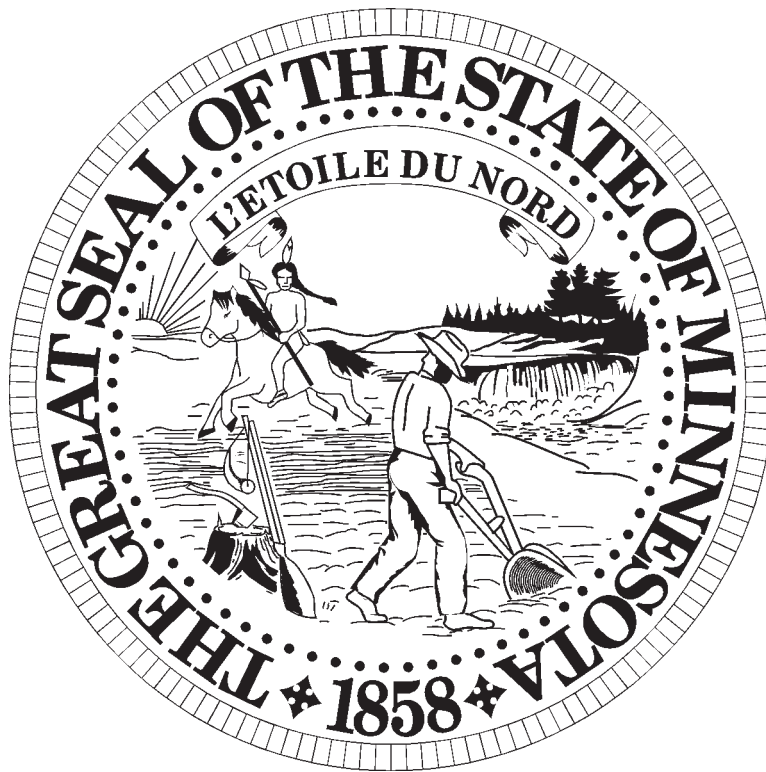


State of Minnesota

# State Register



**Rules and Official Notices Edition**

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***Minnesota Rules* and Subject Matter**

# 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
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# Minnesota Rules: Amendments and Additions

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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 Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*.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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# Proposed Rules

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

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

**Rules to be Adopted Without a Hearing.** Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

**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 Administration

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## Minnesota Department of Human Services

### Proposed Permanent Rules Relating to Family Planning

**DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, And Notice of Hearing If 25 or More Requests For Hearing Are Received**

**Proposed Rules Governing the Minnesota Family Planning Program Section 1115 Demonstration Project, Minnesota Rules, Parts 9505.5300 to 9505.5325**

**Introduction.** The Department of Human Services intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on Wednesday, July 26, 2006, a public hearing will be held in Room 107, State Capitol Building, 75 Constitution Avenue, Saint Paul, Minnesota 55155, starting at 10:00 a.m. on Tuesday, August 8, 2006. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after Wednesday, July 26, 2006 and before August 8, 2006.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Tracy Hoisington at the Minnesota Department of Human Services, PO Box 64989, Saint Paul, MN 55164-0989, phone (651) 431-2316, and **e-mail** [Tracy.Hoisington@state.mn.us](mailto:Tracy.Hoisington@state.mn.us). You can also contact the

# Proposed Rules

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department about the rule through the Minnesota Relay Service at (800) 627-3529 (TDD), or (877) 627-3848 (speech-to-speech relay service).

**Subject of Rules and Statutory Authority.** The proposed rules will govern a family planning section 1115 demonstration project that the state intends to operate beginning in July 2006. The program will be largely funded through Medical Assistance (MA). The section 1115 demonstration project allows the federal government to waive state compliance with specific federal requirements regarding recipient eligibility. The compliance waiver will allow persons who would not be qualified for the MA program to receive pre-pregnancy family planning services.

The demonstration project will last for five years and will determine whether improved access to coverage of pre-pregnancy family planning services reduces MA and Minnesota Family Investment Program costs.

The statutory authority to adopt the rules is *Minnesota Statutes*, section 256B.04, subdivision 2. A copy of the proposed rules is published in the State Register and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on Wednesday, July 26, 2006, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday July 26, 2006. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

**Alternative Format/Accommodation.** Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules, unless the procedure under *Minnesota Rules*, part 1400.2110, has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for August 8, 2006 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 431-2316 after July 26, 2006 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit valid written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Bruce H. Johnson is assigned to conduct the hearing. Judge Bruce H. Johnson can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **telephone:** (612) 341-7607, and **fax:** (612) 349-2665.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day rebuttal period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.



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# Proposed Rules

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 296-5148 or 1-800-657-3889.

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

**Adoption Procedure After a Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and the rules are filed with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

**Order.** I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: June 12, 2006

Kevin Goodno, Commissioner  
Minnesota Department of Human Services

## **9505.5300 APPLICABILITY.**

Parts 9505.5300 to 9505.5325 govern the Minnesota Family Planning Program Section 1115 Demonstration Project. The demonstration project is a Medicaid waiver demonstration project approved by the Centers for Medicare and Medicaid Services to provide federally approved contraception management services to eligible lowincome persons.

## **9505.5305 DEFINITIONS.**

Subpart 1. **Scope.** The terms used in parts 9505.5300 to 9505.5325 have the meanings given them in this part.

Subp. 2. **Applicant.** "Applicant" means a person who submits a written demonstration project application to the department for a determination of eligibility for the demonstration project.

Subp. 3. **Certified family planning services provider.** "Certified family planning services provider" means a family planning services provider that meets the requirements of part 9505.5315, subpart 1.

Subp. 4. **Commissioner.** "Commissioner" means the commissioner of human services or the commissioner's designee.

Subp. 5. **Contraception management services.** "Contraception management services" means a scope of family planning services limited to initiating or obtaining an enrollee's contraceptive method and maintaining effective use of that method.

Subp. 6. **Countable income.** "Countable income" means the income, including deemed income, used to determine a person's eligibility for the demonstration project.

Subp. 7. **County agency.** "County agency" has the meaning given in *Minnesota Statutes*, section 256B.02, subdivision 6.

Subp. 8. **Demonstration project.** "Demonstration project" means the Minnesota Family Planning Program Section 1115 Demonstration Project, Project Number 11-W-00183/5.

Subp. 9. **Department.** "Department" means the Minnesota Department of Human Services.

Subp. 10. **Enrollee.** "Enrollee" means a person enrolled in the demonstration project.

Subp. 11. **Family planning services provider.** "Family planning services provider" includes the providers listed in part 9505.0280, subpart 3, and clinical nurse specialists, laboratories, ambulatory surgical centers, federally qualified health centers, Indian Health Services, public health nursing clinics, and physician assistants who are authorized providers under part 9505.0195.

Subp. 12. **Family size.** "Family size" means the number of people used to determine a person's income standard. The family size includes the person and the following people who live with the person: the person's spouse, the biological and adoptive children of the person who are under age 21, and the biological and adoptive children of the person's spouse who are under age 21.

Subp. 13. **Minnesota health care program.** "Minnesota health care program" means medical assistance under *Minnesota Statutes*, chapter 256B, general assistance medical care under *Minnesota Statutes*, section 256D.03, and MinnesotaCare under *Minnesota Statutes*, chapter 256L.

# Proposed Rules

Subp. 14. Presumptive eligibility. “Presumptive eligibility” means the temporary period of eligibility for the demonstration project that is determined at the point of service by a certified family planning services provider.

Subp. 15. Qualified noncitizen eligible for medical assistance with federal financial participation. “Qualified noncitizen eligible for medical assistance with federal financial participation” means a person that meets the requirements of *Minnesota Statutes*, section 256B.06, subdivision 4.

Subp. 16. Resident. “Resident” means a person who meets the requirements in part 9505.0030.

## **9505.5310 DEMONSTRATION PROJECT ELIGIBILITY, APPLICATION, ENROLLMENT, AND DOCUMENTATION.**

Subpart 1. General eligibility. The eligibility and coverage requirements in this subpart apply to applicants and enrollees.

A. Except as provided in subpart 2, an applicant or enrollee must meet the following requirements to be eligible for the demonstration project:

(1) be a citizen of the United States or a qualified noncitizen eligible for medical assistance with federal financial participation;

(2) be a Minnesota resident;

(3) be 15 years of age or older and under age 50;

(4) have countable income at or below 200 percent of the federal poverty guidelines for the family size. Countable income is determined according to the income rules applied in eligibility determinations for families and children in the medical assistance program according to *Minnesota Statutes*, section 256B.056, and *United States Code*, title 42, chapter 7, subchapter XIX, section 1396u1, as follows:

(a) income includes all categories of earned and unearned income used in eligibility determinations for families and children under the medical assistance program;

(b) income does not include any categories of income that are excluded for purposes of determining eligibility for families and children in the medical assistance program;

(c) income methodologies, such as earned income deductions and disregards, used to determine eligibility for families and children in the medical assistance program according to *Minnesota Statutes*, section 256B.056, subdivisions 1a and 1c, do not apply to the determination of countable income; and

(d) income deeming requirements used to determine eligibility for families and children in the medical assistance program apply, except that for a person under age 21, no income from a parent, spouse, or sponsor is deemed to the person;

(5) not be pregnant;

(6) not be enrolled in the Minnesota health care program or other health service program administered by the department; and

(7) not be an institutionalized individual as described under *Code of Federal Regulations*, title 42, sections 435.1008 and 435.1009.

B. Participation in the demonstration project does not require the consent of anyone other than the applicant.

C. Asset requirements do not apply to applicants and enrollees.

D. Applicants and enrollees must report available third-party coverage and cooperate with the department in obtaining third-party payments. The department shall waive this requirement if the applicant or enrollee states that reporting third-party coverage could violate the applicant's or enrollee's privacy.

Subp. 2. Presumptive eligibility. Services covered under the demonstration project may be provided during a presumptive eligibility period.

A. A certified family planning services provider will screen a person for demonstration project eligibility using preliminary information provided by the person. A person who, based on the preliminary information, appears to meet the eligibility requirements in part 9505.5310, subpart 1, item A, subitems (2) to (6), is presumptively eligible for the demonstration project.

B. The presumptive eligibility period begins the first day of the month that a certified family planning services provider determines that a person is presumptively eligible. The presumptive eligibility period ends the last day of the month following the month that the certified family planning services provider determines that a person was presumptively eligible.

C. A person determined presumptively eligible must comply with part 9505.5310, subpart 1, item D.

D. A person may receive presumptive eligibility once during a 12-month period.

Subp. 3. Enrollment. An applicant must apply for the demonstration project using forms provided by the department.

A. The department or county agency must determine an applicant's eligibility for the demonstration project within 45 days of receipt of a completed application.

B. Except as provided in item C, eligibility begins the first day of the month of application. If a completed application form is submitted within 30 days of the request, the month of application includes the month the department or county agency receives a written request for the demonstration project consisting of at least the name of the applicant, a means to locate the applicant, and the signature of the applicant.

C. A person who is eligible under subparts 1 and 2 and files a demonstration project application during the presumptive eligibility period is eligible for ongoing coverage on the first day of the month following the month that presumptive eligibility ends.

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# Proposed Rules

**Subp. 4. Application and documentation.** The application and documentation requirements in this subpart apply to all applicants and enrollees.

A. An enrollee is eligible for the demonstration project for one year regardless of changes in income or family size. Eligibility will end prior to the annual renewal if the enrollee:

- (1) dies;
- (2) is no longer a Minnesota resident;
- (3) voluntarily terminates eligibility;
- (4) enrolls in the Minnesota health care program or other health service program administered by the department;
- (5) reaches 50 years of age;
- (6) becomes pregnant;
- (7) becomes an institutionalized individual under *Code of Federal Regulations*, title 42, sections 435.1008 and 435.1009; or
- (8) is no longer a citizen of the United States or a qualified noncitizen eligible for medical assistance with federal financial participation.

B. Applicants and enrollees must document their income at application.

C. Enrollees must complete an annual application on forms provided by the department.

D. Applicants and enrollees must provide documentation of immigration status at application. The department or county agency will verify applicant and enrollee immigration status according to *Minnesota Statutes*, section 256.01, subdivision 18.

E. Applicants and enrollees must report a change in an eligibility factor to the department or county agency within ten days of learning about the change. Applicants and enrollees who fail to report a change that would have resulted in ineligibility for the demonstration project will be disenrolled from the demonstration project and will be ineligible for the demonstration project for a period of 12 months following the date of disenrollment.

F. Applicants and enrollees must provide information, documents, and any releases requested by the department or county agency that are necessary to verify eligibility information. An applicant or enrollee who refuses to authorize verification of an eligibility factor, including a Social Security number, is not eligible for the demonstration project, except as provided in *Code of Federal Regulations*, title 42, section 435.910(h)(2).

G. Applicants must document citizenship as required by the federal Deficit Reduction Act of 2005, Public Law 109-71. Persons screened for presumptive eligibility under subpart 2 are not required to document citizenship.

H. An applicant may withdraw an application according to the provisions of part 9505.0090, subpart 4.

**Subp. 5. Enrollment.** To be considered for Minnesota health care program eligibility, an enrollee must complete the department's health care application. Applicants and enrollees shall not use a demonstration project application form to apply for the Minnesota health care program. People who complete the department's health care application and are determined ineligible for the Minnesota health care program, either at application or during enrollment, may authorize a demonstration project eligibility determination using the information provided in the department's health care application and updated at required intervals.

**Subp. 6. Confidentiality.** Private data about persons screened for eligibility, applicants, and enrollees must be disclosed according to the provisions of the following statutes and rules:

A. part 1205.0500 and *Minnesota Statutes*, chapter 13;

B. *Minnesota Statutes*, section 144.335;

C. *Minnesota Statutes*, section 144.343;

D. *Code of Federal Regulations*, title 45, parts 160, 162, and 164; and

E. other applicable state and federal laws, statutes, rules, and regulations affecting the collection, storage, use, and dissemination of protected, private, and confidential health and other information.

**Subp. 7. Notices.** Applicants and enrollees may arrange to receive notices in a manner other than having notices mailed to the applicant's or enrollee's home address.

## **9505.5315 PROVIDERS OF FAMILY PLANNING SERVICES.**

**Subpart 1. Certified family planning services provider requirements.** To become a certified family planning services provider, a family planning services provider must:

A. sign the business associate agreement;

B. complete required training;

C. provide information about presumptive eligibility to interested persons;

D. help interested persons complete demonstration project applications and forms;

E. use the department's eligibility verification system to verify a person screened for demonstration project eligibility does not receive Minnesota health care program coverage;

F. determine presumptive eligibility;

G. give required notices to a person screened for eligibility;

# Proposed Rules

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- H. promptly forward completed applications and forms to the department; and
- I. cooperate with department application tracking and program evaluation activities.

