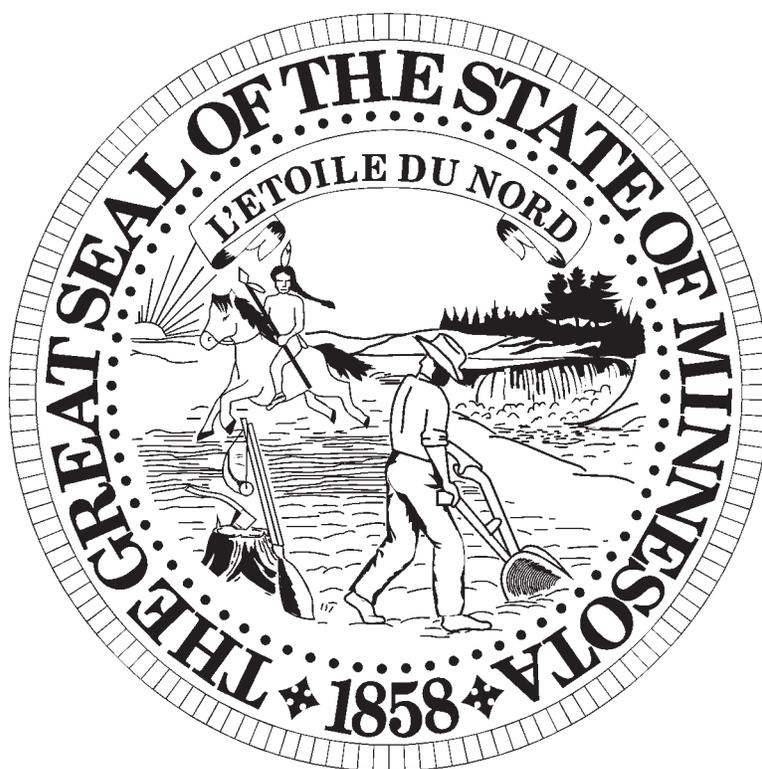


State of Minnesota

State Register



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State Register

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The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

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- appointments
- proclamations and commendations
- commissioners' orders
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- official notices
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# 13	Monday 26 September	Noon Tuesday 20 September	Noon Wednesday 14 September
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Patricia Anderson, State Auditor (651) 297-3670
Mary Kiffmeyer, Secretary of State (651) 296-2079

Department of Administration:
Dana B. Badgerow, Commissioner (651) 296-1424
Communications Media Division:
Mary Mikes, Director (651) 297-3979

State Register:
Robin Panlener, editor (651) 297-7963
John Mikes, assistant editor (651) 297-4616
Jessie Rahmeyer, subscriptions (651) 297-8774

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Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 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 1999 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.

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Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* Sections 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

Department of Labor and Industry

Adopted Exempt Permanent Rules Relating to Workers' Compensation; Fees for Medical Services; Independent Medical Examination Fees

5219.0500 INDEPENDENT MEDICAL EXAMINATION FEES.

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

Subp. 4. **Adjustments.** On October 1, 1994, and on October 1 of each succeeding year, the fees in this part must be adjusted by the percentage determined under *Minnesota Statutes*, section 176.645, in the same manner as the conversion factor of the relative value fee schedule is adjusted under *Minnesota Statutes*, section 176.136. This provision does not apply to expenses under subpart 3, item E, subitem (1). The fees shall be adjusted as follows:

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

J. on October 1, 2003, there shall be no further adjustment to the fees set forth in item I; ~~and~~

K. on October 1, 2004, the fees as adjusted in item I shall be increased by 1.5 percent; and

L. on October 1, 2005, there shall be no further adjustment to the fees set forth in item K.

5221.4020 DETERMINING FEE SCHEDULE PAYMENT LIMITS.

Subpart 1. **Conversion factor.**

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

B. The conversion factor shall be updated annually, pursuant to *Minnesota Statutes*, section 176.136, subdivision 1a. The conversion factor for services included in parts 5221.4030 to 5221.4060 provided after October 1, 1993, is \$52.05. This initial conversion factor is annually adjusted as follows:

[For text of subitems (1) to (10), see M.R.]

(11) for dates of service from October 1, 2004, to September 30, 2005: \$76.31.

Proposed Rules

C. For dates of service from October 1, 2005, to September 30, 2006, the conversion factors are as follows:

- (1) for medical/surgical services in part 5221.4030: \$76.31;
- (2) for pathology and laboratory services in part 5221.4040: \$63.72;
- (3) for physical medicine and rehabilitation services in part 5221.4050: \$66.16; and
- (4) for chiropractic services in part 5221.4060: \$48.08.

There shall be no annual adjustment of the conversion factors on October 1, 2005, pursuant to *Minnesota Statutes*, section 176.136, subdivision 1a, paragraphs (e) and (g).

Subp. 1a. Sample calculation. As a sample calculation, assume the RVU for a new patient office examination, nonfacility, by a physician, procedure code 99201, is 0.84 RVU. If the date of service was September 1, 2000, this RVU is multiplied by 66.14 (conversion factor effective October 1, 1999). The maximum fee under parts 5221.4030 to 5221.4070, excluding any applicable adjustment, would be equal to \$55.56 for the service. For a physical therapy evaluation provided on November 15, 2005, procedure code 97001 in part 5221.4050, the RVU is 1.49. This 1.49 RVU is multiplied by the conversion factor of \$66.16 for services in part 5221.4050, for a maximum fee of \$98.58, excluding any applicable adjustment.

Subp. 2. Key to abbreviations and terms and payment instructions. Columns 1 to 12 found in parts 5221.4030, subpart 2b, 5221.4040, subpart 2b 2c, 5221.4050, subpart 2b 2c, and 5221.4060, subpart 2b 2c, list indicators necessary to determine the maximum fee for the service. Further payment adjustments may apply as specified in this subpart.

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

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

5221.4040 PATHOLOGY AND LABORATORY PROCEDURE CODES.

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

Subp. 2b. **See repealer.**

Subp. 2c. List of pathology and laboratory procedure codes.

(The following Table is all new material)

Pathology and Laboratory Procedure Codes:				Office Facility							
1	2	3	4	5	6	7	8	9	10	11	12
80007	A	7 Clinical chemistry tests		0.85	0.85	XXX	0	0	0	0	0
80500	A	Lab pathology consult		0.53	0.53	XXX	0	0	0	0	0
80502	A	Lab pathology consult		1.54	1.54	XXX	0	0	0	0	0
81000	A	Urinalysis with microscopy		0.25	0.25	XXX	0	0	0	0	0
81002	A	Urinalysis, no microscopy		0.14	0.14	XXX	0	0	0	0	0
82565	A	Assay blood creatinine		0.10	0.10	XXX	0	0	0	0	0
82947	A	Assay body fluid		0.40	0.40	XXX	0	0	0	0	0
84132	A	Assay blood potassium		0.25	0.25	XXX	0	0	0	0	0
84295	A	Assay blood sodium		0.33	0.33	XXX	0	0	0	0	0
85007	A	Differential WBC count		0.30	0.30	XXX	0	0	0	0	0
85014	A	Hematocrit		0.16	0.16	XXX	0	0	0	0	0
85018	A	Hemoglobin		0.20	0.20	XXX	0	0	0	0	0
85021	A	Automated hemogram		0.26	0.26	XXX	0	0	0	0	0
85022	A	Automated hemogram		0.46	0.46	XXX	0	0	0	0	0
85023	A	Automated hemogram		0.58	0.58	XXX	0	0	0	0	0
85024	A	Automated hemogram		0.49	0.49	XXX	0	0	0	0	0
85025	A	Automated hemogram		0.71	0.71	XXX	0	0	0	0	0
85031	A	Manual hemogram		0.51	0.51	XXX	0	0	0	0	0
85048	A	White blood cell		0.17	0.17	XXX	0	0	0	0	0
85060	A	Blood smear interpretation		0.63	0.63	XXX	0	0	0	0	0
85095	A	Bone marrow aspiration		1.66	1.66	XXX	0	0	0	0	0
85097	A	Bone marrow interpretation		1.34	1.34	XXX	0	0	0	0	0
85105	A	Bone marrow, interpretation		1.03	1.03	XXX	0	0	0	0	0
85610	A	Prothrombin time		0.28	0.28	XXX	0	0	0	0	0
85651	A	RBC sedimentation		0.20	0.20	XXX	0	0	0	0	0

