative except when used in patients satisfying the following criteria: (90799, 90784)

1. inherited alpha- 1 antitrypsin deficiency;
2. nonsmoking;
3. forced expiratory volume (FEV1) should be less than 65% of the normal value;
4. patients waiting for lung transplantation.

Ambulatory blood pressure monitoring

Angioplasty Laser - 92982, 92984

*Apheresis - For LDL

- Hypercholesterolemia: Familial type IIA homozygous form (P)

Official Notices

Apnea Appliance, Oral

Arthoscopy/Arthroscopic Surgery for treatment of TMJ (29800, 29804) - when used for diagnosis only

Artificial Heart Implant (CPT codes 33945, 33999)

Cervigram - (considered not medically necessary)

Cochlear Implantation - The procedure is considered clinically accepted therapy in perlingually and postlingually deaf adults and children ages 2-17 years who cannot significantly benefit from a hearing aid. authorization is required. (69930, 69710 - 69711, L8614)

Cytosan for Neurological Disorders - investigative except in patients with progressive MS who have failed standard therapy. (J9070 - J9092)

Epikeratophakia Lens (authorization required for eligible indications). (65760, 65765, 65767)

Fallopian Tube Catheterization (58345) - investigative except for restoring patency in proximal fallopian tube obstruction.

Gunderson Lyme Test - test is considered investigative.

Hair Analysis (82175, 83015, 83018)

Hyperhomocysteinemia

Immunoglobulin Therapy - investigative for the treatment of multiple sclerosis, chronic fatigue syndrome, and chronic sinus infections. Not considered investigative for acute inflammatory demyelinating polyneuropathy (Guillan Barre). (91560, 91561, 90799)

* Infusion Pumps (implantable)

* Impotence - surgical correction of organic impotence by either venous or arterial procedures is considered investigative. (37780 and 37790)

A. Epidural access (CPT codes 63750, 63780)

1. Administration of analgesia for control of severe, intractable pain of the terminally ill secondary to malignancy;
2. Control of spasticity with low dose morphine;
3. Control of physically disabling spasticity of spinal origin (i.e., resulting from Multiple Sclerosis or spinal cord injury) with intrathecal baclofen (Lioresal) in patients who:
 - a. are refractive to various pharmacologic (i.e., oral baclofen) and exercise therapies, and
 - b. have a significant functional component that is expected to improve with this therapy.

Note: We will pay for services associated with infusion pumps only when the pump is FDA approved. These associated services include implantation surgery and hospitalization. Infusion pumps provided on an outpatient basis require prior authorization. Infusion pumps associated with inpatient services are covered as part of the DRG payment and cannot be billed separately.

Interleukin 2 - for malignant melanoma - considered investigative for all indications except renal cell carcinoma.

Intravaginal Conception (IVC)

Iontophoresis Devices for Hyperhidrosis

IV Vitamins and Minerals - investigative when administered in the office setting for allergies, candidiasis, chronic fatigue syndrome, Epstein-Barr virus, and multiple sclerosis.

Keratimilisis - (65760, 65765, 65767) investigative except for:

1. for a person with congenital cataracts;
2. for a patient with keratoconus;
3. rarely for patients who cannot wear any type of corrective lenses and are not suitable for an implant, and for patients whose occupation is not conducive to other forms of corrective lenses;
4. for patients with significant corneal scarring associated with severe visual impairment in whom a corneal graft is functionally less desirable.

Laser Assisted Uvulopalatopharyngoplasty (LAUP)

Laser Corneal Sculpturing

Lithotripsy for Treatment of Gallstones (50590)

Lyme Borreliosis Antigen Testing

Lymphokine Activated Killer Cells (LAK)

Magnetic Source Imaging

Methyl Test - Butyl Ether (MTBE) (43265)

Photodynamic Therapy

Phototherapy Lights - investigative for Seasonal Affective Disorders

Platelet Derived Wound Healing Factor (PDWHF)

Posturography

Prolastin - see alpha- 1 antitrypsin deficiency for indications for coverage.

Promontory Test

Protropin

Quantitative Computed Tomography (Bone Mineralization Studies)

Rhinomanometry (92512)

Rotating Chair Test

Sclerotherapy - investigative as a stand-alone treatment for varicose veins of the lower extremities. Sclerotherapy used in conjunction with surgical ligation or stripping, up to four months postoperatively, is considered accepted medical practice. Authorization is required. (36468 - 36471)

Seismocardiogram (93799)

Signal-Averaged ECG (93278)

Somatostatin Analog - investigative except for the treatment of metastatic carcinoid tumors and vasoactive intestinal peptide-secreting (VIP) tumors, and pancreatic fistulas.

Temporomandibular Joint (TMJ) Disorder and Craniomandibular Joint - the following are considered investigative when used in the diagnosis and treatment of TMJ and craniomandibular disorders:

1. electromyography (EMG) (95867, 95868)
2. computerized mandibular scanner (97752)
3. computerized jaw tracking/motion analysis (97752)
4. doppler auscultation
5. sonography/ultrasound (76066, 76999, 78380)
6. electrovebratiography

Therastim

Thermography (93760 - 93762,)

Topographic Brain Mapping

Transcranial Doppler Ultrasound - investigative except when provided for the following indications:

1. detecting severe stenosis in the major basal intracranial arteries;
2. assessing patterns and extent of collateral circulation in patients with known regions of severe stenosis or occlusion;
3. evaluating and following patients with vasoconstriction of any cause especially after subarachnoid hemorrhage;
4. detecting arteriovenous malformations and studying their supply arteries and flow patterns;
5. assessing patients with suspected brain death.

*Transurethral destruction of prostate tissue by microwave or thermography

*Transurethral destruction of prostate tissue by radiofrequency thermography

Tubal Cannulation - investigative when used for performing assisted reproductive procedures and managing ectopic pregnancy. (58345)

Tumor Cell Sensitivity Assay

Tumor Markers:

1. CA 15-3
2. CA 19-9
3. CA 125
4. CEA

Official Notices

5. PAP
6. PSA
7. CA 50
8. CA 242

Ultra Fast CT

Uterine Lavage for Preembryo Transfer

Variance Cardiology (93278)

Vascular Surgery for Impotence - surgical correction of organic impotence by either venous or arterial procedures

III. INVESTIGATIVE LIST NUMERIC ORDER

This list does not contain all procedures that are considered investigative because not all procedures have CPT/HCPCS codes. Refer to the alpha list for the complete list of investigative procedures.