**Subp. 2. Covered services.** The demonstration project covers contraception management services and certain additional medical diagnosis or treatment services that are provided within the context of a visit for contraception management services. All services covered by the demonstration project are listed in Attachment B of the Centers for Medicare and Medicaid Services Special Terms and Conditions for the Minnesota Family Planning Program Section 1115 Demonstration, Project Number 11-W-00183/5 and its amendments, which are incorporated by reference. This document can be found at the Minnesota Law Library, Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota 55155. Attachment B is subject to frequent change.

**Subp. 3. Payment for services.** Family planning services providers are paid for covered services as follows:

- A. No cost-sharing requirements apply to services provided under the demonstration project.
- B. Payments will be made on a fee-for-service basis to providers for services provided under the demonstration project.
- C. All covered services provided during the presumptive eligibility period according to part 9505.5310, subpart 2, will be reimbursed.
- D. The demonstration project is the payer of last resort. The demonstration project will not cover drugs that are covered under Medicare Part D as defined in the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, Public Law 108-173, section 1860D-2(e), for individuals eligible for drug coverage as defined in the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, Public Law 108-173, section 1860D-1(a)(3)(A).

E. Parts 9505.2160 to 9505.2245, regarding surveillance and integrity review, apply to services provided under parts 9505.5300 to 9505.5325.

## **9505.5325 APPEALS.**

**Subpart 1. Notice.** The commissioner must follow the notification procedures in part 9505.0125 if the commissioner denies, suspends, reduces, or terminates eligibility or covered health services, except as provided in subpart 3.

**Subp. 2. Appeal process.** A person aggrieved by a determination or action of the commissioner under parts 9505.5300 to 9505.5325 may appeal the department's or county agency's determination or action according to *Minnesota Statutes*, section 256.045, except as provided in subpart 3.

**Subp. 3. Denial of presumptive eligibility.** There is no right of appeal for a denial of presumptive eligibility.

**INCORPORATION BY REFERENCE:** Part 9505.5315, subp. 2: Attachment B of the Centers for Medicare and Medicaid Services Special Terms and Conditions for the Minnesota Family Planning Program Section 1115 Demonstration, Project Number 11-W-00183/5 and its amendments, is available at the Minnesota Law Library, Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota 55155.

# Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

## Minnesota Department of Natural Resources

### DECISION RECORD

### OFFICIAL NOTICE AND ORDER

### Designation and Undesignation of Forest Roads in the Nemadji State Forest Pursuant to *Minnesota Statutes*, Section 89.71, Subdivision 1.

### DESIGNATION AND UNDESIGNATION OF FOREST ROADS IN THE NEMADJI STATE FOREST IN PINE COUNTY, MINNESOTA

NOTICE PUBLISHED: JUNE 26, 2006

EFFECTIVE DATE: DECEMBER 31, 2006

**NOTICE IS HEREBY GIVEN** that the Commissioner of the Minnesota Department of Natural Resources orders the designation of forest roads as identified in *Exhibit A*, and the undesignation of forest roads as identified in *Exhibit B*, attached hereto and incorporated herein, in the Nemadji State Forest.

#### WHEREAS:

1. *Minnesota Statutes*, Section 89.71, Subd. 1, provides that the commissioner may designate forest roads by written order published in the *State Register*.
2. The agency held a public meeting and solicited and received written comments and submissions regarding public use of the Nemadji State Forest.
3. All notice and procedural requirements in *Minnesota Statutes*, and other applicable rules and law, have been complied with.
4. The forest road designations are both needed and reasonable.

**NOW THEREFORE, IT IS ORDERED** that the forest roads identified in *Exhibit A*, attached hereto and incorporated herein, are hereby designated pursuant to authority vested in me by Minnesota law.

**IT IS FURTHER ORDERED** that the forest roads identified in *Exhibit B*, attached hereto and incorporated herein, are hereby undesignated pursuant to authority vested in me by Minnesota law.

**IT IS FURTHER ORDERED** that the designation of those forest roads identified in *Exhibits A and B*, shall become effective on December 31, 2006.

A copy of this order shall be filed with the Secretary of State.

Dated: June 08, 2006

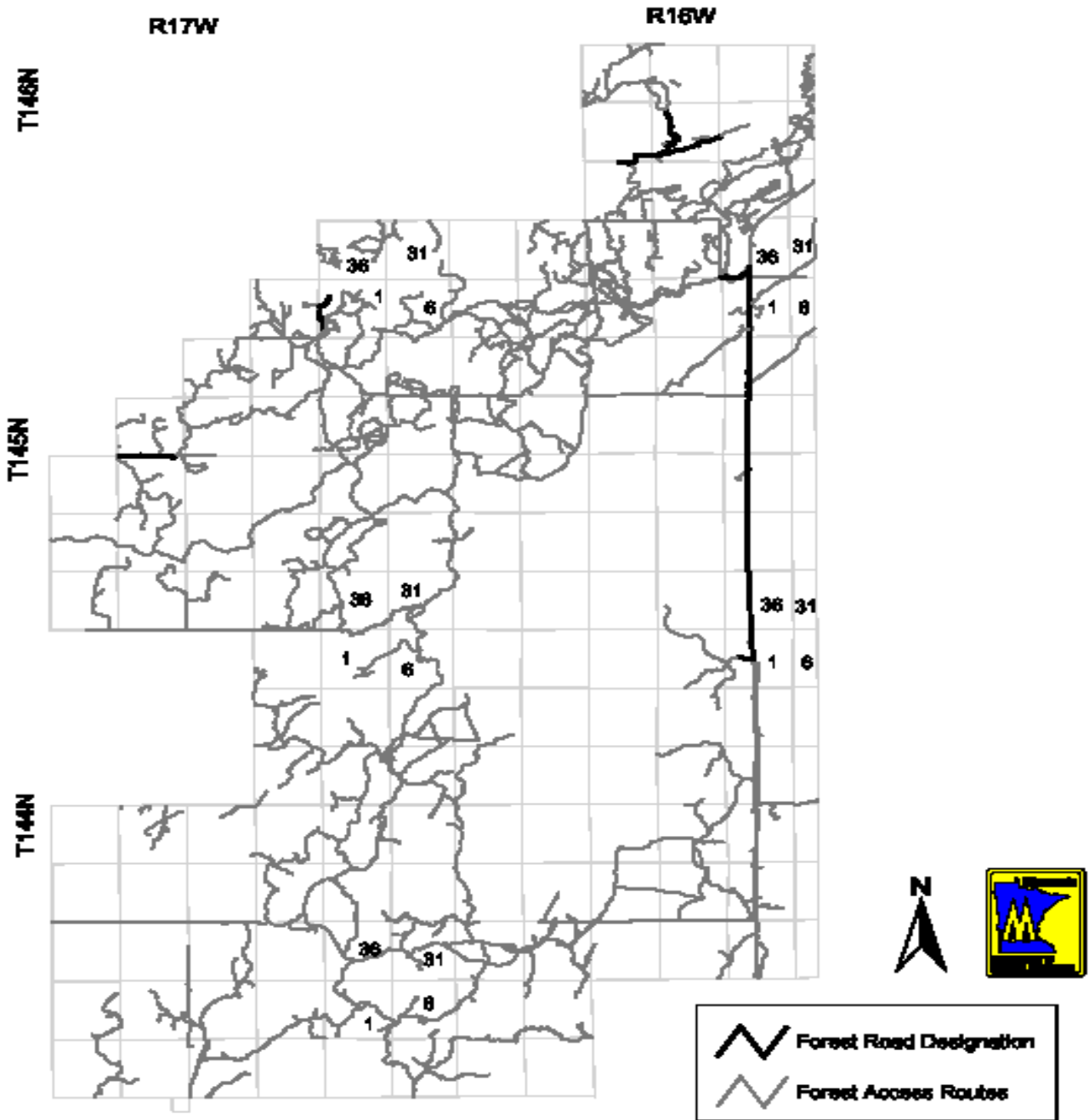
Gene Merriam, Commissioner  
Department of Natural Resources

Signed copy on file w/MN Secretary of State – Refer to No. 0602575

*NemSFR.Doc*

# Commissioner's Orders

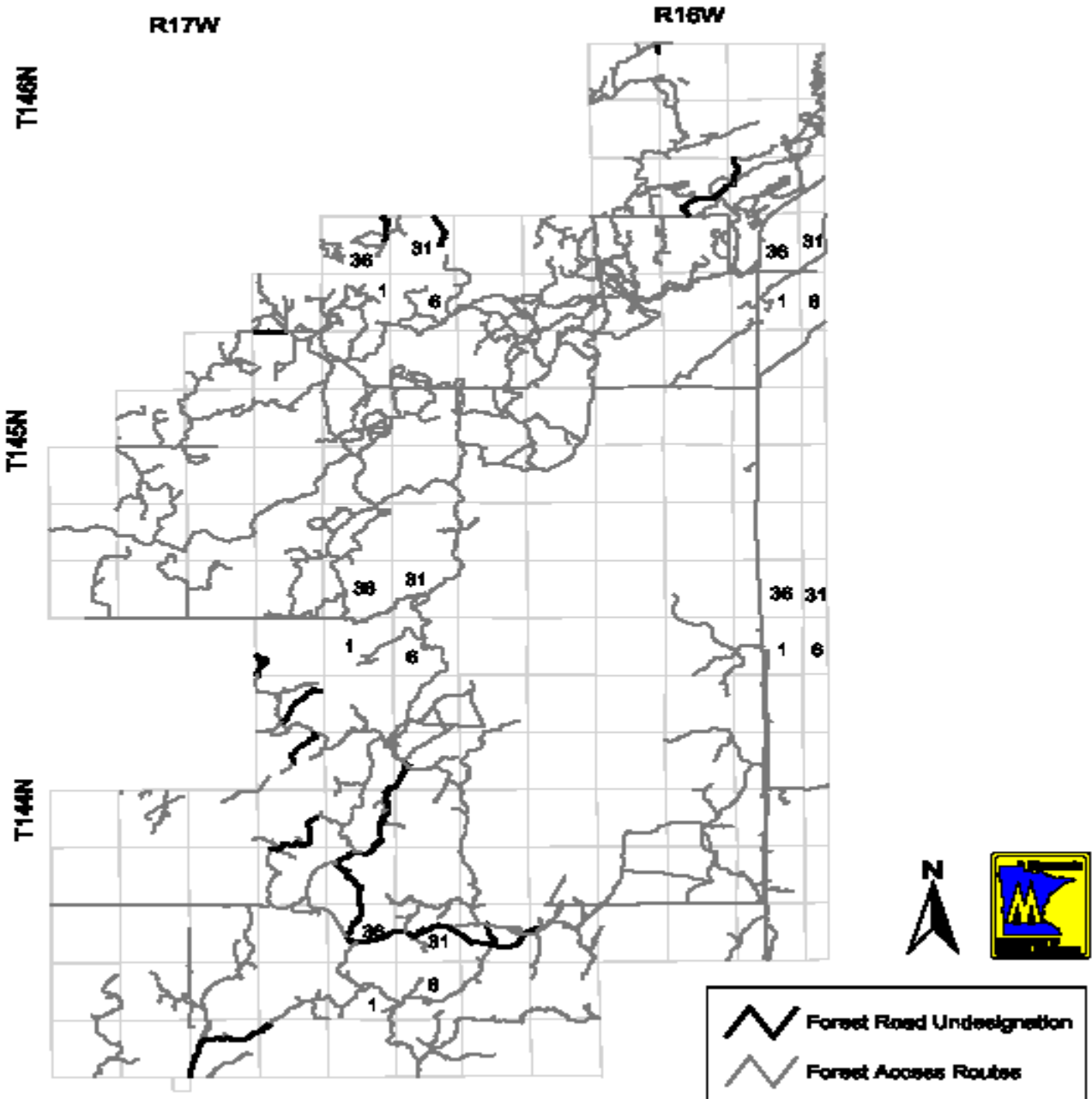
## Exhibit A: Nemadji State Forest Forest Road Designation May 2006



Map Copyright, May 2006  
Minnesota Department of Natural Resources  
Division of Trails and Waterways

# Commissioner's Orders

## Exhibit B: Nemadji State Forest Forest Road Undesignation May 2006



Map Copyright, May 2006  
Minnesota Department of Natural Resources  
Division of Trails and Waterways

# Commissioner's Orders

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## Minnesota Department of Natural Resources

### DECISION RECORD

### OFFICIAL NOTICE AND ORDER

#### Designation of Forest Trails in the Nemadji State Forest with Respect to Off-highway Vehicle Use Pursuant to *Minnesota Laws 2003*, Chapter 128, Article 1, Section 167, Subd. 1 (as amended) and *Minnesota Statutes*, Sect. 89.19, Subd. 2 DESIGNATION OF FOREST TRAILS IN THE NEMADJI STATE FOREST IN PINE COUNTY, MINNESOTA

NOTICE PUBLISHED: JUNE 26, 2006  
EFFECTIVE DATE: DECEMBER 31, 2006

**NOTICE IS HEREBY GIVEN** that the Commissioner of the Minnesota Department of Natural Resources orders the designation of forest trails as identified in *Exhibits A, B and C*, attached hereto and incorporated herein. The trail designations are for the Nemadji State Forest, with respect to the operation of all-terrain vehicles, off-highway motorcycles, and hiking trails, respectively.

#### WHEREAS:

1. *Minnesota Laws 2003*, Chap. 128, Art. 1, Sect. 167, as amended by *Minnesota Laws 2005, First Special Session Session*, Chap. 1, Art. 2, Sect. 152 directs the Commissioner of Natural Resources to complete a review of the classification status of all state forests and forest lands under authority of the Commissioner; to reclassify said forests as regards motor vehicle operation, and; to designate motor routes on state lands by written order published in the *State Register*.
2. The agency held a public meeting and solicited and received written comments and submissions on the proposed forest trail designations. Comments were incorporated into the final plan for forest trail designations.
3. All notice and procedural requirements in *Minnesota Statutes*, and other applicable rules and law, have been complied with.
4. The forest trail designations are both needed and reasonable.

**NOW THEREFORE, IT IS ORDERED** that the All-Terrain Vehicle trails identified in *Exhibit A*, the Off-Highway Motorcycle trails identified in *Exhibit B*, and the Hiking trails identified in *Exhibit C*, all within the Nemadji State Forest, are hereby designated pursuant to authority vested in me by Minnesota law.

**IT IS FURTHER ORDERED** that the designation of those trails identified in *Exhibits A, B and C*, attached hereto and incorporated herein, shall become effective on December 31, 2006.

A copy of this order shall be filed with the Secretary of State.