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85730	A	Thromboplastin	0.39	0.39	XXX	0	0	0	0	0
86077	A	Physician blood bank	1.15	1.15	XXX	0	0	0	0	0
86078	A	Physician blood bank	1.19	1.19	XXX	0	0	0	0	0
86079	A	Physician blood bank	1.18	1.18	XXX	0	0	0	0	0
86490	A	Coccidioidomycosis	0.28	0.28	XXX	0	0	0	0	0
86510	A	Histoplasmosis	0.30	0.30	XXX	0	0	0	0	0
86580	A	TB intradermal	0.24	0.24	XXX	0	0	0	0	0
86585	A	TB tine test	0.19	0.19	XXX	0	0	0	0	0
87040	A	Blood culture	1.02	1.02	XXX	0	0	0	0	0
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88173	A	Interpretation and report	2.13	2.13	XXX	0	0	0	0	0
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88300	A	Surgical pathology	0.27	0.27	XXX	0	0	0	0	0
88302	A	Tissue examination	0.53	0.53	XXX	0	0	0	0	0
88304	A	Tissue examination	0.77	0.77	XXX	0	0	0	0	0
88305	A	Tissue examination	1.72	1.72	XXX	0	0	0	0	0
88307	A	Tissue examination	2.98	2.98	XXX	0	0	0	0	0
88309	A	Tissue examination	4.00	4.00	XXX	0	0	0	0	0
88311	A	Decalcify tissue	0.43	0.43	XXX	0	0	0	0	0
88312	A	Special stains	0.75	0.75	XXX	0	0	0	0	0
88313	A	Special stains	0.43	0.43	XXX	0	0	0	0	0
88314	A	Histochemical staining	1.03	1.03	XXX	0	0	0	0	0
88318	A	Chemical histochemistry	0.62	0.62	XXX	0	0	0	0	0
88319	A	Enzyme histochemistry	0.98	0.98	XXX	0	0	0	0	0
88321	A	Microslide consultation	1.59	1.59	XXX	0	0	0	0	0
88323	A	Microslide consultation	1.95	1.95	XXX	0	0	0	0	0
88325	A	Comprehensive report	2.49	2.49	XXX	0	0	0	0	0
88329	A	Pathology consultation	0.98	0.98	XXX	0	0	0	0	0
88331	A	Pathology consultation	2.19	2.19	XXX	0	0	0	0	0
88332	A	Pathology consultation	1.10	1.10	XXX	0	0	0	0	0
88342	A	Immunocytochemistry	1.41	1.41	XXX	0	0	0	0	0
88346	A	Immunofluorescent study	1.36	1.36	XXX	0	0	0	0	0
88347	A	Immunofluorescent study	1.21	1.21	XXX	0	0	0	0	0
88348	A	Electron microscopy	3.66	3.66	XXX	0	0	0	0	0
88349	A	Electron microscopy	2.25	2.25	XXX	0	0	0	0	0
88355	A	Analysis, skeletal	3.43	3.43	XXX	0	0	0	0	0
88356	A	Analysis, nerve	5.41	5.41	XXX	0	0	0	0	0
88358	A	Analysis, tumor	4.89	4.89	XXX	0	0	0	0	0
88362	A	Nerve teasing preparations	3.94	3.94	XXX	0	0	0	0	0
88365	A	Tissue hybridization	1.60	1.60	XXX	0	0	0	0	0
89100	A	Sample intestine	0.97	0.97	XXX	0	0	0	0	0

Proposed Rules

89105	A	Sample intestine	0.85	0.85	XXX	0	0	0	0	0
89130	A	Sample stomach	0.82	0.82	XXX	0	0	0	0	0
89132	A	Sample stomach	0.37	0.37	XXX	0	0	0	0	0
89135	A	Sample stomach	1.30	1.30	XXX	0	0	0	0	0
89136	A	Sample stomach	0.41	0.41	XXX	0	0	0	0	0
89140	A	Sample stomach	1.67	1.67	XXX	0	0	0	0	0
89141	A	Sample stomach	1.51	1.51	XXX	0	0	0	0	0
89350	A	Sputum specimen	0.39	0.39	XXX	0	0	0	0	0
89360	A	Collect sweat	0.43	0.43	XXX	0	0	0	0	0

5221.4041 FEE ADJUSTMENTS FOR PROFESSIONAL/TECHNICAL COMPONENTS FOR PATHOLOGY/LABORATORY SERVICES.

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

Subp. 5. **Services performed in an independent laboratory.** The maximum fee for physician pathology services performed in an independent laboratory is that calculated for the complete service, using the RVUs corresponding to the service code listed without a modifier in part 5221.4040, ~~subpart 2b~~, and the formula in part 5221.4020.

5221.4050 PHYSICAL MEDICINE AND REHABILITATION PROCEDURE CODES.

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

Subp. 2b. **See repealer.**

Subp. 2c. **List of physical medicine and rehabilitation procedure codes.**

(The following Table is all new material)

1	2	3	4	5	6	7	8	9	10	11	12
A. Procedure codes 97001 to 97004 relate to physical and occupational therapy evaluation and reevaluation procedure codes.											
97001	A	PT evaluation		1.49	1.49	XXX	0	0	0	0	0
97002	A	PT reevaluation		0.59	0.59	XXX	0	0	0	0	0
97003	A	OT evaluation		1.49	1.49	XXX	0	0	0	0	0
97004	A	OT reevaluation		0.59	0.59	XXX	0	0	0	0	0
B. Procedure codes 97010 to 97799 relate to physical medicine and rehabilitation procedure codes.											
97010	B	Hot or cold packs		0.00	0.00	XXX	9	9	9	9	9
97012	A	Mechanical traction		0.42	0.42	XXX	4	0	0	0	0
97014	A	Electrical stimulation		0.37	0.37	XXX	4	0	0	0	0
97016	A	Vasopneumatic devices		0.42	0.42	XXX	4	0	0	0	0
97018	A	Paraffin bath therapy		0.30	0.30	XXX	4	0	0	0	0
97020	A	Microwave therapy		0.26	0.26	XXX	4	0	0	0	0
97022	A	Whirlpool therapy		0.35	0.35	XXX	4	0	0	0	0
97024	A	Diathermy treatment		0.27	0.27	XXX	4	0	0	0	0
97026	A	Infrared therapy		0.25	0.25	XXX	4	0	0	0	0
97028	A	Ultraviolet therapy		0.26	0.26	XXX	4	0	0	0	0
97032	A	Electrical stimulation		0.37	0.37	XXX	4	0	0	0	0
97033	A	Electric current		0.38	0.38	XXX	4	0	0	0	0
97034	A	Contrast bath therapy		0.29	0.29	XXX	4	0	0	0	0
97035	A	Ultrasound therapy		0.30	0.30	XXX	4	0	0	0	0
97036	A	Hydrotherapy		0.47	0.47	XXX	4	0	0	0	0
97039	A	Unlisted therapy service		0.43	0.43	XXX	4	0	0	0	0
97110	A	Therapeutic exercises		0.55	0.55	XXX	0	0	0	0	0
97112	A	Neuromuscular reeducation		0.54	0.54	XXX	0	0	0	0	0
97113	A	Aquatic therapy		0.60	0.60	XXX	0	0	0	0	0
97116	A	Gait training therapy		0.47	0.47	XXX	0	0	0	0	0
97124	A	Massage therapy		0.43	0.43	XXX	0	0	0	0	0
97139	A	Unlisted phys. med. service		0.36	0.36	XXX	0	0	0	0	0
97140	A	Manual therapy		0.61	0.48	XXX	0	0	0	0	0

Proposed Rules

97150	A	Group therapy procedure	0.45	0.45	XXX	0	0	0	0	0
97504	A	Orthotic training	0.55	0.55	XXX	0	0	0	0	0
97520	A	Prosthetic training	0.56	0.56	XXX	0	0	0	0	0
97530	A	Therapeutic activities	0.57	0.57	XXX	0	0	0	0	0
97535	A	Self care/home management	0.58	0.58	XXX	0	0	0	0	0
97537	A	Community/work training	0.58	0.58	XXX	0	0	0	0	0
97542	A	Wheelchair management	0.40	0.40	XXX	0	0	0	0	0
97545	R	Work hardening	0.00	0.00	XXX	0	0	0	0	0
97546	R	Work hardening	0.00	0.00	XXX	0	0	0	0	0
97703	A	Prosthetic checkout	0.42	0.42	XXX	0	0	0	0	0
97750	A	Physical performance test	0.66	0.66	XXX	0	0	0	0	0
97770	A	Cognitive skills	0.69	0.69	XXX	0	0	0	0	0
97780	N	Acupuncture, no stimulus	0.00	0.00	XXX	9	9	9	9	9
97781	N	Acupuncture with stimulus	0.00	0.00	XXX	9	9	9	9	9
97799	C	Physical medicine	0.00	0.00	XXX	0	0	0	0	0

C. Procedure codes V5336 to V5364 relate to miscellaneous physical medicine procedure codes.

V5336	N	Repair communication device	0.00	0.00	XXX	9	9	9	9	9
V5362	R	Speech screening	0.00	0.00	XXX	0	0	0	0	0
V5363	R	Language screening	0.00	0.00	XXX	0	0	0	0	0
V5364	R	Dysphagia screening	0.00	0.00	XXX	0	0	0	0	0

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

5221.4060 CHIROPRACTIC PROCEDURE CODES.

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

Subp. 2b. **See repealer.**

Subp. 2c. List of chiropractic procedure codes.

(The following Table is all new material)

1	2	3	4		5	6	7	8	9	10	11	12
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A. Procedure code numbers 72010 to 73610 relate to radiology procedure codes.

72010	A	Xray exam of spine	1.60	1.60	XXX	0	0	0	0	0
72010	26	A Xray exam of spine	0.62	0.62	XXX	0	0	0	0	0
72010	TC	A Xray exam of spine	0.98	0.98	XXX	0	0	0	0	0
72020	A	Xray exam of spine	0.61	0.61	XXX	0	0	0	0	0
72020	26	A Xray exam of spine	0.21	0.21	XXX	0	0	0	0	0
72020	TC	A Xray exam of spine	0.40	0.40	XXX	0	0	0	0	0
72040	A	Xray exam of neck	0.87	0.87	XXX	0	0	0	0	0
72040	26	A Xray exam of neck	0.30	0.30	XXX	0	0	0	0	0
72040	TC	A Xray exam of neck	0.57	0.57	XXX	0	0	0	0	0
72050	A	Xray exam of neck	1.28	1.28	XXX	0	0	0	0	0
72050	26	A Xray exam of neck	0.43	0.43	XXX	0	0	0	0	0
72050	TC	A Xray exam of neck	0.85	0.85	XXX	0	0	0	0	0
72052	A	Xray exam of neck	1.58	1.58	XXX	0	0	0	0	0
72052	26	A Xray exam of neck	0.50	0.50	XXX	0	0	0	0	0
72052	TC	A Xray exam of neck	1.08	1.08	XXX	0	0	0	0	0
72070	A	Xray exam of thoracic	0.92	0.92	XXX	0	0	0	0	0
72070	26	A Xray exam of thoracic	0.30	0.30	XXX	0	0	0	0	0
72070	TC	A Xray exam of thoracic	0.62	0.62	XXX	0	0	0	0	0
72074	A	Xray exam of thoracic	1.18	1.18	XXX	0	0	0	0	0
72074	26	A Xray exam of thoracic	0.30	0.30	XXX	0	0	0	0	0
72074	TC	A Xray exam of thoracic	0.87	0.87	XXX	0	0	0	0	0
72080	A	Xray exam of thoracic	0.94	0.94	XXX	0	0	0	0	0