Some of the codes listed end in "99". In these cases, the procedure listed following the code refers to the specific procedure that is considered investigative.

15780, 15783, 15786 - 15791 - Dermabrasion for Acne (considered cosmetic or investigative, depending on clinical stage of acne).

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

29800, 29804 - Arthroscopy/Arthroscopic Surgery for treatment of TMJ - when used for diagnosis only

33945, 33999 - Artificial Heart Implant

36468, 36469, 36470, 36471 - Silicone Injection - when used for pediatric procedures.

36520 - Apheresis for LDL- Hypercholesterolemia: Familial type II A homozygous form (P)

36522 - Photopheresis - investigative except for the treatment of cutaneous T-cell lymphoma. (The use of photopheresis for the treatment of scleroderma is considered investigative.)

*37788 Penile revascularization, artery, with or without vein graft

*37790 Penile venousocclusive procedure (for impotence)

43265 Methyl Test - Butyl Ether (MTBE)

50590 Lithotripsy for Treatment of Gallstones

51785 Perryometer

52510 Balloon Transurethral Divulsion of Prostate Gland

*53850 Tranurethral destruction of prostate tissue; by microwave or thermography

*53852 Tranurethral destruction of prostate tissue; by radiofrequency thermography

58345 Fallopian Tube Catheterization

58345 Tubal Cannulation - investigative when used for performing assisted reproductive procedures and managing ectopic pregnancy.

63750, 63780 - Infusion pumps - epidural access

65760, 65765, 65767 - Keratimilusis

65760, 65765, 65767 - Epikeratophakia Lens

69930, 69710 - 69711, L8614 - Cochlear Implantation

70541, 71555, 72159, 72198, 73225, 73725, 74185 - MRI for angiography

71550 MRI of the chest, breast

71555 MRI of chest

75552 myocardium,

76093 MRI breast, unilateral

76094 MRI breast, bilateral

Service Code	Service Description
76070, 76075	Bone density study
85828	Sleep Studies, Home
90880	Hypnotherapy for Anesthesia
91560, 91561, 90799	Immunoglobulin Therapy - investigative for the treatment of multiple sclerosis, chronic fatigue syndrome, and demyelinating polyneuropathy. Not considered investigative for acute inflammatory demyelinating polyneuropathy (Guillan Barre).
91660	Histamine Therapy - investigative except when used for treatment of cluster headaches.
*92512	Rhinomanometry
92982, 92984	Angioscopy, Laser
92995, 93365	Tissue Type Plasminogen Activator (TPA) - investigative except when used as intravenous administration for cardiac thrombolysis during management of an evolving acute myocardial infarction.
93278	Variance Cardiography
93278	ECG, Variance Electrocardiography
93278 - Signal-	Averaged ECG
93760 - 93762,	Thermography
93784	Ambulatory blood pressure monitoring, utilizing a system such as magnetic tape and/or computer disk, for 24 hours or longer; including recording scanning analysis, interpretation and report
93786	Recording only
93788	Scanning analysis with report
93790	Physician review with interpretation and report
93799	Cardiokymography - investigative except when used to evaluate coronary artery disease in males with atypical angina pectoris or nonischemic chest pain and in females with either typical or atypical angina.
93799	Seismocardiogram
95078	Provocation - Neutralization Testing (sublingual, intracutaneous or subcutaneous);
J1660	Histamine Therapy - investigative except when used for treatment of cluster headaches.
J9070 - J9092	Cytosan for Neurological Disorders - investigative except in patients with progressive MS who have failed standard therapy.
Q0093, Q0094	Colony-Stimulating Factors

Department of Labor and Industry

Labor Standards Division

Notice of Addition to Prevailing Wage Rates

Additional classes of Labor, Code 430 Wiring System Technician and Code 431 Wiring System Installer, have been determined for the Commercial Prevailing Wage Rates in Pennington County which were certified 10/20/97.

Copies of the additional certification may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306 or by calling (612) 296-6452. Charges for the cost of copying and mailing are \$1.00 for the first page and \$.50 for each additional page. Make check or money order payable to the State of Minnesota.

Gretchen Maglich
Acting Commissioner

Official Notices

Minnesota Property Insurance Placement Facility

Notice of Meeting of the Governing Board

NOTICE IS HEREBY GIVEN that the fourth quarter Governing Board meeting of the Minnesota Property Insurance Placement Facility will be held at 9:00 a.m. on Wednesday, December 10, 1997. The meeting will be held at Minnesota Property Insurance Placement Facility located at 1201 Marquette Avenue, Suite 310, Minneapolis, Minnesota. For additional information please call 338-7584.

Minnesota Racing Commission

Notice of Membership of Public Advisory Committee to Assist the Minnesota Racing Commission in the Promulgation of Pari-mutuel Racing Rules

NOTICE IS HEREBY GIVEN that the Minnesota Racing Commission has, at its August 20, 1997 Rules Committee meeting, formed a new Public Advisory Committee (PAC) to offer assistance to the Commission in drafting various rules and amendments relating to pari-mutuel horse racing. This PAC consists of Troy Mertens, V.P., Canterbury Park; Damon Swanson, Executive Director, Horsemen's Benevolent and Protective Association; Stephanie McCarthy, Executive Director, Minnesota Thoroughbred Association; John Broeker, President, Minnesota Quarter Horse Racing Association; and Greg Jensen, President, Minnesota Harness Racing, Inc. The PAC participates with the Racing Commission in the formulation of rules at its Rules Committee meetings.

Written or oral comments regarding the membership of the PAC may be directed to:

Richard Krueger, Executive Director
Minnesota Racing Commission
P. O. Box 630
Shakopee, MN 55379
Telephone: 612-496-7950

Department of Revenue

Request for Comments on Planned Amendments to Rules Governing Sales and Use Tax - Payments, Returns, Assessments and Collections, *Minnesota Rules*, Chapter 8130, parts 8130.7300 through 8130.8400

Subject of Rules. The Minnesota Department of Revenue requests comments on its planned amendments to rules governing Sales and Use Tax - Payments, Returns, Assessments and Collections. The proposed amendments being considered by the Department would reflect law changes and would update the various subject matters covered by these rules. The changes proposed are strictly technical in nature and do not reflect policy determinations.

Specifically, the Department is considering rule amendments in the following subject areas: when tax is due; uncollectible debt deduction; returns and records; security; notice from commissioner; extension of time to file returns; return filing; failure to file; time limitation on assessment and collection; claim for refund; abatement and interest on unpaid liabilities; and limitations on disclosure of sales and use tax information.