Signed copy on file w/MN Secretary of State – Refer to No. 0602576

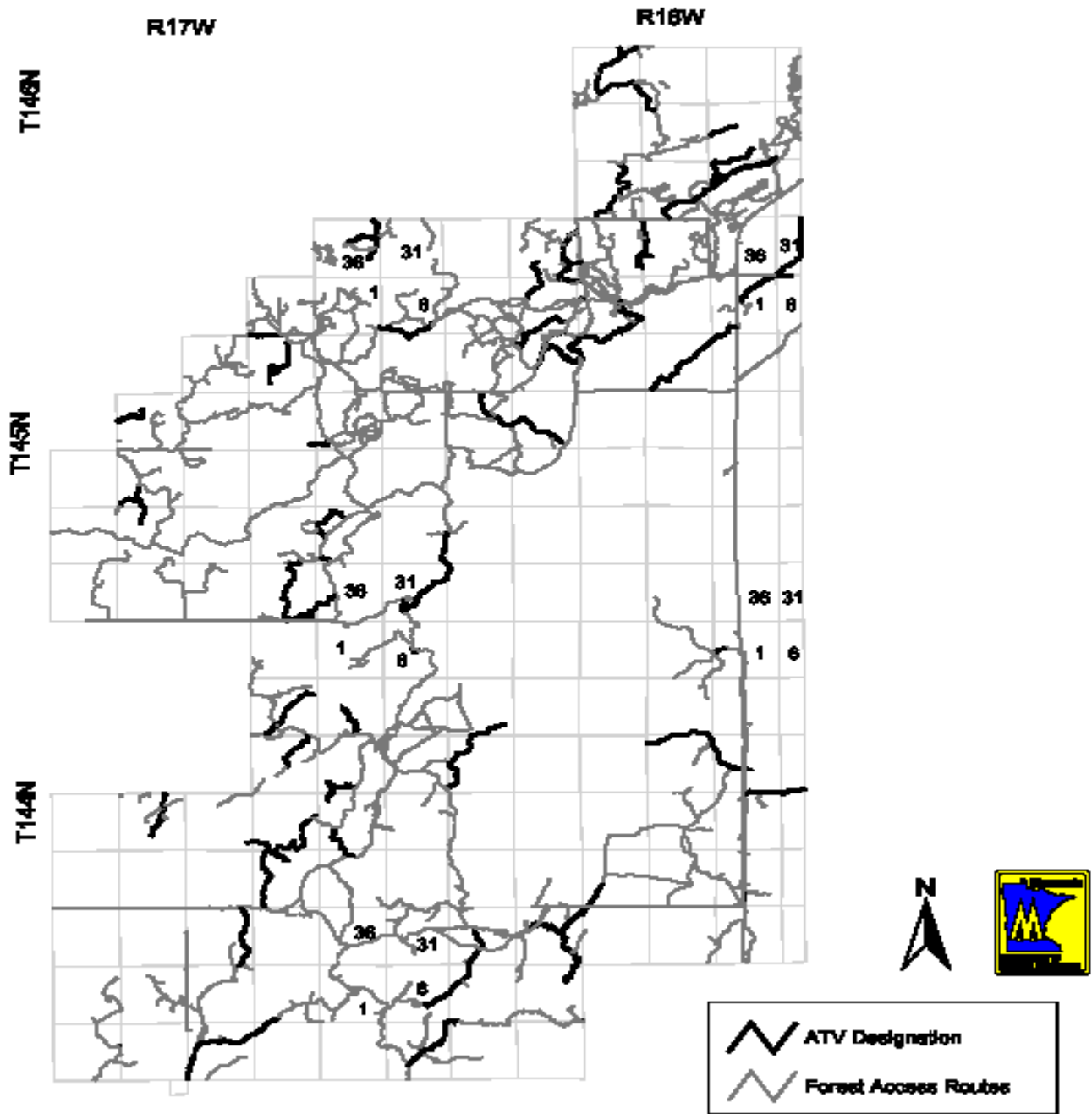
Dated: June 8, 2006

Gene Merriam, Commissioner  
Department of Natural Resources

*NemTRL.doc*



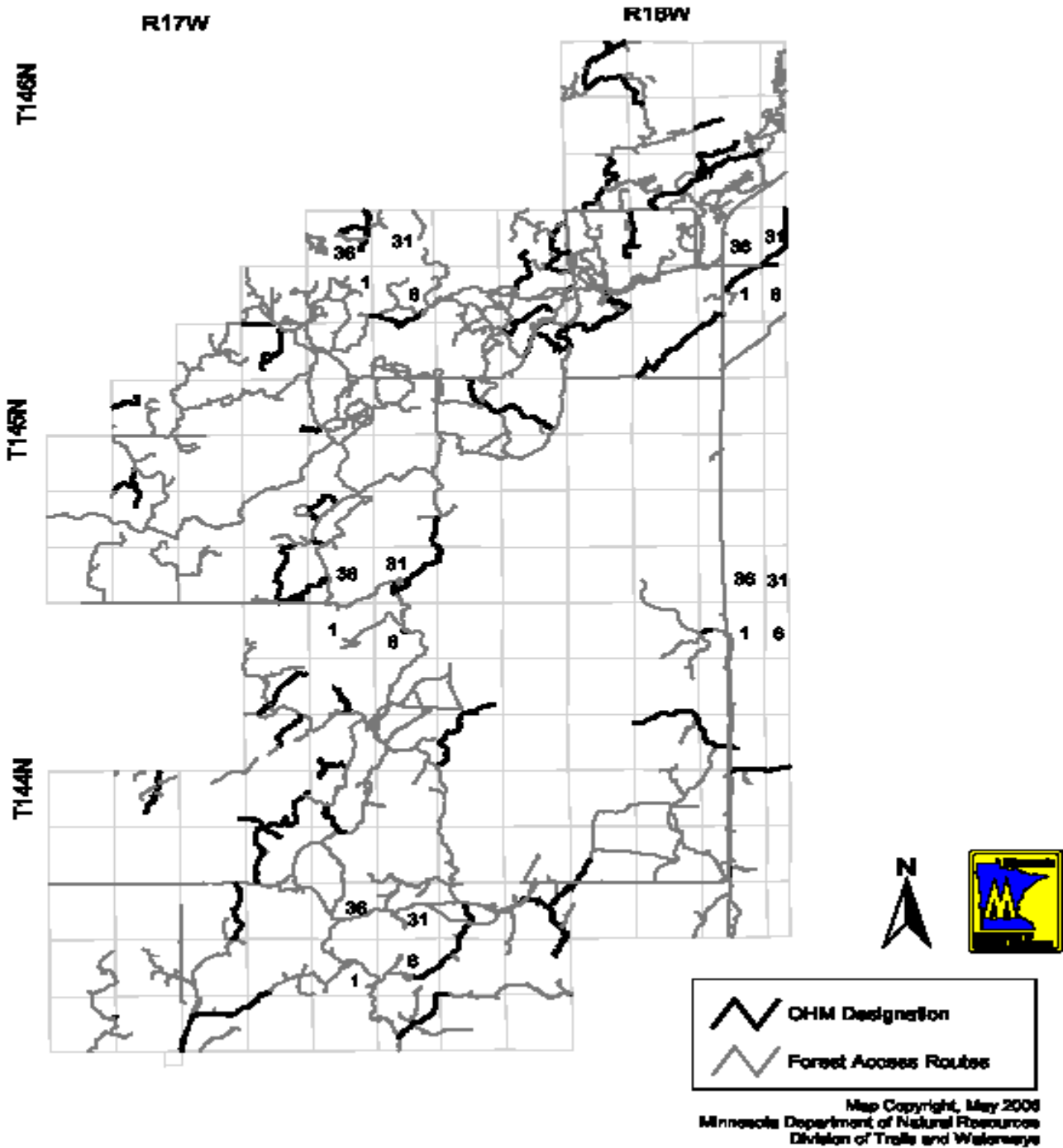
**Exhibit A: Nemadji State Forest  
All Terrain Vehicle (ATV) Designation  
May 2006**



Map Copyright, May 2006  
Minnesota Department of Natural Resources  
Division of Trails and Waterways

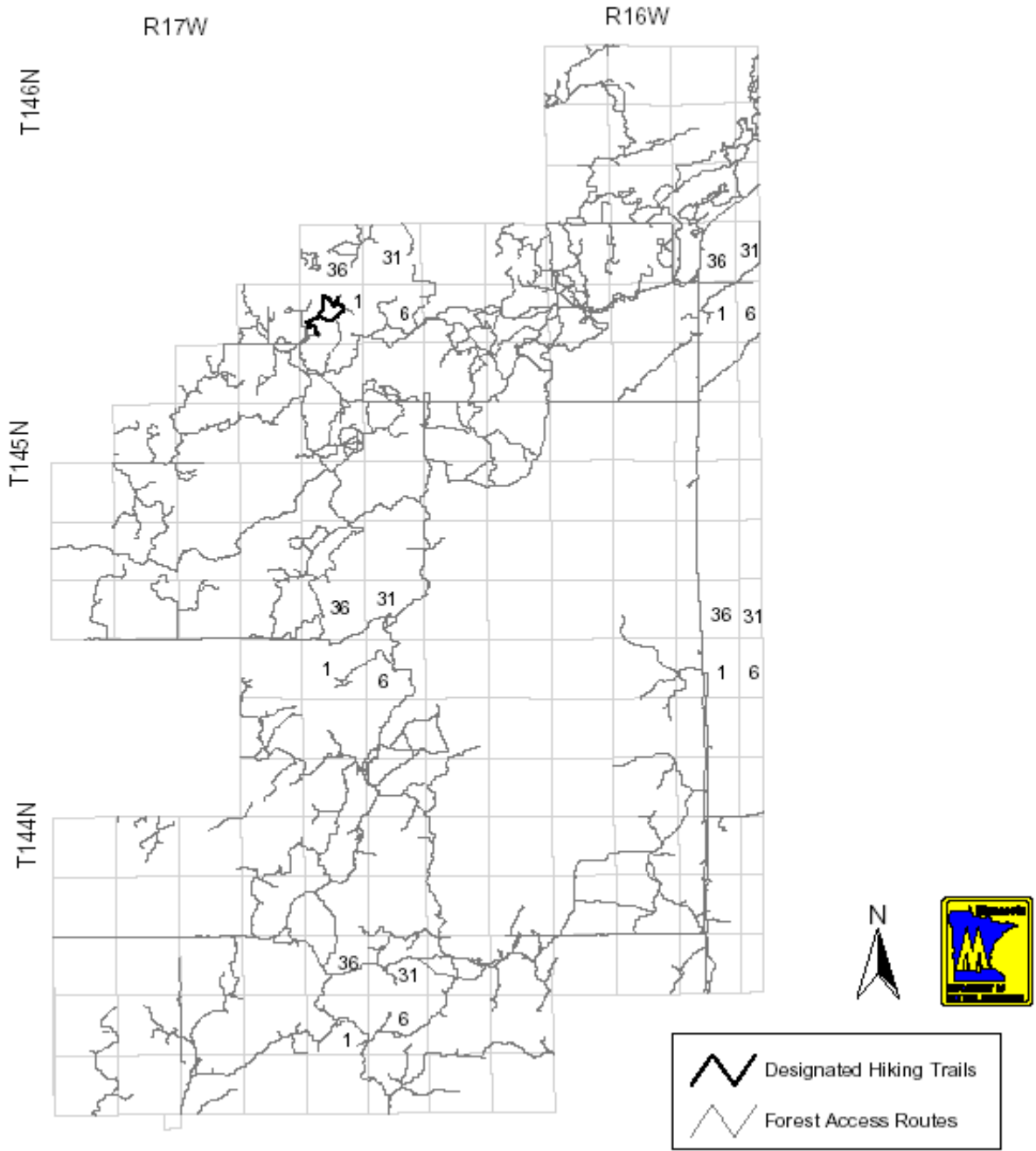
# Commissioner's Orders

## Exhibit B: Nemedji State Forest Off Highway Motorcycle (OHM) Designation May 2008



# Commissioner's Orders

## Exhibit C: Nemadji State Forest Designated Hiking Trails May 2006



Map Copyright, May 2006  
Minnesota Department of Natural Resources  
Division of Trails and Waterways

# Commissioners' Orders

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## Minnesota Department of Natural Resources

### DECISION RECORD

### OFFICIAL NOTICE AND ORDER

#### Designation and Undesignation of Forest Roads in the St. Croix State Forest

#### Pursuant to *Minnesota Statutes*, Section 89.71, Subdivision 1

#### DESIGNATION AND UNDESIGNATION OF FOREST ROADS IN THE ST. CROIX STATE FOREST IN PINE COUNTY, MINNESOTA

NOTICE PUBLISHED: JUNE 26, 2006

EFFECTIVE DATE: DECEMBER 31, 2006

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Department of Natural Resources orders the designation of forest roads as identified in *Exhibit A*, and the undesignation of forest roads identified in *Exhibit B*, attached hereto and incorporated herein, in the St. Croix State Forest.

#### WHEREAS:

1. *Minnesota Statutes*, Section 89.71, subdivision 1, provides that the commissioner may designate forest roads by written order published in the *State Register*.
2. The agency held a public meeting and solicited and received written comments and submissions regarding the public's use of the St. Croix State Forest.
3. All notice and procedural requirements in *Minnesota Statutes*, and other applicable rules and law have been complied with.
4. The forest road designations are both needed and reasonable.

NOW THEREFORE, IT IS ORDERED that the forest roads identified in *Exhibit A*, attached hereto and incorporated herein, are hereby designated pursuant to authority vested in me by Minnesota law.

IT IS FURTHER ORDERED that the forest roads identified in *Exhibit B*, attached hereto and incorporated herein, are hereby undesignated pursuant to authority vested in me by Minnesota law.

IT IS FURTHER ORDERED that the designation and undesignation of those forest roads identified in *Exhibits A and B*, shall become effective on December 31, 2006.

A copy of this order shall be filed with the Secretary of State.