Proposed Rules

72080	26	A	Xray exam of thoracic	0.30	0.30	XXX	0	0	0	0	0
72080	TC	A	Xray exam of thoracic	0.64	0.64	XXX	0	0	0	0	0
72090		A	Xray exam of thoracic	1.03	1.03	XXX	0	0	0	0	0
72090	26	A	Xray exam of thoracic	0.39	0.39	XXX	0	0	0	0	0
72090	TC	A	Xray exam of thoracic	0.64	0.64	XXX	0	0	0	0	0
72100		A	Xray exam of lumbosacral	0.94	0.94	XXX	0	0	0	0	0
72100	26	A	Xray exam of lumbosacral	0.30	0.30	XXX	0	0	0	0	0
72100	TC	A	Xray exam of lumbosacral	0.64	0.64	XXX	0	0	0	0	0
72110		A	Xray exam of lumbosacral	1.30	1.30	XXX	0	0	0	0	0
72110	26	A	Xray exam of lumbosacral	0.43	0.43	XXX	0	0	0	0	0
72110	TC	A	Xray exam of lumbosacral	0.87	0.87	XXX	0	0	0	0	0
72114		A	Xray exam of lumbosacral	1.63	1.63	XXX	0	0	0	0	0
72114	26	A	Xray exam of lumbosacral	0.50	0.50	XXX	0	0	0	0	0
72114	TC	A	Xray exam of lumbosacral	1.13	1.13	XXX	0	0	0	0	0
72120		A	Xray exam of lumbosacral	1.16	1.16	XXX	0	0	0	0	0
72120	26	A	Xray exam of lumbosacral	0.30	0.30	XXX	0	0	0	0	0
72120	TC	A	Xray exam of lumbosacral	0.85	0.85	XXX	0	0	0	0	0
72170		A	Xray exam of pelvis	0.73	0.73	XXX	0	0	0	0	0
72170	26	A	Xray exam of pelvis	0.23	0.23	XXX	0	0	0	0	0
72170	TC	A	Xray exam of pelvis	0.50	0.50	XXX	0	0	0	0	0
72190		A	Xray exam of pelvis	0.93	0.93	XXX	0	0	0	0	0
72190	26	A	Xray exam of pelvis	0.29	0.29	XXX	0	0	0	0	0
72190	TC	A	Xray exam of pelvis	0.64	0.64	XXX	0	0	0	0	0
73020		A	Xray exam of shoulder	0.66	0.66	XXX	0	3	0	0	0
73020	26	A	Xray exam of shoulder	0.21	0.21	XXX	0	3	0	0	0
73020	TC	A	Xray exam of shoulder	0.45	0.45	XXX	0	3	0	0	0
73030		A	Xray exam of shoulder	0.79	0.79	XXX	0	3	0	0	0
73030	26	A	Xray exam of shoulder	0.25	0.25	XXX	0	3	0	0	0
73030	TC	A	Xray exam of shoulder	0.54	0.54	XXX	0	3	0	0	0
73070		A	Xray exam of elbow	0.71	0.71	XXX	0	3	0	0	0
73070	26	A	Xray exam of elbow	0.21	0.21	XXX	0	3	0	0	0
73070	TC	A	Xray exam of elbow	0.50	0.50	XXX	0	3	0	0	0
73100		A	Xray exam of wrist	0.69	0.69	XXX	0	3	0	0	0
73100	26	A	Xray exam of wrist	0.22	0.22	XXX	0	3	0	0	0
73100	TC	A	Xray exam of wrist	0.47	0.47	XXX	0	3	0	0	0
73500		A	Xray exam of hip	0.69	0.69	XXX	0	0	0	0	0
73500	26	A	Xray exam of hip	0.24	0.24	XXX	0	0	0	0	0
73500	TC	A	Xray exam of hip	0.45	0.45	XXX	0	0	0	0	0
73562		A	Xray exam of knee	0.80	0.80	XXX	0	3	0	0	0
73562	26	A	Xray exam of knee	0.26	0.26	XXX	0	3	0	0	0
73562	TC	A	Xray exam of knee	0.54	0.54	XXX	0	3	0	0	0
73610		A	Xray exam of ankle	0.75	0.75	XXX	0	3	0	0	0
73610	26	A	Xray exam of ankle	0.24	0.24	XXX	0	3	0	0	0
73610	TC	A	Xray exam of ankle	0.51	0.51	XXX	0	3	0	0	0

B. Pathology and laboratory.

81000		X	Urinalysis, nonautomated	0.25	0.25	XXX	9	9	9	9	9
81002		X	Urinalysis, nonautomated	0.14	0.14	XXX	9	9	9	9	9

C. Physical medicine and rehabilitation.

97010		B	Hot or cold packs	0.00	0.00	XXX	9	9	9	9	9
97012		A	Mechanical traction	0.42	0.42	XXX	4	0	0	0	0
97014		A	Electric stimulation	0.37	0.37	XXX	4	0	0	0	0
97016		A	Vasopneumatic devices	0.42	0.42	XXX	4	0	0	0	0

Proposed Rules

97018	A	Paraffin bath therapy	0.30	0.30	XXX	4	0	0	0	0
97020	A	Microwave therapy	0.26	0.26	XXX	4	0	0	0	0
97022	A	Whirlpool therapy	0.35	0.35	XXX	4	0	0	0	0
97024	A	Diathermy treatment	0.27	0.27	XXX	4	0	0	0	0
97026	A	Infrared therapy	0.25	0.25	XXX	4	0	0	0	0
97028	A	Ultraviolet therapy	0.26	0.26	XXX	4	0	0	0	0
97032	A	Electrical stimulation	0.37	0.37	XXX	4	0	0	0	0
97033	A	Electric current	0.38	0.38	XXX	4	0	0	0	0
97034	A	Contrast bath therapy	0.29	0.29	XXX	4	0	0	0	0
97035	A	Ultrasound therapy	0.30	0.30	XXX	4	0	0	0	0
97036	A	Hydrotherapy	0.47	0.47	XXX	4	0	0	0	0
97039	A	Unlisted therapy service	0.43	0.43	XXX	4	0	0	0	0
97110	A	Therapeutic exercises	0.55	0.55	XXX	0	0	0	0	0
97112	A	Neuromuscular reeducation	0.54	0.54	XXX	0	0	0	0	0
97113	A	Aquatic therapy	0.60	0.60	XXX	0	0	0	0	0
97116	A	Gait training therapy	0.47	0.47	XXX	0	0	0	0	0
97124	A	Massage therapy	0.43	0.43	XXX	0	0	0	0	0
97139	A	Unlisted phys. med. service	0.36	0.36	XXX	0	0	0	0	0
97140	A	Manual therapy	0.61	0.48	XXX	0	0	0	0	0
97150	A	Group therapy procedure	0.45	0.45	XXX	0	0	0	0	0
97504	A	Orthotic training	0.55	0.55	XXX	0	0	0	0	0
97520	A	Prosthetic training	0.56	0.56	XXX	0	0	0	0	0
97530	A	Therapeutic activities	0.57	0.57	XXX	0	0	0	0	0
97535	A	Self care/home management	0.58	0.58	XXX	0	0	0	0	0
97537	A	Community/work training	0.58	0.58	XXX	0	0	0	0	0
97542	A	Wheelchair management	0.40	0.40	XXX	0	0	0	0	0
97545	R	Work hardening/conditioning	0.00	0.00	XXX	0	0	0	0	0
97546	R	Work hardening/conditioning	0.00	0.00	XXX	0	0	0	0	0
97703	A	Prosthetic checkout	0.42	0.42	XXX	0	0	0	0	0
97750	A	Physical performance test	0.66	0.66	XXX	0	0	0	0	0
97770	A	Cognitive skill	0.69	0.69	XXX	0	0	0	0	0
97780	N	Acupuncture, no stimulus	0.00	0.00	XXX	9	9	9	9	9
97781	N	Acupuncture with stimulus	0.00	0.00	XXX	9	9	9	9	9
97799	C	Physical medicine	0.00	0.00	XXX	0	0	0	0	0

D. Chiropractic manipulative treatment.

98940	A	Chiropractic manipulation	0.69	0.55	XXX	0	0	0	0	0
98941	A	Chiropractic manipulation	0.88	0.74	XXX	0	0	0	0	0
98942	A	Chiropractic manipulation	1.08	0.94	XXX	0	0	0	0	0
98943	A	Chiropractic manipulation	0.65	0.65	XXX	4	0	0	0	0

E. Evaluation and management services.

99201	A	Office/outpatient	0.84	0.61	XXX	0	0	0	0	0
99202	A	Office/outpatient	1.32	1.04	XXX	0	0	0	0	0
99203	A	Office/outpatient	1.82	1.50	XXX	0	0	0	0	0
99211	A	Office/outpatient	0.37	0.26	XXX	0	0	0	0	0
99212	A	Office/outpatient	0.73	0.55	XXX	0	0	0	0	0
99213	A	Office/outpatient	1.04	0.81	XXX	0	0	0	0	0

F. Miscellaneous.

99199	C	Special service	0.00	0.00	XXX	0	0	0	0	0
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[For text of subs 3 and 4, see M.R.]