Persons Affected. The amendments to the rules would likely affect retailers in the state of Minnesota.

Statutory Authority. *Minnesota Statutes*, section 270.06, clause (14) authorizes the Department to adopt rules for the administration and enforcement of state tax laws.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing or orally until 4:30 p.m. on February 6, 1998. The Department does not contemplate appointing an advisory committee to comment on the planned rules.

Rules Drafts. The Department has not yet prepared a draft of the planned rule amendments.

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these planned rules should be addressed to:

John Streiff, Attorney
Minnesota Department of Revenue
Appeals, Legal & Criminal Investigations Division
10 River Park Plaza
St. Paul, Minnesota 55146
(612) 297-7038
Fax # (612) 296-8229
TTY users may call the Department at 297-2196

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Dated: 8 December 1997

James L. Girard
Minnesota Department of Revenue

Department of Transportation

Notice of Appointment and Meeting of a State Aid Variance Committee

NOTICE IS HEREBY GIVEN that the Commissioner of Transportation has appointed a State Aid Variance Committee who will conduct a meeting on Wednesday, December 17, 1997 at 9:30 a.m. in Conference Room 194 Water's Edge Building, 1500 West County Road B-2, Roseville Minnesota, 55113.

This notice is given pursuant to *Minnesota Statute 47k.705*.

The purpose of this open meeting is to investigate and determine recommendations for variances from minimum State Aid roadway standards and administrative procedures as governed by *Minnesota Rules* for State Aid Operations 8820.3300 adopted pursuant to *Minnesota Statutes* 161 and 162.

The agenda will be limited to these questions:

1. Petition of the City of Eden Prairie for a variance from *Minnesota Rules* 8820.2800 as they apply to four construction projects on Municipal State Aid Street No. 113 (Dell Road), between Westbound T.H. No. 212 Ramp and 3972 feet North of C.S.A.H. No. 1, and between West 82nd Street and Cascade Drive; and on Municipal State Aid Street No. 108 (Dell Road), between T.H. No. 5 and Twilight Trail, and at Bridge No. 27A03 under the Twin City & Western Railroad in the City of Eden Prairie, so as to allow plan approval after award of contract, in lieu of the required plan approval by the State Aid Engineer prior to award of contract.

9:30 a.m. City of Eden Prairie

Dated: 28 November 1997

Patrick B. Murphy
Division Director
State Aid for Local Transportation

Official Notices

Department of Transportation

Petition of the Eden Prairie City Council for a Variance from State Aid Requirements for AFTER-THE-FACT PLAN APPROVAL

NOTICE IS HEREBY GIVEN that the Eden Prairie City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to four construction projects located on Municipal State Aid Street No. 113 (Dell Road), between Westbound Trunk Highway No. 212 Ramp and 3972 feet North of County State Aid Highway No. 1, and between West 82nd Street and Cascade Drive; and on Municipal State Aid Street No. 108 (Dell Road), between Trunk Highway No. 5 and Twilight Trail, and at Bridge No. 27A03 under the Twin City & Western Railroad in the City of Eden Prairie.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2800, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit plan approval after award of contract, in lieu of the required State Aid plan approval prior to award of contract on the construction projects on above referenced projects on Dell Road in the City of Eden Prairie.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 25 November 1997

Patrick B. Murphy
Division Director
State Aid for Local Transportation

Department of Transportation

Petition of the City of Marshall for a Variance from State Aid Requirements for BIKE PATH WIDTH

NOTICE IS HEREBY GIVEN that the Marshall City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed construction project on Country Club Drive, between County Road No. 7 and Cheryl Avenue in the City of Marshall, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9995, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to allow a 8 foot bike path width, in lieu of the required 3 meter wide bike path on the proposed construction project, on Country Club Drive between County Road No. 7 and Cheryl Avenue in the City of Marshall, Minnesota.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 1 December 1997

Patrick B. Murphy
Division Director
State Aid for Local Transportation

Department of Transportation

Petition of the Murray County Board for a Variance from State Aid Requirements for DIAGONAL PARKING WIDTH

NOTICE IS HEREBY GIVEN that the Murray County Board has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on County State Aid Highway No. 39 (St. Paul Avenue), between Front Street and Seventh Street in the City of Fulda, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9961, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to allow a 23.4 meter curb-to-curb street with 60 degree diagonal parking permitted on both sides of the street; in lieu of the required 23.8 meter curb-to-curb street with 60 degree diagonal parking allowed on both sides of the street on the proposed reconstruction project on County State Aid Highway No. 39 (St. Paul Avenue), between Front Street and Seventh Street in the City of Fulda, Minnesota.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 25 November 1997

Patrick B. Murphy
Division Director
State Aid for Local Transportation

Department of Transportation

Petition of Wright County for a Variance from State Aid Requirements for AFTER-THE-FACT PLAN APPROVAL

NOTICE IS HEREBY GIVEN that Wright County has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a bridge replacement project, State Aid Project Number 86-599-17.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2800, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit plan approval after award of contract, in lieu of the required State Aid plan approval prior to award of contract on the bridge replacement project on State Aid Project Number 86-599-17.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 25 November 1997

Patrick B. Murphy
Division Director
State Aid for Local Transportation

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the *State Contracts* section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Agriculture

Ag Marketing and Development Division

Notice of Authority to Make Grants

The Minnesota Department of Agriculture announces its authority for fiscal year 1998 to make agricultural market development grants to help farmers finance new value-added cooperatives that organize for the purposes of operating processing facilities and for marketing activities related to the sale and distribution of value-added agricultural products as provided for in *Minnesota Statutes*, sections 17.101, subd. 2 and subd. 5, and *Minnesota Rules*, chapter 1552.

Grant applications received by February 1, 1998 will be considered for the initial set of grants awarded. Grant applications may be received throughout the remainder of the fiscal year and awarded if funds are available. Publication of this notice does not obligate the Minnesota Department of Agriculture to award grant funds. Copies of the rules governing the program and other related application materials are available. The rules describe eligibility criteria, application content, application procedures. The grant award for any project may not exceed \$50,000.

Application packet and rules may be obtained by contacting:

Chris Canaday
Ag Marketing and Development Division
Minnesota Department of Agriculture
90 West Plato Blvd.
St. Paul, MN 55107
(612) 297-4648

Minnesota Historical Society

Historic Preservation Grant Application Deadlines

The application deadline for the Minnesota Historical Society's F.Y. 1998 federal Certified Local Government (CLG) matching grants program is 4:30 p.m., Friday, February 6, 1998. Cities with local historic preservation ordinances, commissions, and programs certified by the State Historic Preservation Office and the National Park Service are eligible applicants. It is anticipated that at least \$60,000 will be awarded.

