

# 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:

• Exempt Rules

• Revenue Notices

- Proposed Rules
- Adopted Rules Vetoed Rules · Executive Orders of the Governor

- Expedited Rules
- Withdrawn Rules
- Appointments
- Proclamations

- · Commissioners' Orders
- · Contracts for Professional, Technical and Consulting Services
- Official Notices
  - State Grants and Loans
- Non-state Public Bids, Contracts and Grants

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<b>Vol. 33</b> Issue Number	(BOLDFACE shows	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notic State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	es, Deadline for Proposed, Adopted and Exempt RULES
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# Minnesota Rules: Amendments and Additions

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

The State Register is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the State Register. Published every Monday, the State Register makes it easy t follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific Minnesota Rule chapter numbers. Every odd-numbered year the Minnesota Rules are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the State Register.

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

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the State Register. After proposed rules have gone through the commen 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 subscription to the State Register, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave). St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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<ul> <li>6234.0400 (adopted exempt)</li></ul>	1177 374 914 .1412 2006 297 SR 11 2006 .1334 1442 708 974 1442 1442 1199 2005
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<ul> <li>6234.0400 (adopted exempt)</li></ul>	1177 374 914 .1412 2006 297 SR 11 2006 .1334 1442 708 974 1442 1442 1442 1199 2005 2005
<ul> <li>6234.0400 (adopted exempt)</li></ul>	1177 374 914 2006 297 SR 11 2006 1334 1442 708 974 1442 1499 2005 2005 1199 538
<ul> <li>6234.0400 (adopted exempt)</li></ul>	1177 374 914 .1412 2006 297 SR 11 2006 .1334 1442 708 974 1442 1499 2005 2005 1199
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<ul> <li>6234.0400 (adopted exempt)</li></ul>	1177 374 914 2006 297 SR 11 2006 1334 1442 708 974 1442 1499 2005 2005 1199 538
<ul> <li>6234.0400 (adopted exempt)</li></ul>	1177 374 914 2006 297 SR 11 2006 1334 1442 708 974 1442 1442 1442 1442 1442 1442 1442 14

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1322 (proposed)	250
1322 (adopted)	1480
1323 (proposed)	5
1323 (adopted)	1473

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.0900; .1000 (proposed)	1997
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7820.3700; .3800; .3900; .4000 (adopted)	215
7831.0100; .0200; .0300; .0800 (adopted exempt)	712
7831.0100 s. 18 ( repealed)	712
<b>7845</b> .0100; .0800; .0900; .7000; .7200; .7300; .7400; .7500;	
.7700; .7800; .7900 (proposed)	1851

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7879.0200; 7883.0100; .0140; .0150; .0160; .0170;	
7884.0120; .0210; .0230; .0260; .0270; 7890.0100;	
.0110; .0130; .0140; .0160 (adopted)	1511
7877.0120; 7878.0120; 7891.0110; 7892.0120;	
7895.0275 (proposed)	803
7877.0120; 7878.0120; 7891.0110; 7892.0120;	
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7878.0120 s. 4 (repealed)	2095
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7890.0100; .0110 (proposed)	

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.0415; .0420; .0500; .0515; .0520; .0522; .0526; .0528; .0544;
.0700; .0705; .0725; .0735; .0745; .0755; .0800; .0810; .0820;
.0830; .0835; .0840; .0900; .0905; .0910; .0915; .0930; .0935
(proposed)
<b>8420</b> .0102; .0103; .0110 s. 1, 1a, 1b, 2, 3, 4, 5a, 6, 7, 8, 9, 10,
10a, 11, 12, 13a, 14, 15, 16, 17, 18, 18a, 19, 20, 20a, 20b,
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38, 39, 39a, 40, 40a, 41, 42, 43, 44a, 44b, 45, 46, 47a, 47b,
48, 49, 50, 51, 51a, 52, 53, 54, 54a; .0115; .0122 s. 1, 2, 3, 4,
5, 6, 7, 9, 10; .0210; .0220; .0225; .0230; .0245; .0250, s. 1, 3,
4; .0260; .0268; .0270; .0280; .0290; .0300; .0350; .0400; .0505;
.0510; .0520 s. 2, 9; .0530; .0540 s. 1, 2; .0541; .0542; .0543;
.0545; .0546; .0547; .0548; .0549; .0550 s. 1, 2; .0600; .0610;
.0620; .0630; .0650 s. 1, 2, 2a, 3, 4, 7, 8; .0720 s. 1, 2, 3, 4, 5,
6, 7, 8, 8a, 10, 11, 12, 13, 14; .0730 s. 1, 2; .0740; .0750;
.0760; .1010; .1020; .1030; .1040; .1050; .1060; .1070
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.3350; .3360; .4000; .4050; .4200; .4250; .4450; .4500; .4525;
.4550; .4600; .4650; .4700; .4725; .4750; .4800; .4850; .4900;
.+550, .+660, .+760, .+725, .+750, .4600, .4650, .4500,