Proposed Rules

5221.4062 PROFESSIONAL/TECHNICAL COMPONENTS FOR CHIROPRACTIC SERVICES.

Subpart 1. **General.** Fees for certain services which are a combination of professional and technical care shall be adjusted when the professional and technical components of the service are performed by different individuals or entities. The professional component of the service represents the care rendered by the health care provider, such as examination of the patient, performance and supervision of the procedure, and consultation with other providers. The technical component of the service represents all other costs associated with the service, such as the cost of equipment, the salary of technicians, and supplies normally used in delivering the service. Services subject to this distinction are identified in part 5221.4060, ~~subpart 2b~~, by modifiers appearing in column 2 next to the service codes. Modifier TC indicates relative RVUs for the technical component of the service and modifier 26 indicates RVUs for the professional component of the service. The maximum fee for either component of the service is calculated using the RVUs for the component provided and the formula in part 5221.4020.

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

Subp. 3. **One billing for both components.** If the same health care provider renders both the professional and technical components of the service, the maximum fee is calculated for the complete service by using the RVUs corresponding to the service code listed without a modifier in part 5221.4060, ~~subpart 2b~~, and the formula in part 5221.4020.

REPEALER. Minnesota Rules, parts 5221.4040, subpart 2b; 5221.4050, subpart 2b; and 5221.4060, subpart 2b, are repealed for services provided on or after October 1, 2005.

EFFECTIVE DATE. The amendments to Minnesota Rules, parts 5221.4040; 5221.4050; and 5221.4060, are effective for services provided on or after October 1, 2005.

Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Emergency Executive Order # 05-12: Providing Assistance to Hurricane Katrina Evacuees

I, TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, including *Minnesota Statutes* 2004 Chapter 12, as amended by *2005 Minnesota Session Laws*, Chapter 150, do hereby issue this Executive Order:

WHEREAS, in response to the devastation caused by Hurricane Katrina and requests from federal agencies, the Governor declared a peacetime state of emergency (Executive Order 05-10), activated the State Emergency Operations Center, directed the Division of Homeland Security and Emergency Management to implement the State Emergency Operation Plan and designated Alan Bataglia, Director of the Division of Homeland Security and Emergency Management, as the Governor's authorized representative for coordination of emergency operations in Minnesota (Executive Order 05-11); and

WHEREAS, at its September 7, 2005, meeting, the Executive Council approved extension of the state of emergency for 30 days pursuant to *Minnesota Statutes* 2004, Section 12.31, Subdivision 2(a) and *2005 Minnesota Session Laws* Chapter 150, Section 5; and

WHEREAS, *Minnesota Statutes* 2004, Section 12.23 directs that the governor and governing bodies of the political subdivisions of the state shall utilize the services, equipment, supplies and facilities of existing departments, offices and agencies of the state and political subdivisions of the state to the maximum extent practicable; and

Executive Orders

WHEREAS, *Minnesota Statutes 2004*, Section 12.36 authorizes the Governor power to fast provide emergency assistance to victims of a disaster including the authority to make contracts and incur obligations necessary to combat the disaster by protecting the health and safety of persons and to provide emergency assistance to the victims of the disaster; and

WHEREAS, *Minnesota Statutes 2004*, Sections 12.21, Subdivision 3(1), 12.32 and *Minnesota Session Laws 2005*, Chapter 150, Section 5 authorize the Governor to promulgate orders and rules which, upon approval by the Executive Council, have the full force and effect of law; and

WHEREAS, persons from affected areas in Louisiana, Mississippi and Alabama who have been displaced by Hurricane Katrina are currently arriving in Minnesota through evacuation efforts by the Federal Emergency Management Agency, through their own actions and through efforts of volunteers and other concerned persons; and

WHEREAS, many of these individuals and families are in need of emergency assistance including access to medical care, shelter, and financial assistance and it is important that these people receive access to state administered programs that provide medical care, shelter and financial assistance; and

WHEREAS, the state anticipates that it will receive reimbursement from federal agencies for emergency assistance and services provided to these individuals and families, and the state will continue to work with federal agencies and agencies in the evacuees' home states to obtain reimbursement for this emergency assistance.

NOW, THEREFORE, pursuant to the authority provided to the Governor under *Minnesota Statutes 2004*, Chapter 12 and *Minnesota Session Laws 2005*, Chapter 150, I hereby order that the state take the following steps to provide emergency assistance to persons affected by Hurricane Katrina during the period of emergency as declared by the Governor and extended by the Executive Council:

1. For purposes of this order, a Hurricane Katrina evacuee ("evacuee") is a person present in Minnesota who had to evacuate their home community in Louisiana, Mississippi or Alabama because of the natural disaster, whose home state and community are unable to provide services, benefits and records because of the natural disaster and who is unable to access records that would otherwise be required to show eligibility in this state, including any person who has been assigned special evacuee status by the Federal Emergency Management Agency or other federal agency.

2. Evacuees in need of medical care and financial assistance will be allowed to qualify for existing state programs in accordance with existing law and pursuant to this executive order including, but not limited to, the following programs: Medical Assistance, General Assistance Medical Care, Diversionary Work Program ("DWP"), Minnesota Family Investment Program ("MFIP") and General assistance including Group Residential Housing ("GRH").

3. Evacuees who otherwise qualify for these state programs will be allowed to receive emergency services by enrolling in these programs pursuant to the following criteria relating to their condition as evacuees:

- a. Evacuees who otherwise qualify for services pursuant to the General Assistance Medical Care, General Assistance and MFIP programs will be allowed to receive emergency assistance through these programs without establishing 30 days of residency in Minnesota.
- b. Due to the emergency nature of the assistance needed in the short term, evacuees enrolled in the Medical Assistance and General Assistance Medical Care will be allowed to receive medical services from fee for service providers under the current state Medical Assistance and General Assistance Medical Programs.
- c. The Department of Human Services is authorized to grant presumptive eligibility for a hardship extension under *Minnesota Statutes*, Section 256J.425 to evacuees who have received 60 months of assistance in another state under the federal Temporary Assistance for Needy Families ("TANF") program and who otherwise qualify for the program.
- d. An evacuee will be presumed eligible for participation in the programs set forth above upon self-declaration of their eligibility where an evacuee's documentation and records are inaccessible or destroyed as a result of Hurricane Katrina or the need to evacuate.
- e. If the president or federal agencies authorize the state to waive or otherwise modify specific eligibility criteria or documentation requirements in relation to state programs subject to federal participation and oversight, such as Medical Assistance and TANF grants, the state will implement the federally authorized standard in relation to evacuees provided that federal reimbursement is made available.
- f. The modified standards set forth in this paragraph may not be applied to allow an evacuee to receive benefits from the Minnesota programs set forth above if the evacuee is continuing to receive benefits from his or her home state under a similar program.

4. Services provided under the programs listed above will be deemed by the state to be emergency assistance to the evacuees and, to the maximum extent possible, the State will seek reimbursement for the services from federal agencies including, but not limited to,

Executive Orders

the United States Department of Health and Human Services, the United States Department of Agriculture and the Federal Emergency Management Agency.

5. Department of Human Services will create a coding system to be used by the state, providers and other governmental agencies to allow for accounting of emergency assistance provided to the evacuees through Medical Assistance, General Assistance Medical Care, DWP, MFIP and General Assistance including GRH. To the extent possible, this system should reflect federal direction in relation to the reporting of benefits provided to evacuees.

6. Nothing in this order limits the authority of the state and political subdivisions of the state from exercising authority in relation to investigating or prosecuting persons for perjury, fraud or other illegal behavior in relation to participation or receipt of benefits under these programs.

7. The emergency assistance provided in this order will continue in effect during the period of emergency declared by the Governor and extended for 30 days by the Executive Council unless the Legislature extends the peacetime emergency for more than 30 days as provided in *2005 Minnesota Session Laws*, Chapter 150, Section 5.

8. Upon approval of the Executive Council, this order will have the full force and effect of law.

This order is effective immediately until it is rescinded or expires under *Minnesota Statutes*, Section 4.035 or Chapter 12.

Signed: **TIM PAWLENTY**
Governor

Approved by the Executive Council
at an emergency meeting held on September 12, 2005.
Executive Director, Executive Council

Filed According to Law:

Signed: **MARY KIFFMEYER**
Secretary of State

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.

Minnesota Comprehensive Health Association

Notice of Meeting of the Enrollee Appeal Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Enrollee Appeal Committee will be held at 1:30 p.m. on Thursday, September 22, 2005, at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

This meeting may be closed to the public, if so requested by the appellant(s), pursuant to *Minnesota Statutes* 62E.10, subd. 4.

Department of Human Services

Chemical Health Division

Notice of Public Comment on the Federal Substance Abuse Prevention and Treatment Block Grant and the Availability of a Statement Describing the Intended Use of Funds for Federal Fiscal Year 2005

NOTICE IS HEREBY GIVEN that the Department of Human Services, Chemical Health Division, is seeking public comment on the use of the Federal Substance Abuse Prevention and Treatment Block Grant.

NOTICE IS ALSO GIVEN that the Department of Human Services has available a draft Description of Intended Use for funds available to the State of Minnesota from the Federal Fiscal Year 2005 Substance Abuse Prevention and Treatment Block Grant. This description is being made available to the public for comment in accord with Title XIX, Part B of the Public Health Services Act, Public Law 102-321.

The Alcohol and Drug Abuse Spending Plan is available at

http://www.dhs.state.mn.us/main/groups/disabilities/documents/pub/DHS_id_000082.hcsp.

All interested or affected persons and organizations are invited to submit comments. Comments on the proposed plan may be directed to Wayne Raske, Chemical Health Division, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3823, phone (651) 582-1849, e-mail: wayne.raske@state.mn.us.

Department of Human Services

Minnesota TANF State Plan Renewal

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PL104-193) provides funding to states through the Temporary Assistance to Needy Families (TANF) block grant. The purposes of the grant are to allow states to: provide assistance to eligible needy families so that children may be cared for in their own homes or in the homes of relatives; end the dependence of need parents on government benefits by promoting job preparation, work, and marriage; prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and encourage the formation and maintenance of two-parent families.