There are six areas of eligible program activity for this grants cycle. They are: 1.) Survey; 2.) Evaluation; 3.) National Register Nomination Forms; 4.) Local Designation Forms; 5.) Comprehensive Planning; and 6.) Public Education. Projects that will receive special priority are those that: promote surveys in areas of known development activity in order to reduce project delays; promote continuing development of data for planning use; reflect the goals and strategies in the 1995 statewide preservation plan; result in local designations; and involve properties associated with the history of heretofore under-documented groups or communities (ethnic or racial minorities for example, but also other groups defining themselves as communities).

Instructions regarding the full range of eligible activities and information on the project selection process and selection criteria are found in the F.Y. 1997 CLG Grants Manual. To request a complete application package or for further information contact Mandy Skypala at (612) 296-5478, E-mail the Grants Office – mandy.skypala@mnhs.org, or write to the Grants Office, Minnesota Historical Society, 345 West Kellogg Blvd., Saint Paul, MN 55102-1906.

This program receives Federal funds from the National Park Service. Regulations of the U.S. Department of the Interior strictly prohibit unlawful discrimination in departmental Federally assisted programs on the basis of race, color, national origin, age, or disability. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of Federal assistance should write to: Director, Equal Opportunity Program, U.S. Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127.

Housing Finance Agency

Request for Proposals for Low Income Housing Tax Credit Program

Introduction

The Minnesota Housing Finance Agency (MHFA) is pleased to announce that it is accepting first competition applications for reservation and allocation of the 1998 Low Income Housing Tax Credits, authorized by the Federal Tax Reform Act of 1986, as revised. The Low Income Housing Tax Credits offer a ten year reduction in tax liability to owners and investors in eligible low income, new construction, rehabilitation or existing rental housing with rehabilitation.

Beginning in 1998, the MHFA will coordinate the first competition of the MHFA Low Income Housing Tax Credit Program (LIHC Program) with the first cycle of the MHFA Super Request For Proposal (Super RFP) which consolidates several deferred and first mortgage loan resources into a single application process.

There will be a separate application packet for the LIHC Program and Super RFP. Two separate application packets must be submitted for proposals requesting both Super RFP and an allocation of tax credits. MHFA will simultaneously process both funding applications for a proposal. Please refer to the appropriate application packet for additional requirements.

Applications for the first competition of the LIHC Program administered by the MHFA and the first cycle of the MHFA Super RFP must be received by the MHFA no later than 4:30 p.m. on Thursday, February 12, 1998.

The guidelines and timelines for the second and third LIHC Program competitions remain identical to the requirements of previous years. Applications must be received by the MHFA no later than 4:30 p.m. on the respective dates indicated below:

Second Round	Thursday, June 11, 1998
Third Round	Thursday, August 8, 1998

Credit Formula

The Minnesota Legislature designated the MHFA as the primary apportionment agency for low income housing tax credits for the state and also authorized eligible cities and counties to administer the tax credits in their respective jurisdictions based on the *Minnesota Statutes* Section 462A.222, Subd. 1a,2.

Local Administration of Tax Credit

The following eligible cities and counties have the authority to administer the tax credits locally:

Duluth (218) 723-3357	St. Paul (612) 266-6616
St. Cloud (612) 252-0880	Dakota County (612) 423-8104
Rochester (507) 285-8224	Washington County (612) 458-6555
Minneapolis (612) 673-5067	

Applicants with eligible buildings located within the jurisdiction of the above local governments must apply to the local administrators for allocation of the low income housing tax credit. Any suballocation to local governments that is not committed by the end of the first competition must be returned to the MHFA for statewide allocation. The MHFA will not make an allocation for projects located within the jurisdiction of the cities or counties that have elected to administer the credits until the amounts reserved have been allocated or returned to the MHFA for allocation, except for the nonprofit set-aside.

Total estimated 1998 tax credits available for the State of Minnesota are based on anticipated U.S. Census Bureau population figures (4,658,000 population x \$1.25 per capita credit amount = \$5,822,500).

MHFA Administration Tax Credits

Applicants with eligible buildings in the balance of the state, not within the jurisdiction of eligible local credit administrators, may apply to the MHFA for an allocation of low income housing tax credits.

In addition, the MHFA has been designated as the credit agency to provide low income housing credits for projects involving qualified 501(c)(3) and 501(c)(4) nonprofit organizations statewide. Ten percent of the state ceiling has been set aside for qualified non-profits as required by Section 42 of the *Internal Revenue Code of 1986*. Qualified non-profits can apply to the MHFA for the low income housing tax credit set-aside, regardless of the geographic location of the proposed low income housing building, as specified in the allocation plan.

State Grants & Loans

For additional information, an LIHC or Super RFP application packet for buildings located in the MHFA jurisdiction, please write to MHFA at the following address or call (612) 297-3294.

Minnesota Housing Finance Agency
Multifamily Underwriting
Low Income Housing Tax Credit Program
400 Sibley Street, Suite 300
St. Paul, MN 55101-1998

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or familial status.

Housing Finance Agency

Super Request for Proposals for Multifamily Housing Programs

The Minnesota Housing Finance Agency (MHFA), the Family Housing Fund, the Metropolitan Council, the Minneapolis Public Housing Authority, and the Greater Minnesota Housing Fund announce the availability of loan or grant funds to eligible sponsors to assist in the development, construction, acquisition and rehabilitation of affordable rental housing for low and moderate income residents of Minnesota.

Amount of Funds Available:

Approximately \$10 million

Location:

Generally statewide. MHFA funds are available statewide. Funds from the Metropolitan Council, Minneapolis Public Housing Authority and Family Housing Fund are available in the seven-county metropolitan area only. Funds from the Greater Minnesota Housing Fund will be available for projects outside the seven-county metropolitan area.

Form of Awards:

Funds are awarded generally as a zero percent (0%), 20-30 year deferred or subordinated loan or grant. Interest rate, term and type of loan or grant will vary depending upon actual recommended funding source and will be discussed in detail with sponsors upon selection for funding.

For developments using the Federal Low Income Housing Tax Credit Program, loans may be structured with an interest rate to be eligible for inclusion in qualified basis.