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<b>9215</b> .0500; .0510; .0520; .0530; .0540; .0550; .0560; .0575;
.0577; .0580; .0590; .0600; .0610; .0615; .0620; .0630; .0640;
.0650; .0655; .0660; .0670; .0680; .0690; .0700; .0710; .0720;
.0730; .0740; .0750; .0760; .0770; .0790; .0800; .0820; .0830;
.0840; .0850; .0860; .0870; .0880 (proposed) 1141
9215.0510 s. 16; .0570; .0810; .0820 s. 2; .0830 s. 1
(proposed repealer) 1141

#### **Human Services Department**

9505.0323 (adopted exempt)	1252
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9505.0391 (adopted)	847
<b>9505</b> .2160; .2165; .2175; .2180; .2185; .2190; .2195; .2197;	
.2200; .2205; .2207; .2210; .2210; .2215; .2220; .2230; .2238	3;
.2240; .2245 (adopted)	127
9505.2165, s. 11; .2210, s. 3 (repealed)	127
9550.6220 (adopted exempt)	1107
9550.6220 s. 5a, 6 (exempt repealed)	1107

# **Adopted Rules**

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

**KEY: Proposed Rules** - <u>Underlining</u> 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** - <u>Underlining</u> indicates additions to proposed rule language. Strikeout indicates deletions from proposed rule language.

### **Pollution Control Agency** Adopted Permanent Rules Relating to Renovation and Demolition Solid Waste

The rules proposed and published at *State Register*, Volume 33, Number 22, pages 969-974, December 1, 2008 (33 SR 969), are adopted with the following modifications:

#### 7035.0805 RENOVATION AND DEMOLITION.

Subp. 3. **Removal requirements.** The owner, person authorizing the renovation or demolition, and person conducting the renovation or demolition shall ensure that the items and materials listed in subpart 5 are removed <u>from the structure being demolished or from the portion of the structure being renovated prior</u> to the commencement of renovation or demolition.

Subp. 5. All items and materials to be removed before renovation and demolition. All items and materials removed must be properly characterized, tested, managed, and disposed of and reused or recycled in accordance with applicable standards. Persons authorizing or conducting renovation or demolition or arranging for removal of items are encouraged to contact the agency regarding opportunities to reuse or recycle the items and materials listed in this subpart, as well as other materials comprising the structure, and to obtain checklists or other guidance documents that have been developed to assist with compliance with this part. The following items and materials must be removed prior to the commencement of renovation or demolition:

A. items that would normally be disposed of as mixed municipal solid waste, including, but not limited to, furniture, carpeting unattached to the substrate, bedding, mattresses, clothing, small appliances, food, and food waste;

B. household hazardous waste as defined in *Minnesota Statutes*, section 115A.96, subdivision 1, including, but not limited to, automotive fluids, lawn and garden chemicals, pest control products, household cleaners, paint, and home improvement products;

F. items that may contain elemental mercury, including, but not limited to, the following:

G. items that may contain polychlorinated biphenyls (PCBs), including, but not limited to, transformers, transistors, capacitors in old appliances and electronic equipment, heat transfer equipment, and light ballasts;

H. items that may contain chlorofluorocarbons (CFCs) as defined in *Minnesota Statutes*, section 116.70, subdivision 3, including; but not limited to, fire extinguishers; both portable and installed halon suppression systems; rooftop, room, and central air conditioners; walk-in coolers for refrigeration or cold storage areas; water fountains and dehumidifiers; refrigerators, freezers, and chillers; heat pumps; vending machines; and food display cases;

I. oils, including, but not limited to, used oil, hydraulic oils in door closers and elevator-related tanks and piping, and oils located in heating oil tanks, piping, sumps, and traps;

J. lead-containing items, including, but not limited to; lead-acid batteries, lead pipes, lead sheeting, lead flashing in roof vents, and lead paint that is not firmly adhered to the substrate. For purposes of this item, "lead paint" means a coating that contains one-half of one percent (0.5 percent) or more or 5,000 parts per million (5,000 ppm) or more of total lead by weight in the dried film, as determined by acid digestion and analysis, or contains one milligram per square centimeter (1.0 mg/cm<sup>2</sup>) or more of lead, as determined by X-ray fluorescence analyzer;

K. electronic products containing a cathode ray tube, as described in Minnesota Statutes, section 115A.9565, including, but not limited to, televisions and computers;

#### Subp. 6. Exemption.

A. The requirement to remove items or materials listed in subpart 5 prior to commencement of renovation or demolition does not apply under the following circumstances:

(3) the items or materials <u>that</u> are within components of the structure, such as elevators, vertical lifts, or lighting, that <del>need to</del> remain intact are being used during the course of renovation or demolition, provided that the items or materials are removed after use of the component is no longer required <u>for renovation or demolition work</u>; or

# Adopted Rules

B. If the removal of hazardous materials or items is not required as provided under this subpart, the owner, person who will authorize renovation or demolition, and person who will conduct the renovation or demolition must comply with the requirements of this part to the extent reasonable, by removing the items and materials listed in subpart 5 that are accessible before or after renovation or demolition.