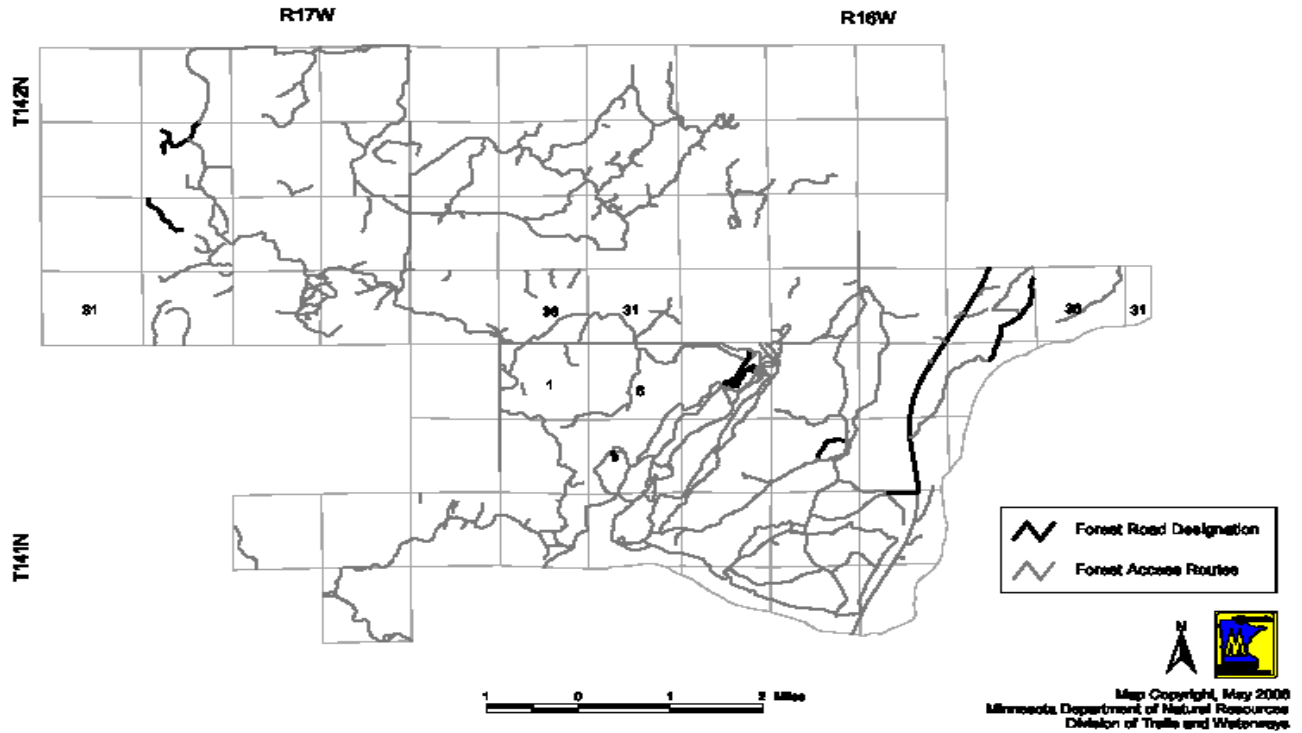
Dated: June 8, 2006

Gene Merriam, Commissioner  
Department of Natural Resources

Signed copy on file w/MN Secretary of State – Refer to No. 0602573

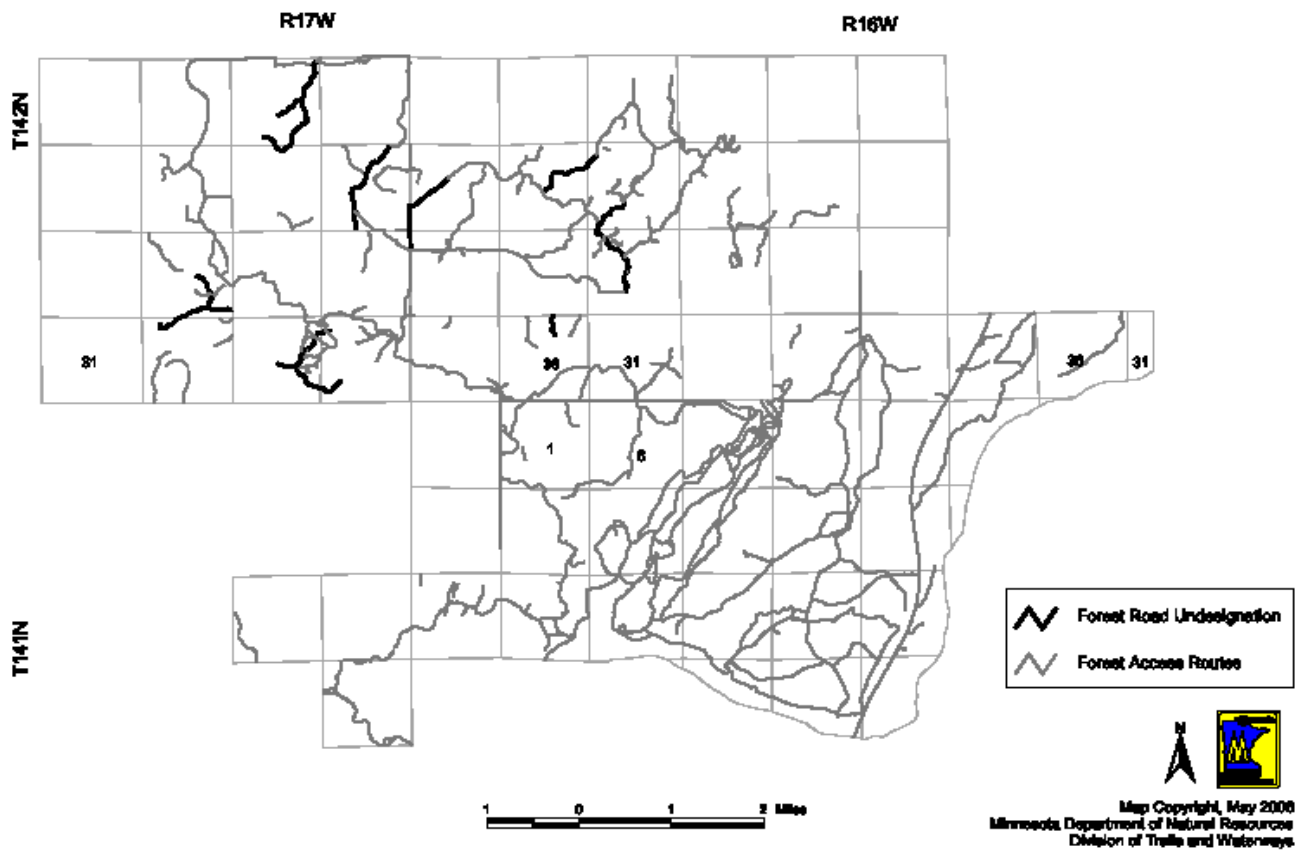
*StCrSFR.Doc*

Exhibit A: St. Croix State Forest  
Forest Road Designation  
May 2006



# Commissioners' Orders

## Exhibit B: St. Croix State Forest Forest Road Undesignation May 2006



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# Commissioner's Orders

## Minnesota Department of Natural Resources

### DECISION RECORD

### OFFICIAL NOTICE AND ORDER

**Designation of Forest Trails in the St. Croix State Forest with Respect to Off-highway Vehicle Use Pursuant to *Minnesota Laws 2003*, Chapter 128, Article 1, Section 167, Subd. 1 (as amended) and *Minnesota Statutes*, Sect. 89.19, Subd. 2**

**DESIGNATION OF FOREST TRAILS IN THE ST. CROIX STATE FOREST IN PINE COUNTY, MINNESOTA**

**NOTICE PUBLISHED: JUNE 26, 2006  
EFFECTIVE DATE: DECEMBER 31, 2006**

**NOTICE IS HEREBY GIVEN** that the Commissioner of the Minnesota Department of Natural Resources orders the designation of forest trails as identified in *Exhibits A, B, C, D and E*, attached hereto and incorporated herein. The trail designations are for the St. Croix State Forest located in Pine County, Minnesota, with respect to the operation of all-terrain vehicles, off-highway motorcycles, hiking trails, equestrian trails, and sled dog trails, respectively.

**WHEREAS:**

1. *Minnesota Laws 2003*, Chap. 128, Art. 1, Sect. 167, as amended by *Minnesota Laws 2005, First Special Session Session*, Chap. 1, Art. 2, Sect. 152 directs the Commissioner of Natural Resources to complete a review of the classification status of all state forests and forest lands under authority of the Commissioner; to reclassify said forests as regards motor vehicle operation, and; to designate motor routes on state lands by written order published in the *State Register*.
2. The agency held a public meeting and solicited and received written comments and submissions on the proposed forest trail designations. Comments were incorporated into the final plan for forest trail designations.
3. All notice and procedural requirements in *Minnesota Statutes*, and other applicable rules and law, have been complied with.
4. The forest trail designations are both needed and reasonable.

**NOW THEREFORE, IT IS ORDERED** that the All-Terrain Vehicle trails identified in *Exhibit A*; the Off-Highway Motorcycle trails identified in *Exhibit B*; the Hiking trails identified in *Exhibit C*; the Equestrian trails identified in *Exhibit D*; and the Sled Dog trails identified in *Exhibit E*, all within the St. Croix State Forest, are hereby designated pursuant to authority vested in me by Minnesota law.

**IT IS FURTHER ORDERED** that the designation of those trails identified in *Exhibits A, B, C, D and E*, attached hereto and incorporated herein, shall become effective on December 31, 2006.

A copy of this order shall be filed with the Secretary of State.

Dated: June 8, 2006

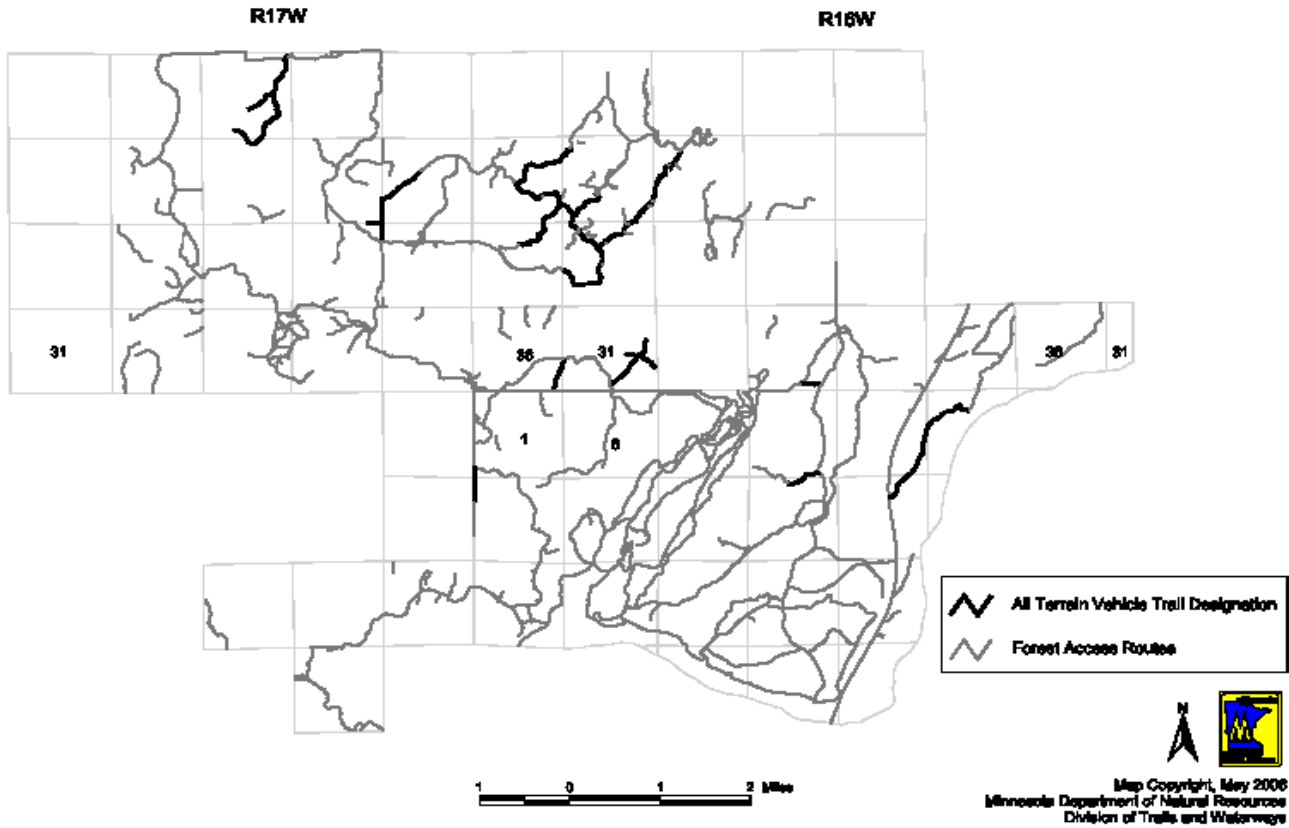
Gene Merriam, Commissioner  
Department of Natural Resources