Eligible Applicants:

In general, eligible applicants include limited profit and non-profit entities, private individuals, corporations, partnerships, Minnesota cities, Minnesota units of local government, Housing and Redevelopment Authorities, Community Housing Development Organizations (CHDOs), joint power boards established by two or more cities, and community based organizations.

Eligible Projects:

The funds may be used for a variety of rental housing types including permanent housing, publicly owned housing, temporary or transitional housing, emergency shelters and supportive housing.

Permanent rental housing must be "residential housing" or be "generally available to low and moderate income people." The owner of permanent supportive housing shall not also be the provider of services.

- "Residential housing" is housing where the individual units have bathrooms and kitchen facilities.
- Housing that is "generally available to low and moderate income people" is housing for which occupancy is either unrestricted or restricted only on the basis of income.

Some sources of funding may require ownership by a public entity.

Developments which provide for or maintain economic integration are encouraged.

Developments shall be closely targeted to areas of economic growth, or with sufficient market demand (including household growth, local employment growth, low vacancy rates, and long waiting lists) and with an emphasis on housing for large families and single individuals.

Developments with age restrictions of 55 and older are not eligible under most funding sources.

Income Limits:

The overall goal of the Super RFP is to serve lower income households. Funding sources included in this Super RFP generally allow incomes up to 50% of median income in the seven-county metropolitan area, and up to 80% of statewide median income in Greater Minnesota (adjusted for family size). Some funding sources, particularly those whose objective is to address needs identified in a continuum of care plan, require lower income limits.*

Gross Rent Limits:

Generally, maximum gross rents shall not exceed 30% of 50% of statewide or area median income.*

**NOTE: Priority will generally be given to those developments serving the lowest income households.*

MHFA First Mortgage Programs:

The MHFA also has available long term fixed rate mortgages for acquisition, refinance, or new construction of multifamily housing for developments that may generate adequate income to service debt. These mortgages are offered through the Low and Moderate Income Rental Program (LMIR) and New Construction Tax Credit Mortgage Program (NCTC). The NCTC program is intended for use with low income housing tax credits. Separate application materials are not required for the first mortgage programs.

Low Income Housing Tax Credit Program:

The first competition of the MHFA's Low Income Housing Tax Credit Program (LIHC Program) is being coordinated with the first round of the Super RFP. Separate application packets are required for proposals requesting both Super RFP funds and an allocation of tax credits. Applications will be reviewed simultaneously.

Application Process:

To request a Super RFP/First Mortgage application form and procedural guide, please contact:

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101
(612) 297-3294, or
toll free: 1-800-657-3701

Application materials for the LIHC Program can also be obtained by calling the above telephone number.

Application Submission Deadline:

The original and two (2) copies of the Super RFP/First Mortgage application are due by 4:30 p.m. on Thursday, February 12, 1998. Staff will make recommendations for funding to the MHFA Board on May 28, 1998.

The application deadline for the first competition of the MHFA's LIHC Program are due at the same time and date. Refer to LIHC Program application materials for more details.

This request for proposals (RFP) is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or familial status.

Professional, Technical & Consulting Contracts

Department of Human Services

Mental Health Division

Notice of Availability of Funds

The Department of Human Services (DHS), Children's Mental Health Division announces the availability of funding up to \$20,000 in Federal Community Mental Health Services Block Grant funds to qualified agencies for the period from February 1, 1998 through December 31, 1998. The grant is a pilot project to design and implement innovative family to family mentorship.

The primary objective of this project is to assist parents of children with severe emotional disturbance or emotional behavioral disorder to mentor and support each other. This is a project where parents who have successfully raised a child with serious emotional disturbance (SED) will mentor and support parents of children who are newly diagnosed with serious emotional disturbance. DHS is interested in exploring the potential for replicating and integrating this model into other parent support initiatives and services. The Project is expected to increase parents ability to utilize informal resources and other parents support networks.

Applications are due by 4:00 p.m. on December 30, 1997. Notification of approved proposals is anticipated to be completed by January 15, 1998. All applicants will be notified of the final funding decisions by March 15, 1998. Interested parties should contact Sunday Olayinka (612/296-7905) at DHS for application instructions.

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, and final submission date of completed contract proposal.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of up to 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612) 296-2600 or [TTY (612) 297-5353 and ask for 296-2600].

Department of Administration

State Designer Selection Board

Request for Proposals for the University of Minnesota New Ice Hockey Arena and Tennis Center

To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for these projects should deliver proposals on or before 4:00 p.m., Monday, January 5, 1998, to:

Audrey Clasemann, Executive Secretary
State Designer Selection Board
Department of Administration
50 Sherburne Avenue, Room G-10
St. Paul, Minnesota 55155-3000
(612) 296-4656

The proposals must conform to the following:

1. **Six (6) copies of the proposal will be required plus one additional unbound copy in black and white for micro fiche purposes only.**
2. All data must be on 8 1/2" x 11" sheets, soft bound. No more than 20 printed faces will be allowed (see the following bullet points for clarification).
 - **Any letters directed to the Board shall be bound into the proposal and all pages will be counted as printed face(s).** It is not necessary to do a cover letter to Audrey Clasemann.
 - **Blank dividers (with printed tab headings only) are not counted as faces.**
 - Front and back covers of proposals are not counted as faces.
 - **None of the statutory, mandatory, or optional information, except as required in 3) below, shall appear on the dividers or covers.**

Professional, Technical & Consulting Contracts

3. The front cover of the proposal must be clearly labeled with the project number, as listed in 7) below, together with the designer's firm name, address, telephone number, fax number, and the name of the contact person. The back cover shall remain blank.

4. **Brief Proposal Summary:**

All proposals shall begin with a summary which includes **only** the following items:

- a. Name of firm and its legal status;
- b. **Names of the persons responsible for the management, design, and production of each major element of the work, including consultants, as well as Minnesota registration numbers for all (e.g., architects, civil/electrical/mechanical/structural engineers, landscape architects, land surveyors, and geotechnical);**
- c. The proposal shall contain a statement indicating that the consultants listed have been contacted and have agreed to be a part of the design team;
- d. A commitment to enter the work promptly, if selected, by engaging the consultants and assigning the persons named above, along with adequate staff to meet the requirements of work; in 4.b

- e. **A list of State and University of Minnesota current and past projects and studies awarded to the prime firms(s) submitting this proposal during the four years immediately preceding the date of this request for al. For the purposes of this list, "awarded" shall mean you have been selected for a given project less of the status of the contract.** propos-regard-

The prime firm(s) shall list and total all fees associated with these projects and studies whether or not the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects and studies listed pursuant to the above.