In order to continue to receive TANF funding, Minnesota must file for renewal of the grant with the Department of Health and Human Services by 12/31/05. One of the requirements of the grant application is that the local governments and private sector organizations have 45 days to submit comments on the plan and the design of the services. The Minnesota TANF plan is published below. Please submit any comments in writing to the Department of Human Services, 444 Lafayette Rd, St. Paul, MN 55122-3834, attention: Linda Foster. Comments can also be sent by e-mail to Linda.Foster@state.mn.us or sent by FAX to (651) 297-5840.

The 45 day comment period ends on November 3, 2005.

Official Notices

The Minnesota TANF State Plan Renewal

I. Introduction

Minnesota's TANF state plan renewal was developed in accordance with section 402 of the Social Security Act, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193). The information submitted in the Minnesota State Plan meets the requirements of section 402 and responds to the additional requirements found in section 256.9 of the TANF program final rule.

The Minnesota Family Investment Program (MFIP) is Minnesota's version of the TANF family assistance program. MFIP provides a combination of cash and food assistance for up to 60 months to needy families.

The Diversionary Work Program (DWP) was implemented on July 1, 2004 and is Minnesota's program to provide non-recurrent, short-term benefits. DWP is short term necessary services and supports which will lead to unsubsidized employment, increase economic stability and reduce the risk of those families needing longer term MFIP assistance.

For both programs needy is defined as total income that is below 200 percent of the Federal Poverty Guidelines. A family unit cannot receive benefits from both MFIP and DWP in the same month.

A. General Provisions

1. Outline how the state intends to conduct a program designed to serve all political subdivisions in the State that provides assistance to needy families with children and provides parents with job preparation, work and support services to enable them to leave the program and become self-sufficient.

MFIP

The purpose of MFIP is to provide temporary cash (60 months or less) and food assistance to families with children under age 18 (up to age 19 if in secondary or vocational school full-time), or to pregnant women and their spouses while the caregiver works toward achieving family stability.

Non-parental relative caregivers (grandparents, aunts/uncles, cousins, etc.) can receive MFIP for children in their care and can choose to be on the MFIP grant or to get a child-only grant. When the non-parental caregiver receives assistance only for the children, the income and assets of the relative caregivers are not considered and the case is not subject to the 60-month lifetime limit.

MFIP helps families work toward economic stability by providing a grant to supplement family income, help with child care costs and employment services.

The program centers on work by building on jobs in today's economy and focusing on future workforce development. Some of the family's earned income is disregarded before calculating the MFIP grant. The disregard amount is 18 percent of the gross wages for applicants and 37 percent thereafter. The remaining earnings are subtracted from the Family Wage Level grant standard, which is higher than the standard allowed for families who receive only unearned income.

Job training is short and work focused. MFIP encourages employment through simplified work incentives and personal responsibility by expecting families to actively pursue employment.

Child care is a key component in Minnesota's strategy to help families leave and remain off welfare. In Minnesota, Child Care Assistance programs provide financial assistance to families to support access to child care that is affordable so that parents can work and/or attend school and children are well cared for and ready for school.

MFIP/DWP families who are participation in work activities such as work, job search, education, or social services activities identified in the MFIP/DWP approved employment plan are eligible to receive childcare assistance. In addition, transition year child care is available to eligible families for a full year after their MFIP/DWP case closes. MFIP child care and Transition year child care assistance is fully forecasted in the state's budget to help families move toward economic stability.

The Basic Sliding Fee program is available for working families who are not participating in MFIP/DWP or who are not receiving Transition Year child care assistance. The Basic Sliding fee is funded through a capped allocation and available funds are targeted to serve parents without a high school diploma or GED, low income families and families who have participated in MFIP/DWP and who need additional child care at the point that Transition Year eligibility ends. Families with incomes below 175 percent of the Federal Poverty Guidelines (FPG) are eligible to enter the program and may stay on the program until their incomes reach 250 percent of FPG if they are participating in authorized activities. Authorized activities include work, looking for work and education. Waiting lists for service are maintained in this program.

Health care is a key component of welfare reform and families receiving MFIP are encouraged to apply for medical services at the same time they apply for MFIP. The same application can be used to determine eligibility for both programs. Working families not receiving cash assistance can apply for the Medical Assistance program and the MinnesotaCare program, Minnesota's health care program for the uninsured.

Families who receive MFIP are required to cooperate with the Child Support agency to establish and enforce their child support orders. In 2004, the Child Support agency collected \$590 million in child support, a 3 percent increase from 2003. Through the child support

pass-through, \$13.6 million in child support was collected and distributed to families in MFIP. Minnesota passes through 100 percent of the child support payments made to the families receiving MFIP. The child support is counted dollar-for-dollar as unearned income against the MFIP grant.

DWP

DWP provides short-term, non-assistance services and supports to eligible families to help them move immediately to work rather than go on long term assistance.

Families with children under age 18 (up to age 19 if in secondary or vocational school full-time), or pregnant women and their spouses are eligible for DWP.

All parents, including both parents in a two-parent family, are required to develop and sign an employment plan before the family is approved for DWP. Most parents must seek full-time work immediately when approved. Employment services can help the family identify and address family issues which may prevent or delay the parents in getting a job. DWP employment services providers help parents find work that fits with the employment plan. The employment plan may include limited training that can be completed in four or fewer months.

DWP supports families while they work or look for work. Supports available to eligible DWP families may include help with rent, utilities or other housing costs and a personal allowance. Other supports for which families might be eligible are Food Support, health care and child care assistance. After four months of DWP, a family may be eligible for MFIP. Families also may be eligible to continue Food Support, health care and child care assistance.

Families who receive DWP are required to cooperate with the Child Support agency to establish and enforce their child support orders. Although families on DWP are required to cooperate with the Child Support agency, child support is not assigned to the state and 100 percent of the child support is passed through the family.

The four months of DWP run consecutively and do not count against the 60-month TANF time limit.

2. Show how the State intends to require a parent or caregiver receiving assistance under the program to engage in work once the State determines the parent or caregiver is ready to engage in work, or once the parent or caregiver has received assistance under the program for 24 months (whether or not consecutive), whichever is earlier.

MFIP

The overall goal of MFIP is to put participant families on the most direct path to unsubsidized employment. Caregivers who are not exempt¹ from work are expected to begin participating in work activities within 30 days of being determined eligible for MFIP. Counties have the option of requiring that work activities begin sooner.

MFIP will move families to employment and economic stability through a combination of work incentives and required work activities, such as, job search, employment plans, and training. Work activity requirements are enforced by sanctions consisting of grant reductions, vendor payments of shelter costs from the grant, and when there are seven occurrences of noncompliance by a participant, case closure. When a case is closed, the financial worker redetermines the family's continued eligibility for food support benefits. The MFIP case must remain closed for a minimum of one full month. Before the case is closed, the county agency must review the participant's case to determine if employment is still appropriate and attempt to meet with the participant face-to-face.

DWP

The goal of DWP is to provide short-term, necessary services and supports to families which will lead to unsubsidized employment, increased economic stability, and reduced risk of those families needing longer term assistance under MFIP.

Eligibility for DWP begins the date a signed application form is received by the county agency. The state requires financial workers to hold the interview for an applicant who appears to be eligible for DWP within five working days of the receipt of the application. If it appears that child care is necessary to enable to parent to work or look for work, and the parent has not applied for child care, the application for child case assistance must be completed before the interview with the financial worker is completed.

As soon as possible, but no later than ten working days before being notified by the county agency that the applicant is financially eligible for DWP, the employment services provider must meet with the applicant and develop an employment plan. The county agency must issue DWP benefits within one working day after receiving notice that an employment plan has been signed. By requiring a child care application during the interview process and by requiring the applicant to meet with and develop an employment plan prior to issuing any cash benefits to the applicant, Minnesota lets applicants know that DWP is a work program and starting to work or increasing the number of hours a person is employed should be a high priority.

(Footnotes)

¹ Caregivers with a child under 12 weeks of age may choose to be exempt from employment services. The exemption is available only once in a life time and is available only for one parent in a two-parent household.

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When a DWP participant fails to comply with the employment plan or with child support enforcement, without good cause, the DWP case is closed. The family is not eligible for MFIP during the DWP disqualification period and the case will remain closed unless the parent comes into compliance during the four-month period. The four-months of DWP are counted consecutively, whether or not the family is receiving benefits. The disqualification of the family does not affect receipt of Food Support benefits and health care benefits remain open if the closure was due to non-compliance with the employment plan.

3. Show how the State ensures that parents and care takers receiving assistance under MFIP engage in work activities.

MFIP

Services are provided to participants to motivate and enable them to obtain employment. Services available for participants who are designing employment plans can include, but are not limited to: job readiness assessment, job readiness assistance, job clubs, job counseling, job coaching, job skills training, work experience, subsidized employment, on-the-job training, educational programs and post employment follow-up services. The Department of Human Services and the Department of Employment and Economic Development jointly operate MFIP employment and training services.

Minor caregivers under the age of 18 who have not received a high school diploma or its equivalent are required to engage in appropriate educational programs and are provided with child care assistance and supportive services to enable successful participation. Caregivers ages 18 and 19 can choose whether they want to complete their high school education or participate in work activities leading to employment. Whichever choice is made, child care assistance is available to enable the parents to participate in the chosen activity.

Bilingual employment and training services and work literacy language programs are available for those lacking English proficiency, although the lack of proficiency in English is not necessarily presumed to be a barrier to employment.

Child care assistance is available to all MFIP participants who engage in activities to gain employment.

DWP

The support services available for DWP recipients are much the same as those available to MFIP recipients. Services available for participants designing employment plans can include, but are not limited to: job search, job readiness assessment, job readiness assistance, job clubs, job counseling, job coaching, job skills training, work experience, subsidized employment, on-the-job training, educational programs and post employment follow-up services. Education for DWP recipients is allowed but the education program must be completed within the four-month DWP period or an education cannot be approved as part of the employment plan.