Signed copy on file w/MN Secretary of State – Refer to No. 0602574

*StCrTRL.Doc*

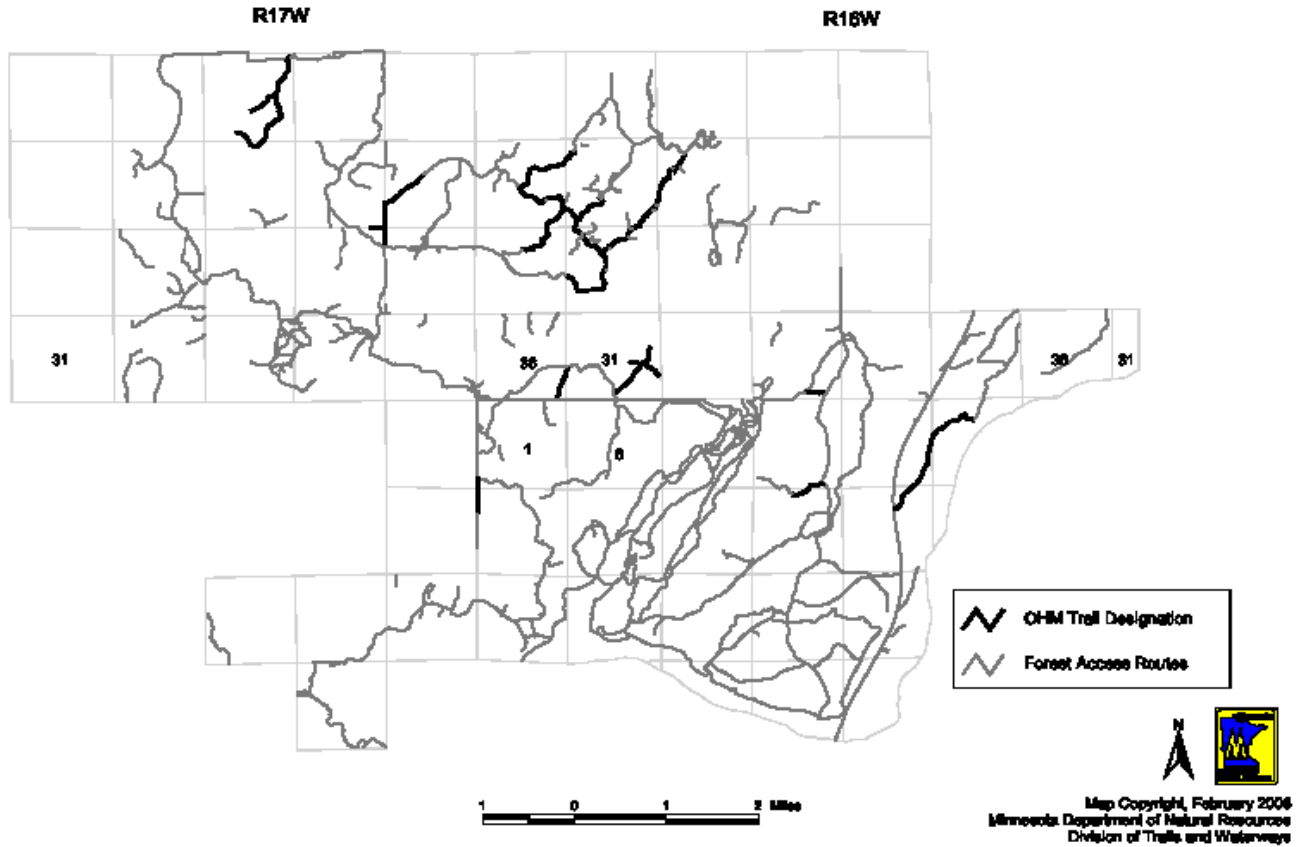
# Commissioner's Orders

## Exhibit A: St. Croix State Forest All Terrain Vehicle (ATV) Trail Designation May 2006





**Exhibit B: St. Croix State Forest  
Off Highway Motorcycle (OHM) Trail Designation  
May 2006**



# Commissioner's Orders

## Exhibit C: St. Croix State Forest Hiking Trail Designation May 2006

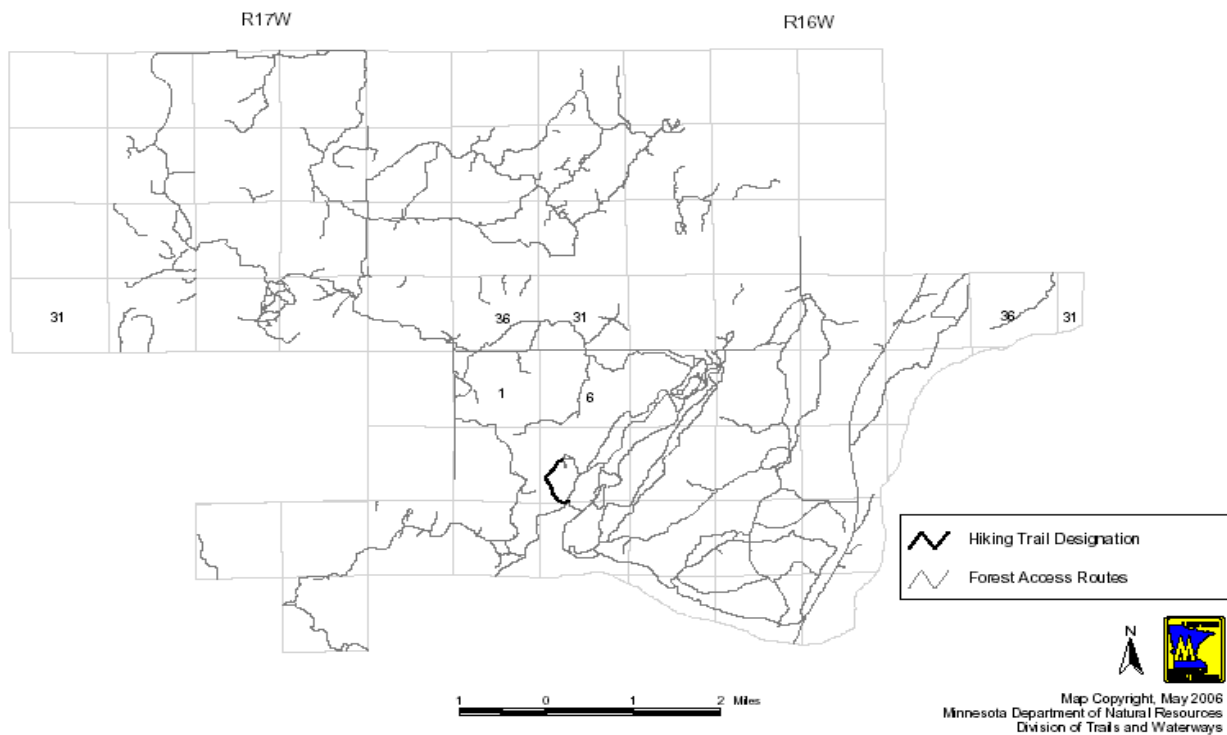
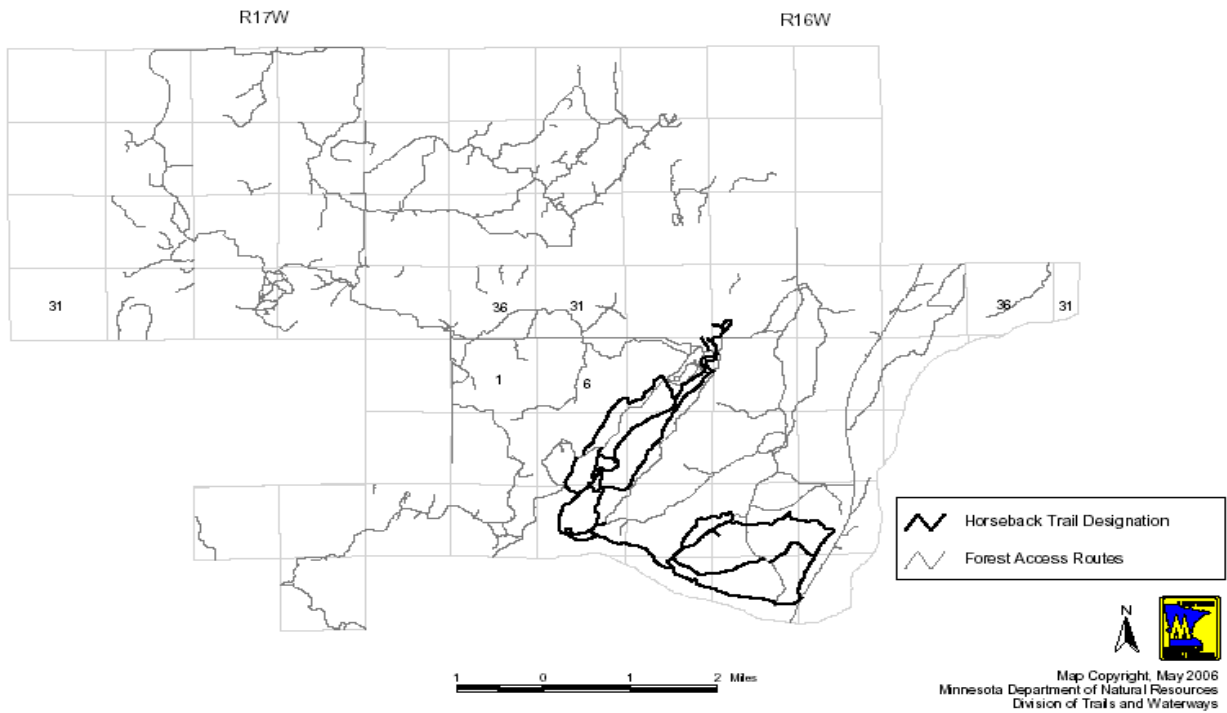
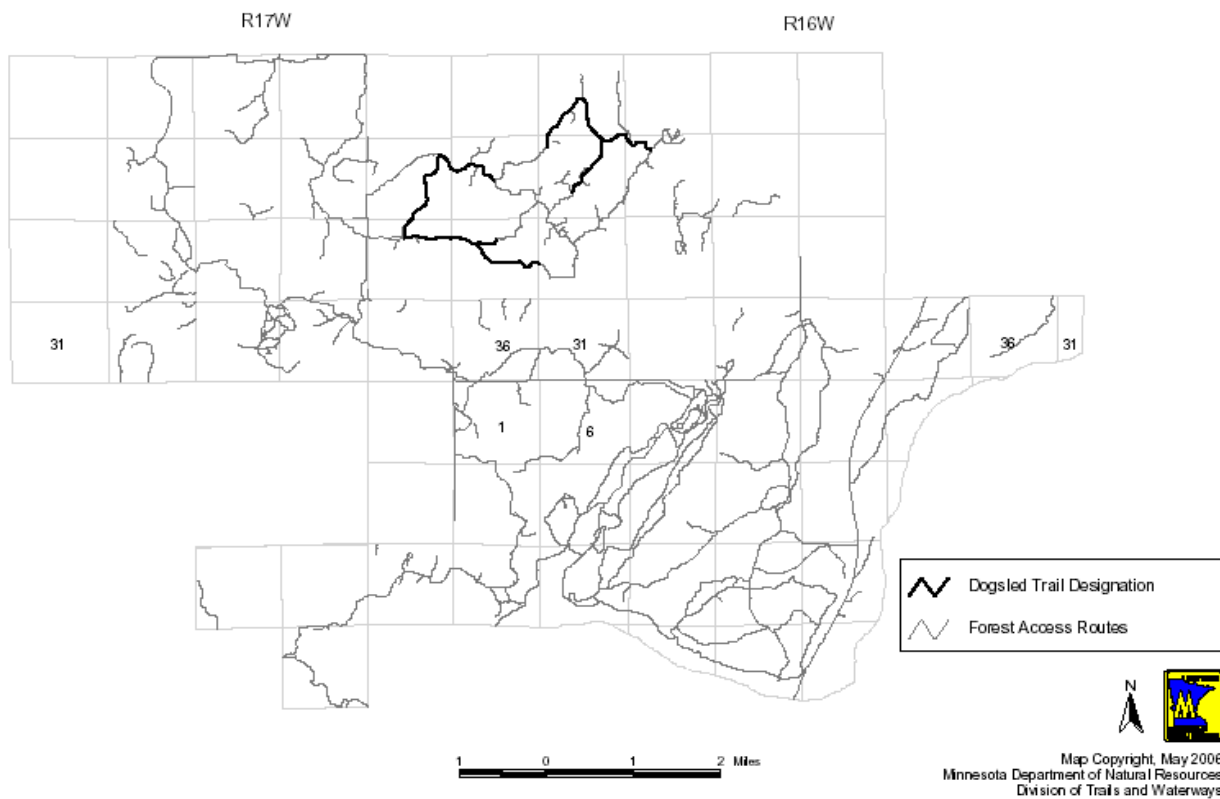


Exhibit D: St. Croix State Forest  
Horseback Trail Designation  
May 2006



# Commissioner's Orders

Exhibit E: St. Croix State Forest  
Dogsled Trail Designation  
May 2006



## Minnesota Department of Natural Resources

### DECISION RECORD

### OFFICIAL NOTICE AND ORDER

### Undesignation of Forest Roads in Beltrami County Pursuant to *Minnesota Statutes, Section 89.71, Subdivision 1*

### UNDESIGNATION OF GRANT LAKE FOREST ROAD #71 IN BELTRAMI COUNTY, MINNESOTA

NOTICE PUBLISHED: June 26, 2006

EFFECTIVE DATE: July 1, 2006

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Department of Natural Resources orders the undesignation of forest roads as described below, incorporated herein, and identified in the state forest road inventory as State Forest Road #71.

#### WHEREAS:

1. *Minnesota Statutes, Section 89.002, subdivision 3*, directs the Commissioner of Natural Resources to provide a system of state forest roads for access to state forest land and other forest land under the Commissioner's authority, which is adequate to permit the Commissioner to manage, protect, and develop those lands and their resources consistent with the forest resource management policy, and to meet demands for forest resources;
2. *Minnesota Statutes, Section 89.71, subdivision 1*, provides that the commissioner may designate and undesignate forest roads by written order published in the *State Register*.
3. All notice and procedural requirements in *Minnesota Statutes*, and other applicable rules and law have been complied with.
4. The forest road undesignation is both needed and reasonable.

NOW THEREFORE, IT IS ORDERED that the forest road described below and shown on the map attached as Exhibit A is hereby undesignated and removed from the forest road system pursuant to authority vested in me by Minnesota law:

#### CENTERLINE DESCRIPTION

Grant Lake Road – SFR #71  
(Locally known as Beaver Pass Road)

CITY OF WILTON – T 147 N, R 34 W  
BELTRAMI COUNTY

The centerline of Beaver Pass Road in Government Lot 1 of Section 33, Township 147 North, Range 34 West, is shown on the plat of ELLIOTT ADDITION, on file and recorded in the Office of the Beltrami County Recorder, and said centerline is more particularly described as follows:

Commencing at the southeast corner of said Government Lot 1; thence North 89 degrees 17 minutes 21 seconds West, assumed bearing, along the south line of said Government Lot 1 a distance of 611.79 feet to the point of beginning of the centerline to be described; thence North 28 degrees 23 minutes 38 seconds East 32.26 feet; thence northeasterly a distance of 126.22 feet on a tangential curve concave to the southeast having a radius of 260.00 feet and a central angle of 27 degrees 48 minutes 53 seconds; thence North 56 degrees 12 minutes 31 seconds East tangent to the last described curve 252.09 feet; thence northeasterly a distance of 86.12 feet along a tangential curve concave to the southeast having a radius of 280.00 feet and a central angle of 17 degrees 37 minutes 19 seconds; thence North 73 degrees 49 minutes 50 seconds East tangent to the last described curve 76.44 feet; thence northeasterly a distance of 101.13 feet along a tangential curve concave to the northwest having a radius of 210.00 feet and a central angle of 27 degrees 35 minutes 30 seconds; thence North 46 degrees 14 minutes 20 seconds East tangent to the last described curve 23.53 feet; thence northerly 169.53 feet along a tangential curve concave to the west having a radius of 210.00 feet and a central angle of 46 degrees 15 minutes 14 seconds; thence North 00 degrees 00 minutes 54 seconds West tangent to the last described curve 292.35 feet to the southerly line of Dewey Avenue SW in the City of Wilton and there terminating.

# Commissioner's Orders

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## CENTERLINE DESCRIPTION

Grant Lake Road – SFR #71  
(Locally known as Grant Lake Lane NW)

GRANT VALLEY TOWNSHIP – T 146 N, R 34 W  
BELTRAMI COUNTY

The centerline of Grant Lake Lane NW in Government Lot 3 of Section 4, Township 146 North, Range 34 West is shown on the plat of GRANTWOOD, on file and of record in the Office of the Beltrami County Recorder, and said centerline is more particularly described as follows:

Commencing at the northeast corner of said Government Lot 3; thence South 89 degrees 41 minutes 46 seconds West, assumed bearing, along the north line of said Government Lot 3 a distance of 611.79 feet to the point of beginning of the centerline to be described; thence South 34 degrees 20 minutes 17 seconds West 82.96 feet; thence South 67 degrees 17 minutes 00 seconds West 173.46 feet; thence South 45 degrees 51 minutes 00 seconds West 94.76 feet; thence South 13 degrees 36 minutes 00 seconds West 63.79 feet; thence South 11 degrees 58 minutes 00 seconds East 114.15 feet to the intersection with the northerly line of that certain tract of land referred to as Rognlien Memorial Park as described in Record Book No. 77, Page 386, dated 1937 and there terminating.

Also the centerline of Grant Lake Lane NW that exists in that certain tract of land referred to as Rognlien Memorial Park as described in Record Book No. 77, Page 386, dated 1937. More particularly described as follows:

Beginning at the above mentioned termination point; thence southwesterly through said Rognlien Memorial Park to the boat landing and terminating, including any and all loop roads as they currently exist.