NOTE: Please call Audrey Clasemann and leave your address or fax number to receive a copy of the acceptable format for providing this information.

- f. In accordance with the provisions of *Minnesota Statutes, 1981 Supplement*, Section 363.073; for all contracts estimated to be in excess of \$100,000, all responders having more than 40 full-time employees anywhere in the United States at any time during the previous 12 months, must have an affirmative action plan **approved by the Commissioner of Human Rights prior to the execution of the contract or agreement. This Statute applies to any business either within or outside the State of Minnesota. This Certificate is valid for 2 (two) years.**

Therefore, the proposal shall include one of the following:

- 1) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
- 2) A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights; or
- 3) **A statement certifying that the firm has not had a cumulative total of more than 40 full-time employees at any time during the previous 12 months, anywhere in the United States. Any questions regarding this topic may be directed to the Department of Human Rights, (612) 296-5663 Phone & (612) 296-9042 Fax.**

5. **Additional Mandatory Proposal Contents:**

- a. A section containing graphic material (e.g., photos, plans, drawings, etc.) as evidence of the firm's qualifications for the work. The graphic material must be identified. It must be work in which the personnel listed in 4 b) above have had significant participation and their roles must be clearly described. It must be noted if the personnel were, at the time of the work, employed by other than their present firms.
- b. Expanded resumes showing qualification of individuals, listed in 4(b) above, administering or producing the major elements of the work, including consultants. Identify roles that such persons played in projects which are relevant to the project at hand. the pro-
- c. A discussion of the firm's understanding of and approach to the project.
- d. A listing of relevant past projects.

6. Design firms wishing to have their proposals returned after the Board's review, must follow one of the following procedures:

- a. Enclose a **self-addressed stamped** postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two weeks to pick up their proposals, after which time the proposals will be discarded; or
- b. Enclose a **self-addressed stamped** mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

In accordance with existing statutes, the Board will retain one copy of each proposal submitted.

Professional, Technical & Consulting Contracts

Any questions concerning the Board's procedures or their schedule for the projects herein described may be referred to Audrey Clasemann at (612) 296-4656.

PROJECT 5-97

**University of Minnesota
New Ice Hockey Arena and Tennis Center
Twin Cities Campus
Minneapolis, Minnesota**

1. PROJECT DESCRIPTION:

The University of Minnesota is planning to construct a new Ice Hockey Arena and Tennis Center over two levels of parking on the University of Minnesota Minneapolis Campus. The purpose of this project is to provide an additional ice facility to support the Women's Hockey program, provide indoor and outdoor tennis facilities to support the Men's and Women's Tennis program, and to generate revenue through facility rental, advertising, and corporate sponsorship to help support the Women's Hockey program:

- 85' x 200' Ice Hockey sheet:
Spectator seating for 3,000 plus people.
Locker room support spaces.
Coaching/training support spaces.
- Ten indoor Tennis Courts:
Spectator seating for 1,200 people
Locker room support spaces.
Coaching/training support spaces.
- Six to Ten Outdoor Tennis Courts.
- Parking Deck for Approximately 600 Cars to Replace Spaces Lost in Lots 33 and 37.

The site is comprised of three parcels bounded by 17th Avenue SE and 19th Avenue SE, between 4th Street SE and 5th Street SE. The outdoor tennis site is north of 5th Street on the site of parking lot 37.

2. REQUIRED CONSULTANT SERVICES:

The scope of the project includes full design services for the project including mechanical, electrical, structural, civil, architectural, acoustical design, project scheduling, cost estimating, and construction administration services. A parking consultant will be required to be a part of the team.

3. DESIGNER REQUIREMENT

Prior experience amongst team members in the design of hockey and/or indoor tennis facilities is preferred, with collegiate-level experience desirable.

4. PROJECT SCHEDULE:

Development of an overall project schedule for planning and phasing of the project is essential to ensure delivery of the completed project by August 1999.

5. CONSTRUCTION BUDGET/FEEES:

The current construction budget is estimated to be approximately \$12,000,000. The project costs, including all fees, permits, and certain departmental furnishings and equipment purchases have been fixed at \$16,000,000. The design fees available for this project, including travel and reimbursables, are approximately \$800,000.

6. INFORMATIONAL MEETING/SITE TOUR:

An informational meeting will be held on Wednesday, December 17, 1997, at 9:00 a.m., in Room 131A Mariucci Arena, 1901- 4th Street SE, Minneapolis (enter southwest corner of Mariucci/Sundet Lobby). Parking is available at the Huron Boulevard Parking Lots east of Mariucci Arena. Additional programming and predesign information will be made available to shortlisted firms only.

7. PROJECT CONTACT:

Questions concerning the project should be referred to:

Linda McCracken-Hunt, AIA
University of Minnesota, Twin Cities Campus
Facilities Management
400 Donhowe Building
319 15th Avenue SE
Minneapolis, Minnesota 55455
Phone: (612) 625-6665
Fax: (612) 625-2595

8. STATE DESIGNER BOARD SCHEDULE:

Proposal Due (by 4:00 p.m.):	Monday, January 5, 1998
Project Short List:	Tuesday, January 20, 1998
Project Informational Meeting and Site Tour:	Wednesday, December 17, 1997, at 9:00 a.m., Room 131A Mariucci Arena
Project Interviews & Award:	Tuesday, February 3, 1998

Questions regarding the RFP should be directed to Audrey Clasemann, (612) 296-4656.

Minnesota State Colleges and Universities (MnSCU)

Request for Proposals for Owner's Representative for Design and Construction of New Library at St. Cloud State University

The Minnesota State Colleges and Universities (MnSCU) acting as the owner for the State of Minnesota is soliciting proposals from experienced firms or individuals to perform the function of Owner's Representative for the design and construction of the new library at St. Cloud State University. The Owner's Representative will be responsible for working with the design consultant and general contractor to assure that the new library is delivered according to established design, MnSCU design and construction standards, schedule and budget.

The project is in the construction document stage of planning. The dates of service are anticipated to be January 15, 1997 through June 30, 2000.

This RFP does not obligate MnSCU to complete the proposed project and MnSCU reserves the right to cancel the solicitation if it is considered to be in its best interest.

To receive a full request for proposal write or call:

Laura M. King
Minnesota State Colleges and Universities
700 World Trade Center
30 East 7th Street
St. Paul, MN 55101
Phone: (612) 297-5579
FAX: (612) 297-3312
E-Mail: laura.king@so.mnscu.edu

Completed proposals are due by 4:00 P.M. Monday, December 22, 1997.