Subp. 8. Debris characterization. If the owner, person authorizing renovation or demolition, or person conducting the renovation or demolition knows or has reason to know that portions of the structure may be contaminated by hazardous substances or petroleum as defined in Minnesota Statutes, section 115C.02, subdivision 10, based on past uses of the structure, such as a medical building, laboratory, or manufacturing facility, the owner, person authorizing renovation or demolition, or person conducting the renovation or demolition shall, prior to the commencement of renovation or demolition, obtain appropriate samples and receive results from laboratory analysis as necessary to ensure the proper management and disposal of contaminated structural elements and any resulting debris generated. All persons are encouraged to contact the regional agency solid waste inspector for assistance with compliance with this part.

# **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.

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### Minnesota Department of Health Division of Health Policy

# Notice of *Proposed Minnesota Uniform Formulary Exception Form*, Pursuant to *Minnesota 2009 Session Laws*, Chapter 79—H.F.No. 1362, Article 4, Section 5 and Opportunity for Public Comment

**Introduction.** Notice is hereby given that the Minnesota Department of Health (MDH) is seeking information or opinions from outside sources on a proposed Minnesota Uniform Formulary Exception Form as developed by the Commissioner of Health in consultation with the Minnesota Administrative Uniformity Committee's Pharmacy Work Group and the Minnesota e-Health Advisory Committee's e-Prescribing Work Group.

**Contact Person.** MDH requests information and opinions concerning the applicability and functionality of the proposed Minnesota Uniform Formulary Exception Form. Interested persons or groups may submit data or views in writing; electronic submissions should be sent in Word format. Written statements should be addressed to Mayumi Reuvers, Minnesota Department of Health, P.O. Box 64882, St. Paul, MN 55164-0822; or **e-mail** at: *mayumi.reuvers@state.mn.us* or **fax:** (651) 201-5179. **E-mail is preferred.** 

**Description of the Minnesota Uniform Formulary Exception Form.** *Minnesota 2009 Session Laws*, Chapter 79—H.F.No. 1362, Article 4, Section 5 requires the Commissioner of Health, in consultation with the Minnesota Administrative Uniformity Committee (AUC), to develop a uniform formulary exception form that allows health care providers to request exceptions from group purchaser formularies using a uniform form. Upon development of the form, all health care providers must submit requests for formulary exceptions using the uniform form, and all group purchasers must accept this form from health care providers.

The law also specifies that no later than January 1, 2011, the uniform formulary exception form must be accessible and submitted by health care providers, and accepted and processed by group purchasers, through secure electronic transmissions. Facsimile will not be considered a form of secure electronic transmission.

**Public Review Process.** MDH will provide free copies of the proposed Minnesota Uniform Formulary Exception Form, in paper or electronic PDF format, to persons and organizations interested in reviewing them. The proposed Form will be available as of June 29, 2009 as noted below. Comments and suggestions for improvements of the Minnesota Uniform Formulary Exception Form will be accepted at the above address until 4 PM Monday, July 13, 2009.

After the Commissioner of Health has considered all comments received, the Commissioner will publish a notice of adoption of the Minnesota Uniform Formulary Exception Form in the *State Register*.

How to Obtain the Proposed Minnesota Uniform Formulary Exception Form. A free copy of the proposed Form is available upon request. Persons who wish to obtain a paper copy should call Mayumi Reuvers at MDH, (651) 201-5508, or fax a request to (651) 201-5179, or write or email to the address above, and clearly identify the document being requested. The document will also be available for downloading on the World Wide Web at: *http://www.health.state.mn.us/asa/*.

Dated: June 29, 2009

Sanne Magnan, M.D., Ph.D., Commissioner Minnesota Department of Health P.O. Box 64975 St. Paul, MN 55164-0975

### Department of Human Services Health Care Administration

### Public Notice Regarding Changes to Payment Rates and Methodologies, 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 2009 Minnesota Legislature enacted during the Regular Session, and that result from the Commissioner of Finance's actions to reduce allotments.

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 legislative changes are estimated to result in a net decrease of \$828 million in the MA program and a net decrease of \$20 million in the Medicaid portion of MinnesotaCare for state fiscal year 2010 (July 1, 2009 through June 30, 2010), and a net decrease of \$484 million in the MA program and net decrease of \$15 million in the Medicaid portion of MinnesotaCare for state fiscal year 2011 (July 1, 2010 through June 30, 2011).

Pursuant to *Minnesota Statutes*, §16A.152, subdivision 4, the Commissioner of Finance (Minnesota Management and Budget) has reduced the amount allotted for certain medical expenditures for state fiscal years 2010 and 2011. The net effect of these changes is a decrease in total Medical Assistance expenditures of \$12 million in state fiscal year 2010 and a decrease of \$18 million for state fiscal year 2011. The unallotments that are effective beginning July 1, 2009, are included in this notice. For unallotments effective at a later date, the Departments will issue another notice in the State Register at a later date. Any changes to the unallotments will also be published at a later date.