**IT IS FURTHER ORDERED** that the undesignation of this forest road shall become effective on July 1, 2006.

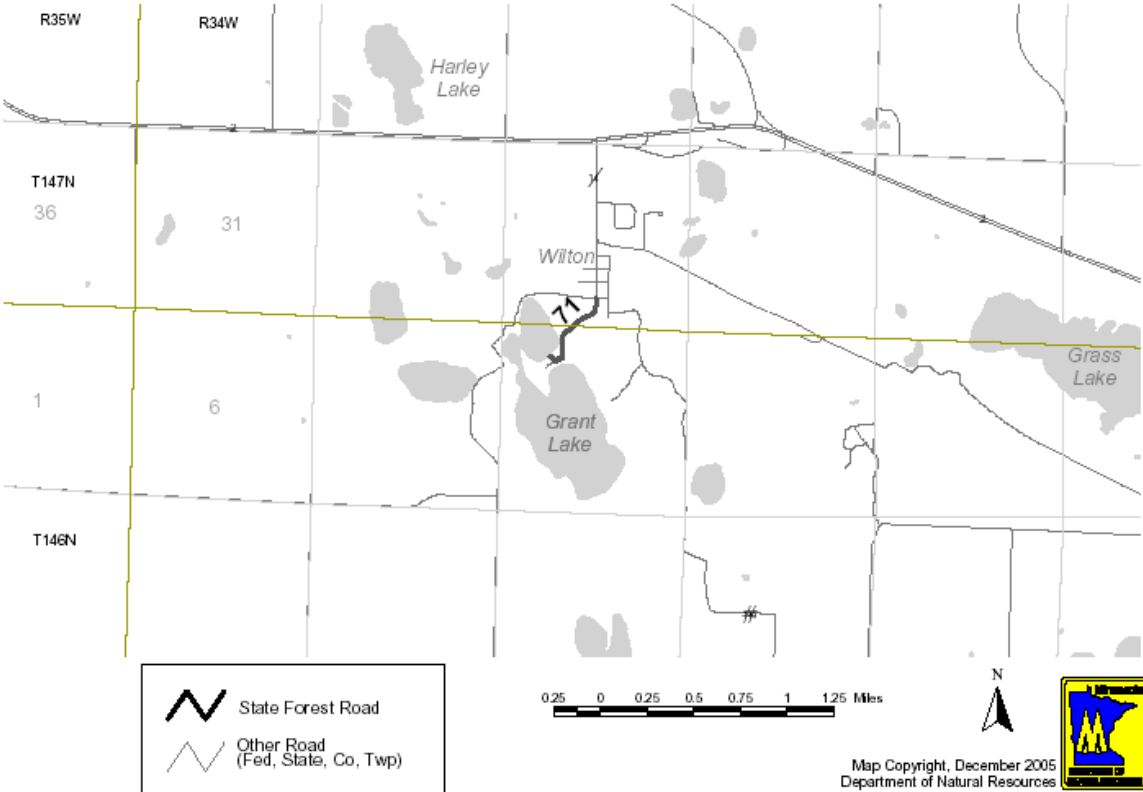
Dated: June 12, 2006

Gene Merriam, Commissioner  
Department of Natural Resources

This instrument was drafted by:

Minnesota Department of Natural Resources  
Division of Forestry  
500 Lafayette Road  
St. Paul, Minnesota 55155

Exhibit A  
State Forest Road # 71 Undesignation  
December 2005



# 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.

## Department of Human Services

### Health Care Administration

#### Public Notice Regarding Payment Rate and Methodology Changes, And Services Under the Medical Assistance Program, the General Assistance Medical Care Program, and the MinnesotaCare Program

**NOTICE IS HEREBY GIVEN** to recipients, providers of services, and to the public of certain statutory changes made to the Medical Assistance (MA) Program, the General Assistance Medical Care (GAMC) Program, and the MinnesotaCare Program that the 2006 Minnesota Legislature enacted during the Regular Session.

This notice is published pursuant to 42 *United States Code* §1396a(a)(13)(A) (§1902(a)(13)(A) of the Social Security Act, which requires the Department to publish final institutional payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. It is also published pursuant to *Code of Federal Regulations*, title 42, part 447, section 205 (42 CFR §447.205), which requires publication of a notice when there is any significant proposed change in the methods and standards for setting payment rates for services. The changes to the MA Program are estimated to result in a net increase in MA Program expenditures of \$6.1 million for State Fiscal Year 2007 (July 1, 2006 through June 30, 2007).

The actual text of most of these changes is contained in *Laws of Minnesota 2006*, chapter 282 — (HF 4162). This is available by calling the House of Representatives Public Information Office at (651) 296-2146 (voice) or (651) 296-9896 (TTY) or 1-800-657-3550 (Greater Minnesota) or the Senate Information Office at (651) 296-0504 (voice) or (651) 296-0250 (TTY); for Greater Minnesota call 1-888-234-1112 (voice) or 1-888-234-1216 (TTY). Also see:

<http://www.revisor.leg.state.mn.us/bin/bldbill.php?bill=H4162.3.html&session=ls84>

It is important to note that not all changes made to these programs by the 2006 legislature are mentioned in this notice.

Information relating to implementation of these provisions will be sent to local human services agencies through bulletins and manual updates, to recipients and enrollees through written notice, and to health care providers through newsletters and updates to the *Minnesota Health Care Programs Provider Manual* (available at

[http://www.dhs.state.mn.us/main/groups/business\\_partners/documents/pub/DHS\\_id\\_000221.hcsp](http://www.dhs.state.mn.us/main/groups/business_partners/documents/pub/DHS_id_000221.hcsp)

Changes were made to the following program areas:

- I. MA, GAMC and MinnesotaCare Payment Rates
- II. MA Institutional Payment Rates
- III. MA Home and Community-Based Waivers and Payment Rates

#### **I. MA, GAMC, MinnesotaCare Payment Rates**

Effective July 1, 2006, the Department is authorized to develop and implement a pay-for-performance system to reward medical groups providing optimum care for recipients of MA and MinnesotaCare with chronic diseases. The Department will be working with MN Community Measurement on the implementation of this system. *Laws of Minnesota 2006*, Chapter 282, Article 16, Section 5.

Effective July 1, 2006, on an annual basis, a reimbursement schedule for critical access dental providers will be established; provider specific reimbursement limits will be established, and ; each designated critical access provider will be notified of the schedule and limit. *Laws of Minnesota 2006*, Chapter 282, Article 16, Section 9.

For dental services provided to MinnesotaCare enrollees on or after January 1, 2007, payment rates to dentists designated as critical access, will be increased by 50 percent over the payment rate that would otherwise be paid to the provider. The rates paid to the prepaid health plans will be adjusted to reflect this increase, effective January 1, 2007. *Laws of Minnesota 2006*, Chapter 282, Article 16, Section 13.

For dental services provided to MA recipients between October 1, 2006 and June 30, 2007, payment rates to dentists designated as critical access will be increased by 38 percent over the payment rate that would otherwise be paid to the provider. The rates paid to the prepaid health plans will be adjusted to reflect this increase for services provided between January 1, 2007 and June 30, 2007. *Laws of*



*Minnesota 2006*, Chapter 282, Article 22, Section 2, subdivision 2.

The Department will report to the Legislature by February 15, 2007 on the results of the higher payments to critical access dental providers and make recommendations on funding sources to continue these payments after June 30, 2007. *Laws of Minnesota 2006*, Chapter 282, Article 22, Section 2, subdivision 2.

For certain outpatient mental health services provided to MA, GAMC and MinnesotaCare recipients on or after July 1, 2007, DHS will increase payment rates to psychiatrists, advanced practice nurses, community mental health centers and providers who are designated by the Department of Health as Essential Community Providers. The rate increase will be 23.7 percent over the payment rate that was in effect as of January 1, 2006. The rate increase does not apply to rates that are governed by other state or federal rules, or that were already increased between January 1, 2004 and January 1, 2005. The Department will adjust payments to the prepaid health plans to reflect this increase. *Laws of Minnesota 2006*, Chapter 282, Article 16, Section 10.

## **II. MA Institutional Payment Rates**

### **Nursing Facilities**

Pursuant to the Governor's biennial budget, the Department proposed changes to the nursing facility rate-setting system. The Minnesota Legislature considered the Department's proposed changes, gathered information, and held public hearings at which nursing facility residents, trade associations, providers, facility employee union representatives, and the general public was invited to attend. The Legislature considered the public's input and enacted legislation changing the rate-setting system as follows:

Effective October 1, 2006, quarterly case mix assessments will be used for the purposes of establishing nursing facility payment rates for residents. Payment rates will be rebased to account for the change in the resident assessment schedule in a facility-specific budget neutral manner. *Minnesota Laws 2006*, Chapter 282, Article 20, Sections 2 and 26.

Effective July 1, 2006, the Department of Health shall license and certify up to 80 beds transferred from an existing state-owned nursing facility in Cass County to a new facility located on the grounds of the Ah-Gwah-Ching campus. The operating cost payment rates for the new facility shall be determined based on the interim and settle up payment provisions of *Minnesota Rules*, part 9549.0057 and the reimbursement provisions of *Minnesota Statutes* §256B.431. The property payment rate for the first three years of operation shall be \$35 per day. For subsequent years, the property payment rate of \$35 per day shall be adjusted for inflation as provided in *Minnesota Statutes* §256B.434, subdivision 4, paragraph (c), as long as the facility has a contract under *Minnesota Statutes* §256B.434. *Minnesota Laws 2006*, Chapter 282, Article 20, Section 5.

Effective July 1, 2006, operating payment rates of nursing facilities in Stearns county, Sherburne county, and Benton county, reimbursed under *Minnesota Statutes* §256B.434 or §256B.441 shall be increased to be equal, for a RUGs rate with a weight of 1.00, to the geographic group III median rate for the same RUGs weight. The percentage of the operating payment rate for each facility to be case mix adjusted shall be equal to the percentage that is case mix adjusted in that facility's June 30, 2006 operating payment rate. This provision applies only if it results in a rate increase. Increases shall be added to the rate determined under any new reimbursement system established under *Minnesota Statutes* §256B.440. *Minnesota Laws 2006*, Chapter 282, Article 20, Section 20.

Effective July 1, 2006, nursing facilities may contract with the Department to earn performance-incentive Medical Assistance payments for achieving improvements in their quality of services. The commissioner may contract with nursing facilities to provide incentive-based payments of up to five percent of the operating payment rate. The incentive payments are time-limited rate adjustments or one-time supplemental payments. The Department shall implement the performance-based incentive payments on or after July 1, 2007. *Minnesota Laws 2006*, Chapter 282, Article 20, Section 21.

Effective October 1, 2007, two nursing facilities reimbursed under *Minnesota Statutes* §256B.434 will receive specified one-time rate increases. *Minnesota Laws 2006*, Chapter 282, Article 20, Sections 23 and 24.

Effective March 1, 2006, for negotiated planned closure rate adjustments, the limit of \$2,080 in *Minnesota Statutes* §256B.437, subdivision 6 does not apply. The removal of this limit does not allow for recalculation of planned closure rate adjustments negotiated or effective before March 1, 2006. The commissioner may negotiate a planned closure rate adjustment for nursing facilities providing the proposal, cumulatively, with other proposals that have been approved, has no cost to the state. *Minnesota Laws 2006*, Chapter 282, Article 20, Section 25.

Effective July 1, 2006, the Department of Human Services shall implement additional instruction on when to provide and how to compute rate adjustments for completed building threshold projects. *Minnesota Laws 2006*, Chapter 282, Article 20, Sections 3 and 22.

The Department anticipates adding most of these changes to its MA State plan. Individual nursing facility payment rates are available by contacting the Nursing Facility Rates and Policy Division, Minnesota Department of Human Services, PO Box 64973, St. Paul, MN 55164-0973; phone (651) 431-2280.

# Official Notices

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## III. MA Home and Community-Based Waivers and Payment Rates

### Day Training and Habilitation

Effective July 1, 2006 a twelve month temporary rate increase equivalent to six percent of the operating rate in effect on July 1, 2006, for a day training and habilitation provider in Meeker County providing services to up to 110 individuals will be provided until June 30, 2007. *Minnesota Laws 2006*, Chapter 282, Article 20, Section 25.

The Department anticipates adding this change to its MA State plan. Individual Day Training and Habilitation provider rates are available on the Department of Human Services public web site and were last published in Bulletin # 06-56-01, dated January 26, 2006. Day Training and Habilitation payment rates are also available by contacting the Disability Services Division, Minnesota Department of Human Services, PO Box 64973, St. Paul, Minnesota, 55164-0967; phone (651) 431-2436.

### Home and Community-Based Waivers and Payment Rates

Effective July 1, 2006, eligible home and community-based providers will receive a rate increase up to three-tenths of one percent to implement an employee scholarship program. *Minnesota Laws 2006*, Chapter 282, Article 20, Section. 19.

The Department anticipates adding this change to its MA State plan. Questions about home and community-based scholarship program should be directed to the Continuing Care Administration, Minnesota Department of Human Services, PO Box 64973, St. Paul, MN 55164-0973; phone (651) 431-2280.

## Department of Human Services

### Revisions to the Minnesota Nursing Facility Quality Measures Effective October 1, 2007

*Minnesota Statutes*, Section 256B.441, Subdivision 44(d), requires the Commissioner of Human Services to publish any revisions to the nursing facility quality measures to be used for rate-setting purposes.

**NOTICE IS HEREBY GIVEN** that effective October 1, 2007 the calculation of a quality score to be used for rate-setting purposes will include the following measures: (1) staff hours per resident days, 10%; (2) staff retention, 20%; (3) use of pool staff, 5%; (4) survey deficiencies, 10%; (5) quality indicators from the minimum data set, 35%; and (6) resident quality of life surveys, 20%. Questions concerning the quality measures should be directed to Valerie Cooke, Minnesota Department of Human Services, (651) 431-2263 or **E-mail:** [Valerie.cooke@state.mn.us](mailto:Valerie.cooke@state.mn.us).

## Department of Labor and Industry

### Labor Standards Unit

### Notice of Determination of Truck Rental Rates and Notice of Informal Conference Pursuant to *Minnesota Rules*, Part 5200.1105

On June 26, 2006 the commissioner determined the operating costs and the minimum truck rental rates for highway projects in the state's ten highway and heavy construction areas for trucks and drivers operating "four or more axle units, straight body trucks," "three axle units," "tractor only," and "tractor trailers."

The operating costs were determined by survey on a statewide basis. The operating cost for "four or more axle units, straight body trucks" is determined to be \$ 36.06 per hour. The operating cost for "three axle units" is determined to be \$ 34.61 per hour. The operating cost for "tractor only" is determined to be \$ 43.95 per hour. The operating cost for "trailer only" is determined to be \$11.46 per hour. The operating cost for "tractor trailers" is determined to be \$ 55.41 per hour.