Professional, Technical & Consulting Contracts

Minnesota State Colleges and Universities (MnSCU)

Request for Proposals for Owner's Representative for Winona State University New Library Construction

The Minnesota State Colleges and Universities (MnSCU), acting as the owner for the State of Minnesota, is soliciting proposals from experienced firms or individuals to perform the function of Owner's Representative for the construction of the new library at Winona State University. The Owner's Representative will be responsible for working with the design consultant and general contractor to assure that the new library is delivered according to established design, MnSCU design and construction standards, schedule and budget.

The project is in the initial stage of construction. The dates of service are anticipated to be January 15, 1998 through March 16, 1999.

This RFP does not obligate MnSCU to complete the proposed project and MnSCU reserves the right to cancel the solicitation if it is considered to be in its best interest.

To receive a full request for proposal write or call:

Laura M. King
Minnesota State Colleges and Universities
700 World Trade Center
30 East 7th Street
St. Paul, MN 55101
Phone: (612) 297-5579
FAX: (612) 297-3312
E-Mail: laura.king@so.mnscu.edu

Completed proposals are due by 4:00 P.M. Monday, December 15, 1997.

Department of Corrections

Request for Proposal for Psychiatric Services for MCF-Red Wing

The Minnesota Department of Corrections, Health Care Unit, is requesting proposals for psychiatric consultation services to inmates at the Minnesota correctional facility in Red Wing. Services to include initial psychiatric evaluation, prescription of psychotropic medications, evaluation / certification of mental illness for emergency holds and judicial commitment. Psychiatrist will also be required to participate in scheduled meetings as directed by the Medical Director or Health Care Administrator.

For an RFP or additional information, please call or write to:

Mr. Dana Baumgartner
Health Care Administrator
Minnesota Department of Corrections
1450 Energy Park Drive, Suite 200
St. Paul, Minnesota 55108-5219
Telephone: 612-642-0248

Proposals are due no later than 4:00 p.m. on Friday, December 26, 1997. No late proposals will be accepted.

Department of Finance

Management Services Division

Notice of Request for Proposals for Training Services

The state of Minnesota is seeking to develop a contract with a qualified firm to provide custom (at our site) and regularly scheduled (at the vendor's site) training in PC based software packages (Word processing, Spreadsheets, PC based Databases, etc.). Training may be at the beginner, intermediate or advanced levels. When appropriate, custom training may also be desired if the department adopts an upgrade to one of its standard packages. Qualified vendors must be willing to provide both kinds of training (either at the department's training facility or at the vendor's facility).

The contract resulting from this request for proposals will be for a period ending June 30, 1998 but may be extended for up to an additional year, with the state reserving the right to grant extensions up to 3 more years.

Initial proposals are due by December 29, 1997 and must be received at the Department of Finance by 3:00 PM.

This request for proposals does not obligate the State to enter into a training services contract. The State may reject any or all responses to this request for proposals if it is considered to be in the State's best interest. The State reserves the right to cancel this solicitation without liability with a 30 day notice if it is considered to be in the State's best interest.

A complete copy of the request for proposal may be obtained by calling or requesting a copy in writing at the following address or phone number:

State of Minnesota
Department of Finance
Attn: Gordon Yurich
658 Cedar St.
St. Paul, MN 55155
Phone: 612-296-9473
Fax: 612-296-8685
E-mail: gordon.yurich@state.mn.us

Departments of Human Services and Children, Families, and Learning

Request for Proposals to Conduct Database Management and Analysis for the Minnesota Treatment Demand and Needs Assessment Studies: Alcohol and Other Drugs

The Minnesota Departments of Human Services and Children, Families, and Learning are jointly soliciting proposals from qualified parties to provide database management and statistical analysis of the Minnesota Student Survey, develop a short-form version of the Adult Household Survey, and to identify a core set of social indicators that can act as valid and reliable proxies for direct measures of substance use and abuse.

This Request for Proposals does not obligate the State to complete this project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

The Minnesota Department of Children, Families, and Learning has estimated that the cost of the Minnesota Student Survey of public school students component should not exceed \$50,000. The Minnesota Department of Human Services has estimated that the cost of the remaining projects should not exceed \$75,000. All proposals must be submitted no later than January 7, 1998.

For a copy of a more detailed explanation of this request for proposals, please contact:

Timothy Beebe, Ph.D.
Senior Research Scientist
Minnesota Department of Human Services
Performance Measurement and Quality Improvement
444 Lafayette Road
St. Paul, Minnesota 55155-3865
Telephone: (612) 296-4617
FAX #: (612) 215-5754

Professional, Technical & Consulting Contracts

Department of Human Services

Children's Mental Health Division

Request for Proposals to Provide Technical Assistance

The Minnesota Department of Human Services is soliciting proposals for qualified parties to provide technical assistance in several areas including, but not limited to, facilitating the development, or operation of a culturally diverse and culturally competent specialty behavioral health care network. Among the tasks to be performed: recruit and retain providers, design financial models and management information systems and consult with community-based culturally competent children's mental health providers to develop and/or support behavioral managed care arrangements; develop a summary report with recommendations to DHS for further system development in culturally competent mental health services.

This request for proposals does not obligate the State to enter into a contract, and the State reserves the right to cancel this solicitation if it is considered to be in its best interest.

The Department estimated that the cost of the contract will not exceed \$18,000. All proposals must be submitted no later than Monday, December 29, 1997. For a copy of a more detailed explanation of this request for proposals, please contact:

Carl Eller
Department of Human Services
444 Lafayette Road North
St. Paul, MN 55155-3860
(612) 282-3713 (Voice)
(612) 297-1210 (TTY)
(612) 297-1949 (Fax)

Department of Human Services

Request for Proposals to Conduct 1998 Minnesota Student Survey Optical Scanning

The Minnesota Department of Human Services, Performance Measurement and Quality Improvement is soliciting proposals from qualified parties to provide optical scanning services for the 1998 Minnesota Student Survey.

This Request for Proposals does not obligate the State to complete this project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

The Minnesota Department of Human Services has estimated that the cost of the optical scanning services for the 1998 Minnesota Student Survey should not exceed \$40,000. All proposals must be submitted no later than January 5, 1998.