The actual text of most of the 2009 legislative changes is contained in *Minnesota Laws 2009*, Chapters 79, 167 and 173. These are 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 1-800-627-3529 (TTY); 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* 

It is important to note that not all changes made to these programs by the 2009 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

Changes were made to the following program areas:

- I. MA, GAMC and MinnesotaCare Services and 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, 2009, payment rates for chemical dependency treatment for state fiscal years 2010 and 2011, are limited to rates for these services in effect on January 1, 2009. *Minnesota Laws 2009*, Chapter 79, Article 13, Section 3, Subd. 8(g).

• Effective July 1, 2009, payment rates for chemical dependency treatment for state fiscal years 2010 and 2011 are capped at 160% of the average rate, for each type of chemical dependency treatment. *Minnesota Statutes*, §16A.152, subdivision 4.

• Effective July 1, 2009, the state is responsible for the non-federal share of expenditures for chemical dependency treatment services provided by tribal facilities for American Indian people not residing on reservations. *Minnesota Laws 2009,* Chapter 79, Article 7, Section 8.

• Effective July 1, 2009, payment for simultaneous Children's Therapeutic Services and Supports treatment by multiple providers within the same agency is prohibited. *Minnesota Laws 2009*, Chapter 79, Article 7, Section 21.

• Effective August 1, 2009, an oversight is corrected in 2007 legislation by adding crisis stabilization to the list of services that can include certified peer specialists. *Minnesota Laws 2009*, Chapter 167, Sections 7, 8 and 12.

• Effective August 1, 2009, temporary law which had exempted adult mental health rehabilitation staff from alcohol and drug counselor licensure is made permanent. *Minnesota Laws 2009*, Chapter 167, Section 1.

• Effective August 1, 2009, adult mental health rehabilitation workers are allowed to have two years of full-time postsecondary education in one of the behavioral sciences or human services instead of an associate of arts degree. *Minnesota Laws 2009*, Chapter 167, Section 11.

• Effective August 1, 2009, the continuing education requirement for adult mental health rehabilitation workers is changed from 40 hours in the first year to 15 hours every year. *Minnesota Laws 2009*, Chapter 167, Section 11.

• Effective August 1, 2009, supervision of community health workers by licensed mental health professionals, including psychologists and licensed independent clinical social workers is covered. *Minnesota Laws 2009*, Chapter 167, Section 13.

• Effective August 1, 2009, Medical Assistance Rule 5 coverage is expanded to include comparable facilities in bordering states if specific conditions are met. *Minnesota Laws 2009*, Chapter 174, Article 1, Sections 1- 3 and 5- 6.

• Effective August 1, 2009, several sections of Children's Therapeutic Services and Supports (CTSS) were updated to make CTSS law consistent with current practice standards, streamline certification, reduce local mandates, and provide day treatment programs with additional flexibility and regulatory relief, including:

- Defining *Mental Health Behavioral Aide Services* as a children's mental health treatment service that is part of a child's individual treatment plan. *Minnesota Laws 2009*, Chapter 167, Section 18.
- · Clarifying that CTSS Skills Training is mental health treatment. Minnesota Laws 2009, Chapter 167, Section 14.
- Clarifying that CTSS-covered preschool service means a therapeutic preschool. *Minnesota Laws 2009*, Chapter 167, Section 15.
- Eliminating local certification, thereby streamlining the CTSS certification process and eliminating a county mandate. *Minnesota Laws 2009*, Chapter 167, Section 16.
- Reducing the minimum *Day Treatment* program requirement from 3 hours per day to 2 hours per day, with at least one hour of psychotherapy and the remainder as either psychotherapy or skills training. *Minnesota Laws 2009*, Chapter 167, Section 20.
- Setting the minimum therapeutic preschool program at 2 hours per day, 5 days per week, 12 months per year. *Minnesota Laws 2009*, Chapter 167, Section 20.
- Specifying the treatment activities provided by a Mental Health Behavioral Aide and distinguishing between services provided by a behavioral aide and personal care assistant. *Minnesota Laws 2009*, Chapter 167, Section 20.
- Eliminating a requirement that the supervising CTSS mental health professional must observe a mental health practitioner within the first 12 hours of working with a new client. *Minnesota Laws 2009*, Chapter 167, Section 18.

• Effective January 1, 2010, clarifications are made relating to Assertive Community Treatment and Intensive Residential Treatment Services rate setting, effective for services provided from January 1, 2010 to December 31, 2011, which do not change contracts and agreements for services prior to January 2010. *Minnesota Laws 2009*, Chapter 167, Sections 9 and 10.

• Effective January 1, 2010, licensed professional clinical counselors will be able to enroll as mental health professionals for Medical Assistance, General Assistance Medical Care and MinnesotaCare. *Minnesota Laws 2009*, Chapter 79, Article 7, Sections 1-4, 14-19 and 24.

• Effective November 1, 2010, implementation of Medical Assistance coverage for adolescent assertive community treatment is

delayed until November 2010. Minnesota Laws 2009, Chapter 79, Article 7, Section 23.