Adding the prevailing wage for drivers of these four types of trucks from each of the state's ten highway and heavy construction areas to the operating costs, the minimum hourly truck rental rate for the four types of trucks in each area is determined to be as follows:

	<b>Tractor Trailer</b>	<b>4 or More Axle</b>	<b>3 Axle</b>	<b>Tractor Only</b>
Region 1	88.81	68.91	67.36	77.35
Region 2	83.88	52.27	50.58	72.42
Region 3	83.88	56.18	62.42	72.42
Region 4	71.62	52.27	54.61	60.16
Region 5	76.41	60.64	59.19	64.95

Region 6	87.01	60.66	65.56	75.55
Region 7	80.51	60.66	62.42	69.05
Region 8	79.46	60.11	55.42	68.00
Region 9	89.21	69.31	67.76	77.75
Region 10	80.51	60.66	62.42	69.05

The operating costs and truck rental rates may also be reviewed by accessing the department's web site at [www.doli.state.mn.us](http://www.doli.state.mn.us). Questions regarding the truck rental rates or the informal conference noticed below can be answered by calling (651) 284-5091.

**PLEASE TAKE NOTICE** that on Monday, July 24, 2006 from 1:30 PM until 4:00 PM, in the Minnesota Room, at the Minnesota Department of Labor and Industry, 443 Lafayette Rd. No., St. Paul, Minnesota, the department will hold the informal conference pursuant to *Minnesota Rules*, part 5200.1105. The informal conference is a public meeting and its purpose is to receive further input prior to the certification and publication of the minimum truck rental rates for these four types of trucks on highway and heavy construction projects. The data, summary sheets and other documents used in making the determinations will be reviewed and available for inspection at the informal conference.

Subsequent to the informal conference the minimum truck rental rates for these four types of trucks will be certified and notice of the certification will be published in the *State Register*.

The minimum truck rental rate for these four types of trucks in the state's ten highway and heavy construction areas will be effective for all highway and heavy construction projects financed in whole or part with state funds advertised for bid on or after the day the notice of certification is published in the *State Register*.

Dated: June 26, 2006

M. Scott Brener,  
Commissioner

## Department of Natural Resources

### Notice of Conveyance to Establish Boundary Lines Relating to Certain State Landholdings

**NOTICE IS HEREBY GIVEN** that pursuant to *Minnesota Statutes*, section 84.0273, the State of Minnesota proposes to convey by an agreement and conveyance document and quit claim deed such rights, titles and interests in state lands located in Section 22, Township 44 North, Range 30 West, Crow Wing County, to Howard W. and Delores C. Handelman, husband and wife, who in return proposes to convey by the same agreement and quit claim deed such right titles and interests in its adjacent lands as are necessary for the purpose of establishing boundaries.

The reason for this conveyance is that the location of the line between Government Lot 1 and Government Lot 2 is unknown between the Government Meander Line of 1856 and the water's edge of Long Lake.

The parties wish to establish a correct description of the common boundary line between their properties that is acceptable to both properties.

Additional information about this conveyance or a copy of the proposed conveyance can be obtained by contacting:

Minnesota Department of Natural Resources  
Division of Lands and Minerals  
1601 Minnesota Drive  
Brainerd, Minnesota 56401  
John Walker, Project Surveyor  
**Telephone:** (218) 828-2445  
**E-mail:** [john.walker@dnr.state.mn.us](mailto:john.walker@dnr.state.mn.us)

# Official Notices

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## Minnesota Pollution Control Agency

### Environmental Analysis and Outcomes Division

#### Minnesota Pollution Control Agency Call for Water Monitoring Data

THE MINNESOTA POLLUTION CONTROL AGENCY (MPCA) IS REQUESTING SURFACE WATER MONITORING DATA for use in its assessment and monitoring activities, including determination of fishable and swimmable status and determination of impairment required by Section 303(d) of the Clean Water Act.

##### How to Share Your Monitoring Data:

In order to use all applicable, credible and readily accessible data collected by all levels of government and citizens, the MPCA utilizes Minnesota's STORET database, a statewide repository of water quality monitoring data. For the 2008 integrated assessment reporting cycle, data considered for new impairment listing must fall in a ten year window ending September 30, 2006 and will only be used if it is entered properly and confirmed by the monitoring project staff before January 15, 2007. Please note that, typically, a span of approximately three months is required to complete the process of submitting descriptive data and measurement results from a monitoring project, reviewing, and finalizing the data.

For assistance with entering data into the MPCA database, contact one of the following data management team members: Nancy Flandrick, [nancy.flandrick@pca.state.mn.us](mailto:nancy.flandrick@pca.state.mn.us), (651) 296-8385; Jean Garvin, [jean.garvin@pca.state.mn.us](mailto:jean.garvin@pca.state.mn.us), (651) 296-9455; or Lynda Nelson, [lynda.nelson@pca.state.mn.us](mailto:lynda.nelson@pca.state.mn.us), (651) 296-7232. Data already in the database is accessible for viewing and download at:

<http://www.pca.state.mn.us/data/eda/index.cfm>.

##### Types of Data for Assessment:

In accordance with EPA guidance, the MPCA makes assessments of lakes and streams by comparing monitoring results to State Water Quality Standards. For a list of the types of water quality measurements used, and the method standards to produce them, please refer to Tables 1 and 2 in "Monitoring Requirements for MPCA 305(b) and 303(d) Assessment", available in Appendix D of the "Volunteer Surface Water Monitoring Guide", on the agency Web site at: <http://www.pca.state.mn.us/water/monitoring-guide.html>.

##### Clean Water Act Assessments:

More details about the assessment process are published in the "Guidance Manual for Assessing the Quality of Minnesota Surface Waters for the Determination of Impairment, October 2005". See: <http://www.pca.state.mn.us/publications/wq-iw1-06.pdf>.

For more information about the assessment process, contact Douglas Hansen at (651) 296-9192, or e-mail:

[douglas.hansen@pca.state.mn.us](mailto:douglas.hansen@pca.state.mn.us).

Sheryl A. Corrigan  
Commissioner

## Department of Public Safety

### Bureau of Criminal Apprehension - CriMNet

#### Notice of Information Meeting to Discuss Progress Regarding Criminal Justice Information Sharing

The Minnesota Bureau of Criminal Apprehension, CriMNet Program, will hold a meeting from 9 a.m. to 12 noon on Wednesday, July 12, 2006 to discuss progress on several BCA and CriMNet initiatives regarding criminal justice information sharing in the state of Minnesota. General updates will be provided regarding the following ongoing initiatives: the Name-Event Index Service (NEIS), e-Charging, BioID Service, Minnesota Offense Codes (MOC), the Minnesota Criminal Justice Statute Service (former Minnesota Statute Table) and the Criminal Justice Integration Repository (for technical standards development). The meeting will take place at the Bureau of Criminal Apprehension offices at 1430 Maryland Ave. E. in St. Paul. In addition, up to 30 people may be able to participate via webconference, though we cannot guarantee that option will be available at this session. To make arrangements to participate remotely, please contact Michelle Fure at the information listed below.

Vendors, particularly those working with local agencies to manage records, are encouraged to attend this meeting. Please RSVP. For more information or to RSVP, contact Michelle Fure, Information Officer, at (651) 201-7572 or **E-mail:** [michelle.fure@state.mn.us](mailto:michelle.fure@state.mn.us).

# State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

## Department of Employment and Economic Development Applications Accepted for the Bioscience Business Development Public Infrastructure Grants

The MN Department of Employment and Economic Development will be accepting applications for the Bioscience Business Development Public Infrastructure Grant Program beginning Tuesday, August 1, 2006 and must be received by close of business on Friday, September 1, 2006. Awards will be announced by Monday, October 2, 2006.

The purpose of the Bioscience Business Development Public Infrastructure Grant Program is to keep or enhance jobs in the area, increase the tax base, or to expand or create new economic development through the growth of new bioscience businesses and organizations.

An eligible project means a bioscience business development capital improvement project including: manufacturing; technology; warehousing and distribution; research and development; bioscience business incubator; agricultural bioprocessing; or industrial, office, or research park development that would be used by a bioscience-based business.

Eligible publicly owned infrastructure includes, but is not limited to, wastewater collection and treatment systems, drinking water systems, storm sewers, utility extensions, telecommunications infrastructure, streets, roads, bridges, parking ramps, facilities that support basic science and clinical research, and research infrastructure; which support an "eligible project."

The grants to local governmental units may be made to acquire and prepare land on which public infrastructure required to support an eligible project will be located, including demolition of structures and remediation of any hazardous conditions on the land, or to predesign, design, acquire, construct, furnish, and equip public infrastructure required to support an eligible project.

The amount of a grant may not exceed the lesser of the cost of the public infrastructure or 50 percent of the sum of the cost of the public infrastructure plus the cost of the completed eligible project. The local governmental unit receiving a grant must provide for the remainder of the public infrastructure costs. The current legislative appropriation for this program is \$4,000,000.00 for FY 2006-2007. The appropriation can be spent over one or two years, at the discretion of DEED. Based on the number and quality of applications received, DEED will determine funding availability.

The legislature has designated that all of the available funds be awarded to qualifying local governmental units. This allows the grant program to assist with bioscience business development efforts throughout Minnesota.

Amount of funds available:

Statewide - All Minnesota Cities (2005 funding):	\$2,000,000
Greater Minnesota Only (Excluding the counties of Anoka, Carver, Dakota, Hennepin, Olmsted, Ramsey, Scott, and Washington (2006 funding)	\$2,000,000

This is a competitive grant process and DEED will determine whether a funded application will be considered as a grant from one of the set asides, or from the non-set aside funds.

For more information please contact: Gene Goddard, Bioscience Industry Specialist at (651) 296-7102 or at [gene.goddard@state.mn.us](mailto:gene.goddard@state.mn.us). Completed applications must be submitted by the close of business on Friday, September 1, 2006 to MN Dept. of Employment and Economic Development, 1<sup>st</sup> National Bank Building, Suite E200, 332 Minnesota Street, St. Paul, MN 55101-1351.

## Minnesota Historical Society Historic Preservation Grant Application Deadlines

The Minnesota Historical Society announces a fall grants cycle for the State Capital Projects Grants-in-Aid Program to assist historic preservation projects. These funds were allocated to the Minnesota Historical Society in the 2006 Legislative Session.

The primary recipients are public entities as defined in state law, including county and local jurisdictions, or projects sponsored by an eligible governmental unit. To be funded, projects must serve a public purpose and the property must be in public ownership. The two

# State Grants & Loans

eligible project categories are restoration/preservation and building systems/accessibility. Grant recipients must match state funds on at least an equal basis. Up to \$900,000 will be awarded during the fall grants cycle.

Deadlines for the fall grants cycle are:

<b>July 28, 2006:</b>	<i>Pre-application due.</i>
<b>September 1, 2006:</b>	<i>Application due.</i>
<b>October 2, 2006:</b>	<i>Grants Review Committee meets.</i>

To request grant information materials and application forms, or for more information, call (651) 296-5478, e-mail [mandy.skypala@mnhs.org](mailto:mandy.skypala@mnhs.org), or write to the Grants Office, Minnesota Historical Society, 345 Kellogg Blvd. West, Saint Paul, MN 55102-1906. Application materials can also be downloaded from the Minnesota Historical Society's website at: [www.mnhs.org/capitalgrants](http://www.mnhs.org/capitalgrants)

## 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](http://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

### Grow Your Business

State government offers over \$3 billion a year in contracts. By subscribing to the *State Register* you receive additional information and tools to tap into this business. A subscription works far better than by just getting the *State Register* off our website. You get an "easy-to-use format", helpful LINKS, a simple and specially designed "Contracts & Grants" section for quick and easy review, and indices for handy reference. What a subscription to the *State Register* brings you:

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## Colleges and Universities, Minnesota State

### Inver Hills Community College, Inver Grove Heights, MN

#### Notice of Availability of Request for Proposal (RFP) for Designer Selection for the Classroom Renovation and Addition (State Project No. 06-01)

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Inver Hills Community College, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota State Colleges and Universities website: [www.facilities.mnscu.edu](http://www.facilities.mnscu.edu), click on "Solicitation Announcements."

An informational meeting is tentatively scheduled for 1:30 PM, June 22, 2006 in the Theater of the Fine Arts Building, at Inver Hills

Community College, 2500 - 80<sup>th</sup> Street East, Inver Grove Heights, MN 55076. All firms interested in this meeting should contact Pat Buhl, at (651) 450-8536 or [pbuhl@inverhills.mnscu.edu](mailto:pbuhl@inverhills.mnscu.edu) to sign up for the meeting.

Proposals must be delivered to Mary Golike, Executive Secretary, State Designer Selection Board, in the State Architect's Office, not later than 1:00 P.M., Wednesday, July 5, 2006. 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.

### **Colleges and Universities, Minnesota State Metropolitan State University Minneapolis Community and Technical College Notice of Availability of Request for Proposal (RFP) for Designer Selection for Co-location Law Enforcement Center (State Project No. 06-05)**

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Metropolitan State University and Minneapolis Community and Technical College, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota State Colleges and Universities website: [www.facilities.mnscu.edu](http://www.facilities.mnscu.edu), click on "Solicitation Announcements."

An informational meeting is tentatively scheduled for **1:30 PM**, June 29, 2006 in **the Ecolab Community Room** on the third floor of the University Library at Metropolitan State University, 645 East 7<sup>th</sup> Street, St. Paul, MN 55106-5000. All firms interested in this meeting should contact Dan Kirk, at (651) 793-1712 or [Dan.Kirk@metrostate.edu](mailto:Dan.Kirk@metrostate.edu) to sign up for the meeting.

Proposals must be delivered to Mary Golike, Executive Secretary, State Designer Selection Board, in the State Architect's Office, 301 Centennial Building, 658 Cedar St., St. Paul, MN 55114-1625, not later than 1:00 P.M., Monday, July 17, 2006. Late responses will not be considered.

Minnesota State Colleges and Universities are 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.

### **Colleges and Universities, Minnesota State (MnSCU) Normandale Community College Notice of Request for Proposals (RFP) for Managed Server Web Hosting Services for Up to Three Years, if Acceptable to Both Parties on an Annual Basis**

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on the behalf of Normandale Community College, is soliciting proposals from interested qualified vendors.

Proposals must be delivered to Steven Wyffels, of our ITS Dept., Room L1701 by 12:00 p.m. CDT June 30, 2006. Late responses will not be considered.

Minnesota State Colleges and Universities are 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.

For RFP Document, contact Steven Wyffels, **e-mail:** [steven.wyffels@normandale.com](mailto:steven.wyffels@normandale.com) or **phone:** (952) 487-8166.