For a copy of a more detailed explanation of this request for proposals, please contact:

Jayne A. Fulkerson, Ph.D.
Senior Research Scientist
Minnesota Department of Human Services
Performance Measurement and Quality Improvement
444 Lafayette Road
St. Paul, Minnesota 55155-3865
Telephone: (612) 215-0490
FAX #: (612) 215-5754

Legislative Coordinating Commission

Contract Available for Organizational Development Consultant

The Legislative Coordinating Commission (LCC) is soliciting proposals from qualified individuals and organizations interested in providing organizational development services for the Legislature. Expected services include assessment, evaluation, and, if necessary, assisting legislative staff and managers.

Proposals should satisfy the requirements outlined in the full Request for Proposals. The LCC reserves the right to negotiate final terms with the individual or organization that is awarded the contract. The LCC reserves the right to reject all proposals.

For a copy of the full Request for Proposal, please contact:

Greg Hubinger
Director
Legislative Coordinating Commission
85 State Office Building
St. Paul, MN 55155
(612) 296-2963

Proposals must be received by 4 PM, Monday, December 15, 1997. All expenses incurred in responding to this notice shall be borne by the responder.

Department of Transportation

Metro Division

Office of Traffic Systems Management, Orion Project

Notice of Request for Proposals for Professional Services

The Department of Transportation requests proposals to develop and create a workshop detailing emerging architectural standards. As part of the development process, contractor would be required to prepare presentations and support materials for such presentations and conduct independent research and evaluation as necessary to support recommendations for Orion project courses of action. Contractor would also be required to draft and develop white papers and abstracts, and to provide management support functions as necessary. The Department estimates the cost for this project should not exceed \$100,000.

For further information or to obtain a copy of the complete Request for Proposal, contact:

Susan Cahill
Mn/DOT Metro Division
1500 West County Road B2
Roseville, MN 55113
(612) 582-1356

Other Department personnel are NOT allowed to discuss the request for proposal with anyone, including responders before the proposal submission deadline.

Proposals must be received at the above address no later than 3 p.m. on December 19, 1997. This request does not obligate the State of Minnesota, Department of Transportation to complete the work contemplated in this notice, and the Department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

Non-State Public Bids, Contracts & Grants

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

Invitation for Bids for Courier Service for Lab Samples

Sealed bids will be received in the office of the Metropolitan Council Environmental Services (MCES), Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota 55101, Monday, December 22, 1997 until 1:00 P.M., at which time and place bids will be publicly opened and read aloud.

Copies of the specifications may be obtained from the office of the MCES at the above address or by calling (612) 602-1499 or via Fax request at (612) 602-1083. All bids to be considered must be submitted on Council approved bid forms.

The award will be based upon, but not necessarily limited to, factors of price, agreement to the Metropolitan Council's terms and condition, and past experience with the Metropolitan Council.

The Metropolitan Council reserves the right to accept or reject any and all bids, or any part of any bid, and to waive any minor irregularities and deviations from requirements outlined in the technical specifications.

Metropolitan Council

Invitation for Bids for Security Guard Service

Sealed bids will be received in the office of the Metropolitan Council Environmental Services (MCES), Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota 55101, Monday, December 22, 1997 until 2:00 P.M., at which time and place bids will be publicly opened and read aloud for SECURITY GUARD SERVICE for the Council's Metro Plant Facility.

Copies of the specifications may be obtained from the office of the MCES at the above address or by calling (612) 602-1499 or via Fax request at (612) 602-1083. All bids to be considered must be submitted on Council approved bid forms.

It is mandatory that bidders attend the pre-bid information meeting and project walk through to be held at Metro Plant, 2400 Childs Rd., St. Paul, MN 55106, on Monday December 15, 1997, at 9:00 a.m. Call (612) 602-1499 for more information and to make reservations.

The award will be based upon, but not necessarily limited to, factors of price, agreement to the Metropolitan Council's terms and condition, and past experience with the Metropolitan Council.

The Metropolitan Council reserves the right to accept or reject any and all bids, or any part of any bid, and to waive any minor irregularities and deviations from requirements outlined in the technical specifications.

Metropolitan Council

Invitation for Bids for Janitorial Service for Metro 94 Facility

Sealed bids will be received in the office of the Metropolitan Council Environmental Services (MCES), Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota 55101, Tuesday, December 23, 1997 until 2:00 P.M., at which time and place bids will be publicly opened and read aloud.

Copies of the specifications may be obtained from the office of the MCES at the above address or by calling (612) 602-1499 or via Fax request at (612) 602-1083. All bids to be considered must be submitted on Council approved bid forms.

It is mandatory that bidders attend the pre-bid information meeting to be held at Metro 94, 455 Etna Street, Suite 27, St. Paul, MN 55106, on Tuesday, December 16, 1997, at 10:00 A.M. Call (612) 602-1499 for more information and to make reservations.

The award will be based upon, but not necessarily limited to, factors of price, agreement to the Metropolitan Council's terms and condition, and past experience with the Metropolitan Council.

The Metropolitan Council reserves the right to accept or reject any and all bids, or any part of any bid, and to waive any minor irregularities and deviations from requirements outlined in the technical specifications.




Department of Administration
Communications Media Division

Periodicals
U.S. Postage
Paid
Permit No.
326630
St. Paul, MN

117 University Avenue • St. Paul, Minnesota 55155
Metro Area 612-297-3000
Toll Free 1-800-657-3757
FAX 612-297-8260
Metro Area 612-282-5077 Greater MN 1-800-657-3706

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.

 Printed on recycled paper
20% post-consumer waste

TO ORDER:

Complete attached order blank. Please include sales tax. 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.

PREPAYMENT REQUIRED.

Merchandise may be returned if it is in resaleable condition.

NOTE:
State Register and other subscriptions do not require sales tax or postage and handling fees.

For Your Convenience, photocopy this order blank

Code No.	Quantity	Description	Item Price	Total
Name or Company			Subtotal	
Attention				6 1/2 % tax MN residents 7% St. Paul residents
Address				
City	State	Zip	Add Shipping Charges from chart at left.	
American Express/VISA/MasterCard/Discover No.			TOTAL	
Signature		Expiration Date	Telephone (During Day)	

Shipping Charges	
Subtotal	Add:
Up to \$25.00	\$3.00
\$25.01 - \$50.00	\$5.00
\$50.01 - \$100.00	\$7.00
\$100.01 - \$1,000.00	\$10.00



Prices subject to change without notice.
Please allow about 6 weeks for delivery.
In a hurry? Stop by our Bookstore.
Bookstore hours: 8:00-5:00 Monday-Friday