4. Show how the State takes reasonable steps it deems necessary to restrict the use and disclosure of information about individuals and families receiving assistance under the program attributable to funds provided by the Federal Government.

MFIP and DWP

Data on MFIP recipients is classified as private and may not be disclosed pursuant to *Minnesota Statutes*, Chapter 13. Access to Minnesota's computer system, MAXIS, is defined by a security role that is attached to a person's ID, and access to information is defined and limited by job responsibilities. A personal logon ID cannot be issued until the individual completes a state developed orientation course. The orientation includes a review of data privacy and ethics as they pertain to client information. Printed reports distributed by the State are reviewed individually to ensure data provided to the requestor are appropriate for the recipient of a report.

1. Show how the State establishes goals and what action it takes to prevent and reduce the incidence of out-of-wedlock pregnancies, with special emphasis on teenage pregnancies, and what numerical goals are established for reducing the illegitimacy ratio of the State.

Minnesota has had a goal of reducing the out-of-wedlock birth rate to no more than 15/1000 women ages 15 to 44. While Minnesota has been successful in reducing our teen pregnancy rate, overall births to unmarried non-teens remains high. The out-of-wedlock birth rate in Minnesota in 2004 was 18.7/1000 for women ages 15 to 44. This is an increase from 16.9/1000 in 2002, and 17.7/1000 in 2003. To address this issue, Minnesota intends to continue to broaden our focus from reducing teen pregnancies to reducing unintended pregnancies. Our multi-faceted approach includes the following strategies:

An abstinence education program targeted at 10 to 14 year olds. This program funded by federal 510 abstinence education funds and enhanced with state general revenue funds, involves teens, their parents and community organizations, including schools, in activities that support and reinforce the message of postponing sexual involvement. Currently, 21 grantees are working to develop a systematic, coordinated approach to affecting behavior change by empowering youth, strengthening parental relationships and influencing community norms to support positive healthy behaviors.

A small Title X grant targets funding for family planning services to over 1000 sexually active adolescents in our low-income neighborhoods in Minneapolis. Funded primarily by TANF, the Family Home Visiting Program goals have included promoting economic self-sufficiency and teen pregnancy prevention. There has been significant program focus on working with pregnant or parenting teens. A large metropolitan county in Minnesota received a national award for the interventions, including home visiting that led to positive

outcomes for pregnant and parenting teens. This program has a history of successfully assisting minor parents in delaying a subsequent birth (only 6 percent of minor parents had a subsequent birth within 18 months of the first child compared to 18 percent of minors who were not in the program).

Beginning in 2001, \$2 million annually in TANF funds has been specifically targeted, through grants to non-profit organizations. Local public health agencies and Tribal governments worked at reducing the disparities in teen pregnancy rates between whites and ethnic and minority communities. Recent data trends for Minnesota indicate a decline in teen birth rates among all populations. The African American teen birth rate measured from 1989 – 1993 and again from 1999 – 2003, has decreased by 48.2 percent and the decrease in the American Indian teen birth rate was almost as dramatic at 27.7 percent. The Hispanic teen birth rate has actually increased by 15.8 percent. Though decreases among African Americans and American Indians are considerable, teen birth rates for all of the non-white racial/ethnic groups continue to be 2 to 4 times that of the White race.

Since 1979, the state has directed resources to the delivery of publicly subsidized pre-pregnancy family planning services. In 2004-2005, over \$8 million was made available to 42 local family planning projects. In 2004, Minnesota's Family Planning Special Project grant program provided services to over 28,000 women at risk for unintended pregnancy. To assist individuals in accessing family planning services, the Minnesota Department of Health also funds a 1-800 family planning hotline.

Even with the availability of subsidized family planning services through Family Planning Special Projects, federal Title X funds, Medicaid and the state's subsidized health insurance, MinnesotaCare, almost half of the women in need of subsidized family planning services cannot be served. This puts them at risk for an unintended pregnancy. Financial resources, difficulties accessing care or knowledge of family planning services all play a role. To address this gap in the need for subsidized family planning services, Minnesota has submitted and received federal approval of an 1115 Waiver for family planning services. This waiver, scheduled to begin in 2007, will allow the state to serve significantly more individuals at risk for unintended pregnancy and should ultimately support progress in meeting our out-of-wedlock goals and reducing unintended pregnancies.

2. Show how the state conducts a program designed to reach State and local law enforcement officials, the education system, and relevant counseling services, that provides education and training on the problem of statutory rape so that teenage pregnancy prevention program may be expanded in scope to include men.

The Children's Justice Act (CJA) Task Force includes law enforcement officials, county attorneys, judges, mental health providers, medical professionals, parent group representatives, and state and county child protection staff. The statewide multi-disciplinary task force guides the work of the CJA program. The CJA program is a statewide program that deals with child abuse and works to improve child abuse investigations, including those in which statutory rape may have occurred. The program supports specialized training for law enforcement officers, child protection workers, and county attorneys. Minnesota sex crime investigators are law enforcement officials that investigate sex crimes in Minnesota and work to enhance education and cooperation among the local community, state and federal agencies, and law enforcement officials.

B. Special Provisions

1. Indicate whether Minnesota will treat families moving to Minnesota from another state differently from other families on the program.

To be eligible for MFIP or DWP, an assistance unit must have established residency in Minnesota. An assistance unit is considered to have established residency in Minnesota when a child or caregiver has resided in this state for at least 30 consecutive days with the intention of making the person's home here and not for any temporary purpose. A county must waive the 30-day residency requirement when unusual hardship would result from denial of assistance.

2. Indicate whether the State intends to provide assistance under TANF to individuals who are not citizens of the United States, and if so, include an overview of such assistance.

The State provides MFIP and DWP benefits to individuals who are legal non-citizens who are eligible for assistance in accordance with the provisions of the Aid to Families with Dependent Children Program in effect prior to August 22, 1996. MFIP or DWP benefits provide temporary assistance to legal non-citizen families with children or pregnant women. Caregivers are expected to participate and cooperate with employment services requirements. If necessary, assistance with child care costs is provided by the State while the caregiver participates in required employment activities.

3. Outline the objective criteria for the delivery of benefits and the determination of eligibility and equitable treatment, including an explanation of how the State will provide opportunities for recipients who have been adversely affected to be heard in a State administrative appeal process.

Official Notices

Eligibility

An applicant for MFIP or for DWP must meet the eligibility requirements specified in Minnesota State law before receiving services for temporary assistance (*Minnesota Statutes* 256J.01 through 256J.95). All requirements under Section 408 of the Social Security Act, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, are included in State law. Assistance is provided equitably to all recipients in accordance with State and Federal law.

Neither MFIP nor DWP requires basis of eligibility tests, such as the 100-hour rule requirements for two-parent families.

The asset limit for both programs is \$2000 for applicants and \$5000 for participants. The value limit on vehicles is \$7500. Statewide payment standards are based on the number of eligible persons in the assistance unit.

Persons convicted of a drug offense committed after July 1, 1997 may receive cash assistance subject to the conditions set forth in *Minnesota Statutes* 256J.26.

Time Limits

There is a 60-month lifetime limit for receiving MFIP assistance with exclusions in certain situations. Time limit exclusions apply to the months in which individuals are:

- living in Indian country and the not-employed rate is over 50 percent,
- claiming the family violence waiver option and complying with the employment plan,
- age 60 or over,
- minor caregivers under the age of 18 or caregivers age 18 or 19 who are complying with education requirements.

A caregiver caring for another person in the household who meets special medical criteria under Minnesota statute, or the months a person who received cash assistance as part of the MFIP field trials are exempted from the 60-month time limit.

Extensions

Extensions of the 60-month time limit are possible if any of the following conditions are met: the adult is ill or incapacitated for more than 30 days; the caregiver lives with a child or adult who meets the special medical criteria for home care services under Minnesota statute; the participant's presence in the home is required as a caregiver because of a professionally certified illness or incapacity of another member in the assistance unit, a relative in the household, or a foster child in the household and the illness or incapacity is expected to continue for more than 30 days; the caregiver is employed a required number of hours and the household income does not exceed the program standards; the person is determined to be hard-to-employ because the individual belongs to any of the following groups:

- A person diagnosed by a qualified professional as a person with mental retardation or a person with a mental illness and that condition prevents the person from obtaining or retaining unsubsidized employment;
- A person assessed by a vocational specialist or the county agency to be unemployable;
- A person who has been assessed to have an IQ below 80;
- A person who is determined by county agency assessment to be learning disabled. Learning disabilities do not include learning problems that are
 - primarily the result of visual, hearing, or motor handicaps, mental retardation, emotional disturbance or due to environmental, cultural, or economic disadvantage;
 - or a person who chooses the Family Violence Option.

(*Minnesota Statute* 256J.425, Hardship Extensions).

Appeals

Applicants and recipients of MFIP and DWP are notified in writing of their rights and the process to follow to secure a fair hearing. When an applicant is denied services, or a participant disagrees with a county agency decision, the applicant or participant may submit a request for a hearing to the county agency or directly to the Department of Human Services Appeals Office. A State Human Services referee will conduct a hearing in person at the county office or by telephone. Decisions are issued by the Commissioner within 90 days of the request for a hearing. Under certain conditions, a participant may continue to receive benefits pending an appeal decision. Reasonable expenses incurred by a recipient because of the appeal are reimbursed upon request.

(*Minnesota Statute* 256.045, Administrative and Judicial Review of Human Services Matters).

4. Not later than one year after the date of enactment of this Act, unless the chief executive officer of the State opts out of this provision, the State shall require a parent or caretaker receiving TANF assistance for two months, who is not exempt from the work requirements and is not engaged in work, to participate in community service employment. Minnesota continues to opt out of the provision that requires parents and caregivers who have received TANF assistance for two months and who are not working to participate in community service employment.