### **Colleges and Universities, Minnesota State (MnSCU) Northland Community and Technical College Advertisement for Bids for Underground Piping**

**Sealed Bids for:**                    **Underground Piping**  
Northland community and Technical College  
East Grand Forks, Minnesota

# State Contracts

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**will be received by:** Mr. Bob Gooden  
Facilities Supervisor  
Northland community and Technical College  
East Grand Forks, Minnesota

Until **2 PM CDT, July 3, 2006** at which time the bids will be opened and publicly read aloud.

**Project Scope:** Purchase and delivery of hot water and chilled water piping for installation by others. Proposals must be honored for sixty (60) days after July 3, 2006.  
A pre-bid meeting will not be held.

**Bid Forms, Contract Documents, Drawings and Specifications** as prepared by the Project Architect/Engineer, **Martin Mechanical Design Inc.**, are on file at the offices of the:

- 1.) above named Project Architect/Engineer.
- 2.) following Builders Exchanges: **Fargo, Minneapolis**
- 3.) Construction Market Data Plan Room.
- 4.) Dodge Plan Room.
- 5.) National Association of Minority Contractors of Upper Midwest

Complete sets only of bid forms and Drawings and Specifications for use by Bidders in submitting a bid may be obtained at the following address:

**Martin Mechanical Design Inc.**  
702 28<sup>th</sup> Avenue North  
Fargo, North Dakota 58102  
Telephone: (701) 293-7957

A deposit of **\$25.00** is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Architect) for **\$7.00** per set for shipping & handling (in addition to the **\$25.00** deposit) to the Architect. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 must be accompanied by a bid bond or other security described here as a proposal guarantee that the bidder will enter into a contract if its bid is accepted. This security may be either a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than five percent (5%) of the total base bid or a corporate surety bond for the same amount by a surety company authorized to do business in the State of Minnesota.

## Colleges and Universities, Minnesota State (MnSCU) Winona State University

### Request for proposals for Executive Search Firm

**NOTICE IS HEREBY GIVEN** that Winona State University is seeking proposals for an executive search firm to conduct a national search for a Vice President for Student Life & Development.

Proposal specifications will be available June 26, 2006 by contacting the Purchasing Department at PO Box 5838, 205 Somsen Hall, Winona, MN 55987, e-mail: [sschmitt@winona.edu](mailto:sschmitt@winona.edu) or by calling (507) 457-5067.

Sealed proposals must be received by Sandra Schmitt at PO Box 5838, or at 175 W. Mark St., Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 3:00 PM CT Thursday, July 13, 2006.

Winona State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.



## Department of Human Services

### Notice of Request for Information (RFI) Concerning Potential Electronic Prescription Services for Minnesota's Medicaid Authority

The purpose of the Request for Information (RFI) is to identify and obtain information about vendors experienced in the provision of electronic drug prescriptions. Response to this Request for Information is completely voluntary. The State is seeking information that it may use for future planning, policy development or competitive contracting for professional/technical services. This RFI and responses to it does not in anyway obligate the State nor will it provide any advantage to respondents in potential future Requests for Proposals for competitive contracting. Respondents are responsible for all costs associated with the preparation and submission of responses to this RFI.

The complete Request for Information will be available by mail or e-mail from this office through 2:00 pm Monday June 12, 2006. **A request (by direct mail, fax or e-mail) is required to receive the Request for Information.**

The Request for Information can be obtained from:

Tom Trant  
Minnesota Department of Human Services  
Health Care Operations  
540 Cedar Street  
Saint Paul MN 55155  
**Telephone:** (651) 431-3177  
**Fax:** (651) 431-7439  
**E-mail:** *Thomas.F.Trant@state.mn.us*

Information submitted in response to the Request for Information in this advertisement must be received at the address above no later than **.2:00 pm, Monday, July 10, 2006. Late submissions 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.

## Department of Labor and Industry

### Notice Of Request For Proposals For Providing Electrical Inspection Service For Fiscal Year 2007 (July 1, 2006 Through June 30, 2007)

The Department of Labor and Industry is requesting proposals to provide electrical inspection service in areas of the state that are not provided with local (municipal) electrical inspection service. In accordance with *Minnesota Statutes* section 326.241, subdivision 2(2), all individuals providing inspection service must be licensed as journeyman or master electricians.

The department is requesting proposals to provide primary electrical inspection service for all, part, or combinations of the following counties: Lincoln, Lyon, Nobles, Pipestone and Rock.

In addition, the Department is requesting proposals to provide supplemental electrical inspection service in regional areas of the state, including full-time, part-time, or seasonal service.

A detailed Request for Proposals packet has been prepared by the Department that defines available geographical inspection areas, minimum service requirements, and other related information. The packet is available by mail, or for pick-up at the Department office. The packet cannot be faxed or e-mailed.

Prospective responders interested in submitting a proposal for this service should request the detailed Request for Proposals. Requests for the detailed Request for Proposals can be made by calling 651-284-5823, by faxing your request to 651-284-5743 or by e-mail message to [john.williamson@state.mn.us](mailto:john.williamson@state.mn.us). Please make sure to provide your name, mailing address, and phone number when requesting a detailed Request for Proposal packet. Any related questions regarding the Request for Proposal packet should be directed to the following person:

John I. Williamson  
Electrical Licensing and Inspection  
Department of Labor and Industry  
443 Lafayette Road North  
Saint Paul, MN 55155-4342  
**Telephone:** (651) 284-5823  
**Facsimile:** (651) 284-5743  
**E-mail:** *john.williamson@state.mn.us*

# State Contracts

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Proposals must be received at the Department of Labor and Industry office by 3:00 p.m. Central Time, Monday, July 17, 2006. Late proposals will not be considered.

## Department of Natural Resources

### Division of Parks & Recreation

#### Notice of Availability of Contract for Reservations and Point of Sales System

The Minnesota Department of Natural Resources, Division of Parks & Recreation is requesting proposals for the purpose of developing and operating a centralized reservation service and point of sales system to support public accommodation reservations for overnight camping, lodging and merchandise sales within Minnesota State Parks.

Work is proposed to start after January 1, 2007.

A Request for Proposals will be available by mail from this office through July 21, 2006. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After July 21, 2006, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Mr. Stephen Anderson  
Minnesota Department of Natural Resources  
Division of Parks & Recreation  
500 Lafayette Road  
St. Paul, Minnesota 55155-4039  
Fax number: (651) 297-1157

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than July 26, 2006, 2 p.m. C.S.T. **Late proposals will not be considered.** Fx or e-mailed 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.

## Department of Public Safety

### Bureau of Criminal Apprehension

#### CriMNet Office

#### Draft Application for Criminal Justice Information Systems Integration for Data

The Bureau of Criminal Apprehension/CriMNet Office is posting a Draft Application for Criminal Justice Information Systems Integration for Data to be supplied to the Comprehensive Incident-Based Reporting System (CIBRS). This draft is to give law enforcement agencies and vendors additional time to consider the approaches needed to accomplish this interface.

CriMNet reserves the right to post this application as a contract to vendors with a memorandum of understanding with the local agency or to post this application as a grant to local agencies with a subcontract to their current Records Management Systems (RMS / Case Management Systems (CMS) vendor.

Dates contained in the application are not valid and no questions or responses will be posted from this draft application posting. This posting is intended only for information purposes.

The full Draft Application can be obtained by e-mailing [Maureen.janke@state.mn.us](mailto:Maureen.janke@state.mn.us)

## Department of Transportation (Mn/DOT)

### Program Management Division

#### Request for Proposals (RFP) Core Services Trade-Off Study

**NOTICE OF AVAILABILITY** of Contract to provide market research services. Responses to this advertisement become public information under the Minnesota Government Data Practices Act. This request does not obligate Mn/DOT to complete the work contemplated in this notice, and Mn/DOT reserves the right to cancel this RFP. All expenses incurred in responding to this notice shall be borne by the responder.

These services will include a quantitative study of the general public in Minnesota, with a margin of error no less than  $\pm 3.5\%$ . Mn/DOT may be identified as the study sponsor. Seven identified customer segments may need to have readable sampling; please estimate for

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## Non-State Contracts & Grants

random sampling of the general public and separately for getting at least 100 each in the following customer segments: Commuters, Personal Travelers, Commercial Carriers, Emergency Vehicle Operators, Shippers using Trucks, Shippers using Multimodal Transport and Farmers.

The full RFP can be viewed on the Consultant Services Web Page at [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult) under the P/T Notices Section.

If you have any questions regarding this advertisement, or are having problems viewing the RFP on the Consultant Services Web Page, you may contact:

Melissa McGinnis, Contract Administrator  
**Telephone:** (651) 284-3245  
**E-mail:** [melissa.mcginnis@dot.state.mn.us](mailto:melissa.mcginnis@dot.state.mn.us)

Note: RESPONSES WILL BE DUE ON JULY 17, 2006 AT 2:00PM CENTRAL TIME.

### Department of Transportation (Mn/DOT) 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 Ron Bisek at (651) 296-1361 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:

Ron Bisek  
Consultant Services  
Office of Technical Support  
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 (Mn/DOT) 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](http://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.

## 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.

### City of Bemidji

#### Request for Qualifications and Request for Proposals to Design Regional Events and Convention Center

The City of Bemidji is seeking the services of a consulting design team to design a Regional Events and Convention Center project in the downtown area of the city. The design team shall consist of planners, architects, engineers, archeological and geotechnical scientists, which can demonstrate experience in similar type of projects.

Qualification documentation is due by **2:00 p.m. on Thursday, July 27, 2006**. Mail or deliver **Ten (10)** copies of all documentation to: Rita C. Albrecht, Assistant City Planner, 317 4<sup>th</sup> St NW, Bemidji, MN 56601.

Electronically transmitted responses are encouraged and are acceptable prior to this date; however hard signed copies must also be received by the date indicated above. Qualifications received after this time will be returned unopened. Qualifications must be clearly marked in the lower left hand corner: **Design Regional Events Center, City of Bemidji, MN.**

An Information Meeting will be held in Bemidji, **Wednesday, June 28, 2006 at 2:00 p.m. in the council chamber of the City of Bemidji**. The Information Meeting will provide information related to the project and to give interested firms the opportunity to ask questions in person about the Request for Qualifications (RFQ) or the RFQ/P process. Any additional documents the City presents to interested firms at this meeting will be available after the meeting by contacting: Rita C. Albrecht at (218) 759-3594 or via e-mail [ralbrecht@ci.bemidji.mn.us](mailto:ralbrecht@ci.bemidji.mn.us). Attendance at this meeting is *optional* - **however interested responding firms must notify Rita Albrecht at or before this meeting of their intent to submit a response.**

Kay Murphy-Schuett, Bemidji City Clerk

### Metropolitan Council

#### Notice of Request for Proposals (RFP) for Design and Construction Support for Hopkins FM Improvements, Plymouth FM Rehabilitation and Chanhassen and Empire Liquid Waste Disposal Sites Improvements

##### Contract Number 06P083

The Metropolitan Council is requesting proposals for Design and Construction Support for Hopkins FM Improvements, Plymouth FM Rehabilitation and Chanhassen and Empire Liquid Waste Disposal Sites Improvements.

<i>Issue Request for Proposals</i>	<i>June 27, 2006</i>
<i>Receive Proposals</i>	<i>July 31, 2006</i>
<i>Contract negotiated, executed, NTP</i>	<i>August, 2006</i>
<i>Period of performance</i>	<i>September, 2006 to December, 2009</i>

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Harriet Simmons, Senior Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council  
390 Robert Street  
St. Paul, MN 55101  
**Phone:** (651) 602-1086  
**Fax:** (651) 602-1083  
**E-mail:** [harriet.simmons@metc.state.mn.us](mailto:harriet.simmons@metc.state.mn.us)

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## Non-State Contracts & Grants

### Metropolitan Council - Metro Transit

#### Sealed Bids Sought for Asphalt Repairs at Martin J. Ruter Garage

The Metropolitan Council is soliciting sealed bids for Asphalt Repairs at the Metro Transit Martin J. Ruter Garage. Bids are due at 2:15 PM on July, 20, 2006. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council  
Metro Transit Purchasing Department  
515 N. Cleveland Avenue  
St. Paul, MN 55114  
(612) 349-5070

### Metropolitan Council - Metro Transit

#### Sealed Bids Sought for Asphalt Repairs at Nicollet Garage

The Metropolitan Council is soliciting sealed bids for Asphalt Repairs at the Metro Transit Nicollet Garage. Bids are due at 2:00 PM on July, 20, 2006. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council  
Metro Transit Purchasing Department  
515 N. Cleveland Avenue  
St. Paul, MN 55114  
(612) 349-5070

### University of Minnesota

#### Notice of Availability of Request for Proposal (RFP) for Designer Selection for Medical Bioscience Building

##### (State Designer Selection Board Project No. 06-07)

The State of Minnesota, acting through its Board of Regents for the University of Minnesota, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services to complete the design based on the approved predesign document of a facility of approximately 105,000 GSF that will contain medical research laboratories, bio-safety level 3 laboratories, a vivarium and other support space.

A full Request for Proposals is available on the University of Minnesota, website: <http://www.cppm.umn.edu/rfp.html>, click on "Medical Bioscience Building."

An informational meeting is tentatively scheduled for **10am, June 28, 2006** in **Room 318 Donhowe Building, 319 – 15<sup>th</sup> Avenue SE, Minneapolis**. Questions concerning the project should be referred to: Kevin Ross, Capital Planning & Project Management (612) 626-8283, [kmr@umn.edu](mailto:kmr@umn.edu) or Orlyn Miller, (612) 624-7501, [om@umn.edu](mailto:om@umn.edu).

Proposals must be delivered to Mary Golike, Executive Secretary, State Designer Selection Board, 301 Centennial Building, in the State Architect's Office, 658 Cedar St., St. Paul, MN 55115-1625; **telephone:** (651) 201-2372, not later than 1:00 P.M., Monday, July 10, 2006. Late responses will not be considered.

The University of Minnesota 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.

### 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](http://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.

# *STATE REGISTER*

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660 Olive Street • St. Paul, Minnesota 55155  
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Toll Free 1-800-657-3757

Web Site: <http://www.commedia.state.mn.us>  
Metro Area 651-282-5077 Greater MN 1-800-657-3706

Please notify us of any address changes so that we can continue to give you our best service. Include your old mailing label to speed your service.



Printed on recycled paper  
20% post-consumer waste

### TO ORDER:

Complete attached order blank. Please include sales tax. Include either your VISA/MasterCard, American Express or Discover credit card number with the expiration date, or a check/money order made out to the State of Minnesota. Orders by phone are accepted when purchasing with your credit card. Please include a phone number where you can be reached during the day in case we have questions about your order.

### For Your Convenience, photocopy this order blank

### PREPAYMENT REQUIRED.

Merchandise may be returned if it is in resalable condition.

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

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

Code No.	Quantity	Description	Item Price	Total



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

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

If tax exempt, please provide ES number or send completed exemption form.  
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