• Effective July 1, 2011, the payment method for chemical dependency treatment is reformed, moving away from county-negotiated rates and contracts towards a statewide provider enrollment process and statewide rate methodology based on patient level of acuity and complexity. The Department of Human Services is required to propose a new rate system to the 2011 legislature. Funding for the second biennium (state fiscal years 2012-2013), includes almost \$9 million over and above what would be provided if rates continued to be frozen. These funds will be distributed as part of the new rate methodology. Payment for services provided by Indian Health Services or by agencies operated by Indian tribes for Medical Assistance-eligible individuals must be governed by the applicable federal rate methodology. *Minnesota Laws 2009*, Chapter 79, Article 7, Section 13 and Article 13, Section 3, Subd. 8(g).

• Effective July 1, 2011, the implementation of Medical Assistance coverage for treatment foster care is delayed for two years, until July 1, 2011. *Minnesota Laws 2009*, Chapter 79, Article 7, Section 20.

• Effective July 1, 2009, requires the Department of Human Services to authorize pilot projects to reduce the total cost to the state for dental services provided to enrollees of the state public health care programs by reducing hospital emergency room costs for preventable or nonemergency dental services. *Minnesota Laws 2009*, Chapter 79, Article 5, section 10.

• Effective July 1, 2009, requires the Department of Human Services to establish a dental subcommittee, to operate under the Health Services Policy Committee. Specifies membership and requires the subcommittee to advise the commissioner regarding: (1) criteria for the critical access dental provider program; (2) any changes to the critical access dental program necessary to comply with expenditure limits; (3) dental coverage policy; (4) dental delivery models; and (5) dental services to be added or eliminated from MA. Also requires the committee to study approaches to making provider reimbursement under the MA, MinnesotaCare, and GAMC programs contingent on patient participation in a patient-centered decision-making process, and to evaluate the impact of these approaches on quality, patient satisfaction, and costs; requires a report to the commissioner and the legislative committees with jurisdiction over health care by January 15, 2010. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 26.

• Effective July 1, 2009, changes the rate paid to physicians for the medical direction of a certified registered nurse anesthetist to be the same as the rate paid to the certified registered nurse anesthetist under medical direction. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 25, as amended by Chapter 173, Article 1, Section 41.

• Effective July 1, 2009, limits reimbursement for anesthesiology services provided by a certified registered nurse anesthetist who is not directed by an anesthesiologist to the reimbursement paid to anesthesiologists. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 28.

• Effective July 1, 2009, provides Medical Assistance coverage for prescription drugs prescribed by a physician assistant employed by or under contract with a community health board for purposes of communicable disease control. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 29.

• Effective July 1, 2009, reduces the Medical Assistance pharmacy reimbursement rate for prescription drugs from average wholesale (AWP) price minus 14 percent to AWP minus 15 percent. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 30.

• Effective July 1, 2009, requires a pharmacy benefit manager to make medication therapy management services available to certain enrollees with chronic medical conditions. *Minnesota Laws 2009*, Chapter 79, Article 4, Section 7.

• Effective July 1, 2009, requires the Department of Human Services to establish a pilot project for an intensive medication program for patients identified by the commissioner with multiple chronic conditions and a high number of medications who are at high risk of preventable hospitalizations, emergency room use, medication complications, and suboptimal treatment outcomes due to medication related problems. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 31, as amended by Chapter 173, Article 1, Section 21.

• Effective July 1, 2009, provides a rate increase for special transportation in geographic areas classified as rural or super rural under the rural urban commuting area (RUCA) geographical classification system. The rate increases are as follows: for a trip in an area defined to be super rural, the base rate is increased by 11.3 percent; for a rural or super rural trip equal to 17 miles or less, the mileage rate is 125 percent of the current rate; and for a rural or super rural trip between 18 and 50 miles, the mileage rate is 112.5 percent of the current rate. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 32.

• Effective July 1, 2009, requires providers of ambulance services to bill Medical Assistance according to Medicare criteria (which require

the provider to assign a "condition code" to the patient). Nonemergency ambulance services must not be reimbursed at the emergency rate. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 33.

• Effective July 1, 2009, prohibits the Department of Human Services from using a broker for any purpose related to the provision of transportation services, whether by common carrier or private automobile, in the 11-county metropolitan area. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 34.

• Effective July 1, 2009, the Medical Assistance payment rates for physician and professional services are reduced by 5 percent. Office and outpatient services, preventive medicine services, and family planning services are exempt from this rate reduction when billed by primary care specialties (general practice, internal medicine, pediatrics, geriatrics, and family practice) or by an advanced practice registered nurse or physician assistant practicing in pediatrics, geriatrics, or family practice. This reduction does not apply to federally qualified health centers, rural health centers or Indian health services. Managed care rates are to be reduced proportionally effective October 1, 2009, to reflect the reduction in fee-for-service rates. *Minnesota Law 2009s*, Chapter 79, Article 5, Section 51.

• Effective July 1, 2009, the Medical Assistance payment rates for physician and professional services are reduced by an additional 1.5 percent. The same exclusions in Chapter 79, Article 5, Section 51 apply. This reduction is for fiscal years 2010 and 2011 only. *Minnesota Statutes* §16A.152, subdivision 4.