5. Give a description of the strategies and procedures in place in Minnesota to ensure that victims of domestic violence receive appropriate alternative services. The State must describe how it:

- screens and identifies individuals receiving TANF and MOE assistance with a history of domestic violence while maintaining confidentiality of the individuals;
- refers the individuals to counseling and supportive services; and
- provides waivers, pursuant to a determination of good cause of normal program requirements for as long as necessary where compliance would make it more difficult to escape domestic violence.

Minnesota has adopted the Family Violence Option under Subpart B of part 260 and wants recognition of its good cause domestic violence waivers.

At application for cash benefits, recertification, and when referred to employment services or child support, MFIP and DWP clients are provided with a self-administered screening form which allows them to self-disclose domestic abuse. This form also includes referral information about local community shelters and services. Participants who choose the Family Violence waiver are required to develop a modified employment plan with the assistance of a domestic violence advocate and a job counselor. The modified employment plan must be approved by the county agency in order for the participant to receive a family violence waiver. The modified plan waives regular employment activities that may interfere with the safety of the family. MFIP victims of domestic violence are also exempt from the 60-month time limit as long as they are complying with the modified plan.

The modified employment plan is reviewed every six months or more often if appropriate. A participant may be granted a "good cause" exemption from cooperating with child support based on documentation of domestic violence if the pursuit of child support is likely to place the person at risk of further abuse.

Department of Natural Resources

Notice of Intent to Hold State Metallic Minerals Lease Sale - State Lands to Be Offered for Metallic Minerals Exploration

The Minnesota Department of Natural Resources announces that plans are being developed to hold the state's twenty-eighth sale of metallic minerals exploration and mining leases. The sale is tentatively scheduled for January 2006. The lease sale plans are being announced at this time in order to give mining companies, public interest groups and all other interested parties additional time to review the areas under consideration.

The purpose of Minnesota's metallic minerals rules (*Minnesota Rules*, parts 6125.0100 - .0700) is to promote and regulate the exploration for, mining and removal of metallic minerals on state-owned and state-administered lands. These rules, and the leases issued under these rules, authorize exploration and development of these minerals and impose certain requirements on the lessee. The requirements include: the payment of rentals that increase with the passage of time, the payment of royalty for all ore mined and removed, the submission of data and other reports, and the addressing of environmental considerations. In addition, the state lessee must comply with all applicable regulatory laws.

The areas under consideration for the lease sale cover portions of Itasca, Koochiching, Lake, Lake of the Woods and Saint Louis Counties. Some of the lands being considered have been offered in previous metallic minerals lease sales, but based upon the interest shown by industry, new geologic data, and exploration techniques developed during the past few years, it is felt that within these lands there is significant potential for the discovery of mineral resources. Certain new lands of interest are also being considered for the lease sale.

The exact time and place of the lease sale will be announced by legal notice at least thirty (30) days prior to the sale. Mining unit books, listing the state lands to be offered at the lease sale, will be available for inspection or purchase at that time.

A map showing the general areas under consideration may be obtained from the Division of Lands and Minerals, Box 45, 500 Lafayette Road, Saint Paul, MN 55155-4045, telephone (651) 296-4807, or by visiting the DNR website at www.dnr.state.mn.us.

Dated: September 12, 2005

Gene Merriam, Commissioner of Natural Resources
By William C. Brice, Director, Division of Lands and Minerals

Official Notices

Minnesota Pollution Control Agency

Environmental Analysis and Outcomes Division

Notice of Availability of the Draft Statewide Mercury Total Maximum Daily Load (TMDL) Plan and Request for Comments – a Second 30-day Extension to the Public Comment Period

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Plan for the Mercury Total Maximum Daily Load (TMDL). Originally the comments were to be received by the MPCA contact person listed below by August 17, 2005. The comment period has been extended an additional 30 days, for the second time, to October 18, 2005.

Agency Contact Person: Written comments, petitions, questions, or requests to receive a copy of the draft TMDL plan and requests for more information should be directed to:

Howard Markus, Ph.D., P.E.
Research Scientist 3
Environmental Analysis & Outcomes
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194
(651) 296-7295
1-800-657-3864

Department of Revenue

REQUEST FOR COMMENTS on Possible Rule Governing Sales Tax Exemptions for Fund-raising Sales by or for Nonprofit Groups; *Minnesota Rules, Chapter 8130*

Subject of Rules. The Minnesota Department of Revenue requests comments on its planned promulgation of a rule governing sales tax exemptions for fund-raising sales by or for nonprofit groups. The department is considering promulgating a rule that explains the various exemptions for fund-raising sales made by or for nonprofit organizations, under *Minnesota Statutes*, section 297A.70. The exemptions include sales of tickets and admissions to events sponsored by organizations whose primary mission is to provide opportunities to participate in the creation, performance or appreciation of the arts; fund-raising sales made by youth and senior citizens groups; candy sales by nonprofit organizations that provide educational and social activities primarily for people age 18 and under; sales of tangible personal property if the proceeds will be contributed to a registered combined charitable organization described in *Minnesota Statutes*, section 309.501; sales of tangible personal property and admission charges for fund-raising events sponsored by nonprofit groups; sales of tangible personal property and admission charges by a nonprofit organization at statewide amateur athletic games and events; and fees to camps or recreational facilities owned and operated by an organization exempt under section 501(c)(3) of the *Internal Revenue Code*.

Persons Affected. The proposed rule would likely affect nonprofit groups that make sales for fund-raising purposes, including senior citizens groups; groups that provide opportunities to participate in the arts; groups that conduct amateur athletic events; groups that provide educational or social activities for young people age 18 and under; groups that conduct golf tournaments to benefit tax-exempt organizations; camps; and nonprofit organizations that sell tangible personal property at, or admission for, fund-raising events.

Statutory Authority. *Minnesota Statutes*, section 270C.06, 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 possible rules in writing until further notice is published in the *State Register* that the department intends to adopt or to withdraw the rules. By law, a notice of intent to adopt cannot be published sooner than 60 days following the publication of the request for comments. The department does not contemplate appointing an advisory committee to comment on the possible rules.

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

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

Michal Garber, Attorney
Appeals & Legal Services Division
Minnesota Department of Revenue
600 North Robert Street
St. Paul, Minnesota 55146-2220
(651) 556-4067

Fax: (651) 296-8229

E-mail: michal.garber@state.mn.us

TTY users may call the Department at 711

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.

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. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: August 19, 2005

Daniel A. Salomone, Commissioner
Department of Revenue

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.

Minnesota Department of Health

Office of Rural Health and Primary Care

Community Clinic Grant Program

Notice of Grant Opportunity to Improve Minnesota's Clinic-based Safety Net Providers

The Minnesota Department of Health (MDH) is seeking applications from eligible community clinics through the Community Clinic Grant Program. The purpose of these grants is to improve the ongoing viability of Minnesota's clinic-based safety net providers. Grants help clinics serve people with low incomes, reduce current or future uncompensated care burdens, or improve care delivery infrastructure. The level of funding for the community clinic grant program is \$567,000 for fiscal year 2006. An eligible community clinic means a nonprofit clinic, government entity, Indian tribal government or Indian health service unit; or a consortium of these entities. Applicants must also use a sliding fee scale or other procedure to determine eligibility for charity care or to ensure that no person will be denied services because of inability to pay. The Office of Rural Health and Primary Care expects that successful applicants will be able to begin their grant projects by April 2006.

Because of limited funding, applicants will be required to submit pre-applications and only the strongest of these will be invited to submit a final application. Prospective applicants who have questions and/or would like a copy of the application forms may contact Debra Jahnke at (651) 282-6334 or 1-800-366-5424 or debra.jahnke@health.state.mn.us. The pre-application and final application forms are also available on the Office of Rural Health and Primary Care Web site at <http://www.health.state.mn.us/divs/chs/grants.htm>.

Pre-applications must be received by 4 p.m. on November 10, 2005. Final applications must be received by 4 p.m. on January 13, 2006. Applications may be mailed or delivered to the following addresses:

Debra Jahnke
Office of Rural Health and Primary Care
Division of Community Health
Minnesota Department of Health
P.O. Box 64882
St. Paul, MN 55164-0882
Or via courier:
85 East 7th Place, Suite 220 (*ring doorbell*)
St. Paul, MN 55101

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Department of Administration

Notice of Request for Bid for Lease of State-Owned Building Located at 168 Aurora to Operate a Child Care Program

NOTICE IS HEREBY GIVEN that the Department of Administration is requesting bids for the lease of a state-owned building located at 168 Aurora Avenue (SW Quadrant of Rice Street and Aurora Avenue) in St. Paul to operate a child care program. For a copy of the bid form and requirements, go to www.admin.state.mn.us or e-mail a request to Kathy.Meyer@state.mn.us or fax a request to (651) 215-6245.

A Leased Premises inspection is scheduled on Friday, September 30, 2005 at 9:30 a.m. or by appointment.

A Leased Premises Inspection by the bidder is mandatory for submitting a bid. Bids submitted by bidders that have not inspected the Leased Premises will be rejected. Additional non-required inspections are allowed provided the bidder schedules a mutually agreed upon time and date by contacting (651) 201-2550.

To be eligible to submit a bid, interested persons or firms must send a "non-binding letter of intent to submit a bid" no later than 4:30 p.m. Thursday, October 13, 2005 by **e-mail** to Kathy.Meyer@state.mn.us or by **fax** to (651) 215-6245. Only those persons or firms submitting this letter will be eligible to submit a bid and receive changes regarding the bid or responses to questions about this request for bid. The "non-binding letter of intent to submit a bid" must include (1) a subject line of "Bid to Lease State-Owned Building to Operate Child Care Program," (2) a statement that potential responder intends to submit a proposal, and (3) a contact person, phone number, fax number and email address.