• Effective July 1, 2009, the Medical Assistance payment rates for basic care medical services are reduced by 3 percent. This reduction does not apply to inpatient hospital services, physician and professional services, family planning services, mental health services, dental services, prescription drugs and medical transportation. This reduction does not apply to federally qualified health centers, rural health centers or Indian health services. Managed care rates are to be reduced proportionally effective October 1, 2009, to reflect the reduction in fee-for-service rates. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 52.

• Effective July 1, 2009 Medical Assistance payment rates for basic care medical services are reduced by an additional 1.5 percent. The same exclusions in Chapter 79, Article 5, Section 52 apply. This reduction is for fiscal years 2010 and 2011 only. *Minnesota Statutes*, §16A.152, subdivision 4.

• Effective July 1, 2009, the General Assistance Medical Care payment rates for basic care services are reduced by 3 percent. Exemptions from reduction include: physician and professional services, inpatient hospital services, family planning services, mental health services, dental services, prescription drugs, medical transportation, federally qualified health centers, rural health centers, Indian health service, and Medicare cost-sharing. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 53.

• Effective July 1, 2009 General Assistance payment rates for basic care medical services are reduced by an additional 1.5 percent. The same exclusions in Chapter 79, Article 5, Section 53 apply. This reduction is for fiscal years 2010 and 2011 only. *Minnesota Statutes*, §16A.152, subdivision 4.

• Effective July 1, 2009, the General Assistance Medical Care payment rates for physician and professional services are reduced by 5 percent. Exemptions from reduction include: office, outpatient, and preventive medicine procedure codes when performed by specified primary care specialties. Payments made to managed care and county-based purchasing plans shall be reduced for services provided on or after October 1, 2009, to reflect this reduction. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 51.

• Effective July 1, 2009, General Assistance payment rates for physician and professional are reduced by an additional 1.5 percent. The same exclusions in Chapter 79, Article 5, Section 51 apply. This reduction is for fiscal year 2011 only. *Minnesota Statutes*, §16A.152, subdivision 4.

• As a result of a line-item veto in Chapter 79, House File 1362, at page 373, line 11, and a reduction in allotment, the General Assistance Medical Care program is not funded, effective March 1, 2010. *Minnesota Statutes*, §16A.152, subdivision 4.

• Effective July 1, 2009, the fee-for-service MinnesotaCare payment rates for physician and professional services are reduced by five percent. Office and outpatient services, preventive medicine services, and family planning services are exempt from this rate reduction when billed by primary care specialties (general practice, internal medicine, pediatrics, geriatrics, and family practice) or by an advanced practice registered nurse or physician assistant practicing in pediatrics, geriatrics, or family practice. This reduction does not apply to federally qualified health centers, rural health centers or Indian health services. This reduction also applies to MinnesotaCare managed care

and county-based purchasing plan payments for services provided on or after October 1, 2009. *Minnesota Laws 2009*, Chapter 173, Article 1, Section 38.

• Effective July 1, 2009, the fee-for-service MinnesotaCare payment rates for basic care services are reduced by three percent. There is an exemption for physician and professional services, inpatient hospital services, family planning services, mental health services, dental services, prescription drugs, medical transportation, federally qualified health centers, rural health centers, Indian health service, and Medicare cost-sharing. These rates are to be reflected in the managed care and county-based purchasing plan payments for services provided on or after October 1, 2009. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 67, as amended by Chapter 173, Article 1, Section 38.

• Effective July 1, 2009, requires the Department of Human Services to review all medical evidence submitted by county agencies with a referral to the State Medical Review Team and seek additional information from providers, applicants, and enrollees to support the determination of disability where necessary. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 12.

• Effective August 1, 2009, or upon federal approval, whichever is later, provides the Department of Human Services the authority to make coverage for specified procedures for fee-for-service Minnesota Health Care Program clients conditional on facilities meeting "Centers of Excellence" criteria. Also designates that such criteria is to be developed by the Department in consultation with the Health Services Advisory Council. This authority would apply only to procedures for which Medicare currently requires facility criteria as a condition of coverage. *Minnesota Laws 2009*, Chapter 173, Article 3, Section 10.

• Effective October 1, 2009, the payment rate for professional services for cesarean section deliveries without complications, vaginal deliveries with complications and vaginal deliveries without complications will be the same. These rates are to be reflected in managed care and county-based purchasing plan payments for services provided on or after October 1, 2009. *Minnesota Laws 2009*, Chapter 173, Article 1, section 31.

• Effective upon federal approval, authorizes a new supplemental Medical Assistance payment to Hennepin County Medical Center and Regions Hospital for outpatient hospital services. The amount of the payment will be limited by the Medicaid upper payment limit for outpatient hospital services. The non-federal share funding for the payment will be paid by Hennepin County and Ramsey County. *Minnesota 2009*, Chapter 79, Article 5, Section 44.

• Effective upon federal approval, authorizes a new supplemental Medical Assistance payment to the physician practice groups at Hennepin County Medical Center and Regions Hospital. The amount of the payment will be limited to the Medicaid upper payment limits for physician services. The non-federal share of the funding for the payment will be paid by Hennepin County and Ramsey County. *Minnesota 2009*, Chapter 79, Article 5, Section 44.

• Effective January 1, 2010 or upon federal approval, MinnesotaCare coverage for the following chiropractic services is expanded to include medically necessary exams, manual manipulation of the spine, and x-rays. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 54, as amended by Chapter 173 Article 1, Section 35.

• Effective January 1, 2011, any savings derived from implementation of the prohibition in Minnesota Statutes, §256B.032, on the enrollment of low-quality, high-cost health care providers as vendors of state health care program services shall be used to offset on a pro rata basis the reimbursement reductions for basic care services in Minnesota Statutes, §256B.766. *Minnesota Laws 2009*, Chapter 79, Article 13, Section 3, Subdivision 2.

• Effective July 1, 2009, reduces Medical Assistance and General Assistance Medical Care fee-for-service payment rates for inpatient hospital admissions occurring on or after July 1, 2009, by 1.0 percent. Excludes facilities operated by the Indian Health Service and Indian tribes from this reduction. Requires payments to managed care plans to be reduced for services provided on or after October 1, 2009, to reflect this reduction. Chapter 79, Article 5, Section 12.

• Effective July 1, 2009, modifies the reimbursement process for school districts that bill the Department of Human Services for Medical Assistance covered special education services. The Department of Human Services must reimburse claims based on an interim rate and settle up at a final rate once established by Department of Human Services. A rate appeal process is established. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 36.

• Effective July 1, 2009, eliminates the requirement that the Department of Human Services develop and implement a patient incentive health program for Medical Assistance, General Assistance Medical Care, and MinnesotaCare enrollees who meet personal health goals for management of a chronic disease or condition. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 5.

• Effective July 1, 2009, Medical Assistance, MinnesotaCare and General Assistance do not cover physicians' services related to certain adverse health care events. *Minnesota Laws 2009*, Chapter 173, Article 1, section 41.

• Effective July 1, 2009, the Department of Human Services is prohibited from making Medical Assistance, General Assistance Medical Care or MinnesotaCare payments to a hospital for the cost of care that results from certain hospital-acquired conditions. Nonpayment also applies to any additional payments that result from a hospital acquired condition as listed, including additional treatment or procedures, readmission to the facility after discharge, increased length of stay, change to a higher diagnostic category, or transfer to another hospital. It also prohibits a hospital from billing a service recipient for any payment disallowed under this subdivision. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 13.

• Effective July 1, 2009, increases the amount of federal matching funds for Individualized Education Plan services that may be retained by the Department for administrative costs from \$350,000 to \$450,000. *Minnesota Laws 2009*, Chapter 96, Article 3, Section 18.

• Effective April 1, 2009, or upon federal approval, provides a temporary rate increase for hospitals with a Medical Assistance utilization rate equal to or greater than 25 percent. The temporary rate increase is limited by the 2.5% increase in the disproportionate share hospital allotment under the American Recovery and Reinvestment Act of 2009. *Minnesota Laws 2009*, Chapter 79, Article 5, Sections 14 and 45.

• Effective July 1, 2009, the amount of funding transferred from the Department of Human Services to the Department of Health for Medicaid education and research cost (MERC) payments is limited to the amount of the transfer for state fiscal year 2009. State fiscal years 2010 and 2011 aggregate MERC payments relating to Prepaid Medical Assistance Program (PMAP) formulaic distribution to medical education providers will be limited to the state fiscal year 2009 distribution amount. Minnesota Statutes §256B.69 subdivision 5c(a) directs the Commissioner of Human Services to reduce the monthly capitation rates to PMAP providers by specific amounts and to transfer those funds to the Department of Health. The Department of Health distributes the transferred funds annually to eligible medical education providers in accordance with the formula described at Minnesota Statutes 62J.692 subdivision 4. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 47.

• Effective July 1, 2009, delays the full value of Medical Assistance and General Assistance Medical Care hospital rebasing for the rebased period beginning January 1, 2011. From January 1, 2011 to March 2011, rates shall be rebased at 74.25 percent of the full value of the rebasing percentage change. From April 2011 to March 31, 2012, rates shall be rebased at 39.2 percent of the full value of the rebasing percentage change. Effective April 1, 2012, rates will be based at full value. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 11, as amended by Chapter 173 Article 1, section 13.

• Effective July 1, 2009, the monthly enrollment of persons receiving home and community-based waivered services under Minnesota Disability Health Options shall not exceed 1,000. If the budget neutrality provision in Minnesota Statutes, section 256B.69, subdivision 23, paragraph (f), is reached prior to June 30, 2013, the commissioner may waive this monthly enrollment requirement. *Minnesota Laws 2009*, Chapter 79, Article 13, Section 3, Subdivision 2.

• Effective October 1, 2009, provides new payment rates for births. For admissions occurring on or after October 1, 2009, the total operating and property payment rate, excluding disproportionate population adjustment, for the following diagnosis-related groups, as they fall within the diagnostic categories: (1) 371 cesarean section without complicating diagnosis; (2) 372 vaginal delivery with complicating diagnosis; and (3) 373 vaginal delivery without complicating diagnosis, shall be no greater than \$3,528. The rates do not include newborn care. Payments to managed care and county-based purchasing plans under section 256B.69, 256B.692, or 256L.12 shall be reduced for services provided on or after October 1, 2009, to reflect the adjustments in payment rates for births. Prior authorization is not required before reimbursement is paid for a cesarean section delivery. *Minnesota Laws 2009*, Chapter 173, Article 1, Section 14.