All bid proposals must be received in the Real Estate Management Division, Administration Building, 50 Sherburne Avenue, Room 309, St. Paul, MN 55155 no later than 2:30 p.m., Central Daylight Time, on Thursday October 27, 2005, as indicated by a notation made by the receptionist on receipt of proposal at the address noted in the bid requirements.

Late proposals will not be considered.

Minnesota State Colleges and Universities

Minneapolis Community & Technical College

Request for Proposals for Snow Plowing and Snow/Ice Removal Services

NOTICE OF INTENT to request proposals for Snow Plowing and Snow/Ice Removal services on a multi-year contract for the Minneapolis Community & Technical College's Minneapolis campus and Eden Prairie Aviation Center campus locations.

Contact for RFP copies and Sealed Proposals delivered to:

Dave MacLeod / Facilities Director
Minneapolis Community & Technical College
1501 Hennepin Avenue South
Room T0600 / T Building Lower Level
Minneapolis, MN 55403
(612) 659-6800
E-mail: Dave.MacLeod@minneapolis.edu

Mandatory Pre-bid meeting:

10:00 AM Thursday September 22, 2005
Room T0600 in the T Building
Minneapolis Community & Technical College.

Due Date & Time: 1:30 p.m., Tuesday October 4, 2005 all proposals will be opened and publicly read aloud.

Minnesota State Colleges and Universities Request for Proposal (RFP) for Consultant Services for Boiler/HVAC Replacement at Pine Technical College, Pine City, Minnesota

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of the Office of the Chancellor, is soliciting proposals from interested, qualified consultants for engineering design services for the above referenced project.

A full Request for Proposal is available on the Minnesota State Colleges and Universities website: www.facilities.mnscu.edu, click on "Solicitation Announcements".

A project informational meeting has been scheduled for 1:30 PM, Thursday, September 22, 2005, at Pine Technical College, Conference Room B, 1000 Fourth Street, Pine City, MN. All firms interested in this meeting should contact James P. Morgan, (651) 296-3823 or e-mail at James.morgan@so.mnscu.edu to sign up for the meeting.

Proposals must be delivered to James P. Morgan, Program Manager, Office of the Chancellor, Wells Fargo Place, 30 7th Street, Suite 350, St. Paul, MN 55101-4946, not later than 2:00 PM, Monday, October 10, 2005. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its' best interest.

Minnesota Department of Corrections Grants and Subsidies Unit Request for Proposals for Global Positioning Systems (GPS) Monitoring of High-Risk Sex Offenders on Non-Intensive Supervised Release (Non-ISR) Community Supervision

NOTICE IS HEREBY GIVEN that proposals are being solicited to select a vendor(s) to provide GPS monitoring services for non-ISR, high-risk sex offenders who are on supervised release, conditional release, parole, or probation. The contract award will not exceed \$338,000 for the twenty (20)-month period from November 1, 2005, through June 30, 2007.

The deadline for submission of completed proposals is October 14, 2005, at 12:00 noon central time.

To request a copy of a complete request for proposals, contact:

Lynda Davis
Minnesota Department of Corrections
Community Services Division
Grants and Subsidies Unit
1450 Energy Park Drive, Suite 200
St. Paul, Minnesota 55108-5219
Telephone: (651) 643-2533,
TTY: (651) 643-3589
E-mail: ldavis@co.doc.state.mn.us

The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Department of Education Notice of Request for Proposals to Enhance Statewide Capacity in Family-Directed Assessment and Family Outcome Development under Part C of the Individuals with Disabilities Education Act

The Department of Education is soliciting proposals from qualified vendors to:

- Conduct a thorough review of available research related to family-directed assessment under Part C of IDEA and ways to effectively include family outcomes in the Individual Family Service Plan
- Recommend a strategy or group of strategies to be used by local early intervention teams for conducting family-directed assessments

State Contracts

- Develop and implement a training plan designed to build statewide capacity in selected methodologies.

The Department of Education has estimated the cost of this project should not exceed **\$150,000**.

The anticipated project period is **December 19, 2005 to December 30, 2006**.

For a complete copy of the Request for Proposals, please contact:

JulAnn Meech
Department of Education
1500 Highway 36 West
Roseville, Minnesota 555113
Telephone: (651) 582-8611
Fax: (651) 582-8729
E-mail: julann.meech@state.mn.us

Responses are due by **3:00 P.M. on October 20, 2005**. **Late proposals will not be considered**. Fax or E-Mail proposals will **NOT** be considered.

This request does not obligate the State to award a contract or complete the work contemplated in this notice. The State reserves the right to cancel this solicitation if it considered to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Department of Health

Bureau of Family and Community Health

Notice of Availability of Contract for Alcohol Exposed Pregnancy Prevention Project

The Minnesota Department of Health is requesting proposals for media firms with experience in social marketing or health education/health promotion to (1) design and produce the health education materials for multimedia delivery and (2) design and produce a promotional campaign that may include print, broadcast, and professional training venues to inform women and health and human service providers about a behavior program that addresses alcohol use among women of child bearing age.

Work is proposed to start after November 1, 2005.

A Request for Proposals will be available by mail from this office through October 10, 2005. **A written request (by direct mail or fax) is required to receive the Request for Proposal**. After October 10, 2005, the Request for Proposals must be picked up in person.

The Request for Proposal can be obtained from:

Sheila Blackman
Minnesota Department of Health
Division of Community and Family Health
Maternal and Child Health Section
85 East Seventh Place
P.O. Box 64882
St. Paul, MN 55164-0882
Telephone: (651) 281-9850
Fax: (651) 215-8953

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 2:30 p.m., Central Time, **Friday, October 21, 2005**, as indicated by postmark or a notation made by the Receptionist, 4th Floor, 85 East Seventh Place, St. Paul MN 55101. **Late proposals will not be considered**. Faxed or emailed proposals will **NOT** be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Office of Higher Education Notice of Request for Proposals: Consultant—Rochester Higher Education Development Committee

The Minnesota Office of Higher Education is requesting proposals from qualified professionals to assist the Rochester Higher Education Development Committee in drafting a report with recommendations for the 2006 Minnesota legislative session. The goal of this project is to develop a proposal for establishment and implementation of expanded higher education programs or institutions in Rochester, Minnesota.

Proposals must be submitted **no later than 3:00 p.m. Central Time, October 10, 2005.**

The Request for Proposals (RFP) does not obligate the Office of Higher Education to complete this project, and the Office reserves the right to cancel the solicitation if it is considered to be in its best interest.

The total cost of this proposal should not exceed \$50,000.

Copies of the complete RFP are available on the Office website or from:

Cheryl Maplethorpe
Project Coordinator
Minnesota Office of Higher Education
1450 Energy Park Drive, Suite 350
St. Paul, MN 55108-5227
Phone: (651) 642-0533, ext. 3400
E-mail: cheryl.maplethorpe@state.mn.us
Website: www.ohe.state.mn.us

Office of the Minnesota Secretary of State Request for Proposals for Help America Vote Act (HAVA) Compliant Voting Equipment

The Office of the Secretary of State is soliciting proposals from interested, qualified vendors for voting equipment and systems that comply with the provisions of the Help America Vote Act (P.L. 107-252) and other laws, rules and guidelines issued in association with that Act, to be purchased by counties on behalf of local and municipal government units.

Proposals must be delivered to Lea Halverson at Department of Administration, Materials Management Division, 50 Sherburne Avenue, 112 Administration Building, St. Paul, MN 55155, by September 26, 2005, at 3:00 p.m.

A full Request for Proposal will be available on the Minnesota Department of Administration Materials Management Division website after September 19, 2005: www.mmd.admin.state.mn.us

For further information, please contact:

Lea Halverson, Acquisition Management Specialist
Department of Administration
Materials Management Division
50 Sherburne Avenue
112 Administration Building
St. Paul, MN 55155
Telephone: (651) 296-2546
Fax: (651) 297-3996
E-mail: Lea.halverson@state.mn.us

Other State personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

State Contracts

Department of Transportation (MnDOT)

Engineering Services Division

Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Robin Valento at (651) 284-3622 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway-related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and application forms are available on Mn/DOT's **web site** at: <http://www.dot.state.mn.us/consult>

Send completed application material to:

Robin Valento
Pre-Qualification Administrator
Minnesota Department of Transportation
Consultant Services
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680
St. Paul, MN 55155

Note: DUE DATE: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

Department of Transportation (MnDOT)

Engineering Services Division

Notice Concerning Professional/Technical Contract Opportunities

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: www.dot.state.mn.us/consult.

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Minnesota Zoological Gardens

Notice of Request for Proposals for Full Service Advertising Agency

The Minnesota Zoo is requesting proposals from firms to provide full service advertising services from November 2005 through June 2006. The contract may include renewal options for four additional years. The estimated contract amount is \$500,000 annually.

A Request for Proposals will be available by mail from this office through October 7, 2005. An email request is required to receive the Request for Proposal.

The Request for Proposal can be obtained from:

Connie Braziel
Deputy Director
Minnesota Zoo
13000 Zoo Boulevard

Apple Valley, Minnesota 55124
E-mail: connie.brazil@state.mn.us

All proposals must be received no later than 10:30 a.m. Central Time on October 12, 2005 at the Minnesota Zoo.

Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State 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 commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

University of Minnesota

Subscribe to Bid Information Service (BIS)

The University of Minnesota offers 24 hour/day, 7day/week access to all Request for Bids/Proposals through its web-based Bid Information Service (BIS). Subscriptions to BIS are free. Visit our website at bidinfo.umn.edu or call the BIS Coordinator at (612) 625-5534.

Request for Bids/Proposals are also available to the public each business day from 8:00 a.m. to 4:30 p.m. in the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Minneapolis, Minnesota 55454.