• Effective June 1, 2010, payments from the Medicaid Management Information System that would otherwise have been made for inpatient hospital services for Minnesota health care program enrollees must be delayed as follows: for fiscal year 2011, payments in the month of June equal to \$15,937,000 must be included in the first payment of fiscal year 2012. The provisions of Minnesota Statutes, section 16A.124, do not apply to these delayed payments. Notwithstanding any contrary provision in this article, this paragraph expires December 31, 2014. *Minnesota Laws 2009*, Chapter 79, Article 13, Section 3, Subdivision 3.

• Effective June 1, 2010, payments from the Medicaid Management Information System that would otherwise have been made for nonhospital acute care services for Minnesota health care program enrollees must be delayed as follows: payments in the month of June equal to \$23,438,000 for fiscal year 2011 must be included in the first payment for fiscal year 2012. This payment delay must not include nursing facilities, intermediate care facilities for persons with developmental disabilities, home and community-based services, prepaid health plans, personal care provider organizations, and home health agencies. The provisions of *Minnesota Statutes*, section 16A.124, do not apply to these delayed payments. Notwithstanding any contrary provision in this article, this paragraph expires December 31, 2014. *Minnesota Laws 2009*, Chapter 79, Article 13, Section 3, subdivision 2.

• Effective July 1, 2010, for services provided on or after July 1, 2010, payments to hospitals shall be adjusted to reflect the increase in the fee (\$5) effective July 1, 2010 for the early hearing detection and intervention program described in section 144.125, subdivision 1, paid by the hospital for public program recipients. The payment increase shall be in effect until the fee increase is fully recognized in the base year cost. The increased payments shall be included in the payment to managed care organizations. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 15 as amended by Chapter 173 Article 1, sec. 15.

• By January 1, 2011, the Department of Human Services is required to establish performance thresholds for providers included in the provider peer grouping system developed by the commissioner of Health. Effective January 1, 2012, any provider with a combined cost and quality score below the threshold shall be prohibited from enrolling as a vendor of medical care in the state health care programs. Permits a disenrolled provider to reenroll effective January 1 of any subsequent year if the provider's most recent combined cost and quality score exceeds the threshold. Authorizes the commissioner to create an exception if the commissioner determines that a contract with the provider is necessary to ensure access to health care services. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 16.

• Effective June 1, 2012, payments from the Medicaid Management Information System that would otherwise have been made for nonhospital acute care services for Minnesota health care program enrollees must be delayed as follows: payments in the month of June equal to \$27,156,000 for fiscal year 2013 must be included in the first payment for fiscal year 2014. This payment delay must not include nursing facilities, intermediate care facilities for persons with developmental disabilities, home and community-based services, prepaid health plans, personal care provider organizations, and home health agencies. The provisions of *Minnesota Statutes*, section 16A.124, do not apply to these delayed payments. Notwithstanding any contrary provision in this article, this paragraph expires December 31, 2014. *Minnesota Laws 2009*, Chapter 79, Article 13, Section 3, subdivision 2.

• Effective June 1, 2012, payments made from the Medicaid Management Information System that would otherwise have been made for inpatient hospital services for Minnesota health care program enrollees must be delayed as follows: for fiscal year 2013, payment in the month June equal to \$6,666,000 must be included in the first payment of fiscal year 2014. The provisions of *Minnesota Statutes*, section 16A.124, do not apply these delayed payments. This expires December 31, 2014. *Minnesota 2009*, Chapter 79, Article 13, subdivision 3.

• Effective January 1, 2010, prior authorization or decision support for the ordering provider will be required for computerized tomography, magnetic resonance imaging, magnetic resonance angiography, positive emission tomography, cardiac imaging and ultrasound diagnostic imaging, unless performed as part of a hospital emergency room visit, inpatient hospitalization, or concurrent with an urgent care facility visit. *Minnesota Laws 2009*, Chapter 79, section 35.

• Effective January 1, 2010, modifies dental coverage except for pregnant women. Eliminates coverage for fixed bridges. Limits coverage to: (1) comprehensive exams, limited to once every five years; (2) periodic exams, once per year; (3) limited exams; (4) bitewing x-rays, once per year; (5) periapical x-rays; (6) panoramic x-rays, once every five years and only if certain conditions are met. Allows panoramic x-rays to be provided once every two years to certain patients who cannot cooperate for intra-oral film; (7) prophylaxis, once per year; (8) application of fluoride varnish, once per year; (9) posterior fillings at the amalgam rate; (10) anterior fillings; (11) endodontics, limited to root canals on the anterior and premolars only; (12) removable prostheses, each dental arch limited to one every six years; (13) oral surgery, limited to extractions, biopsies, and incision and drainage of abscesses; (14) palliative treatment and sedative fillings for relief of pain; and(15) full mouth debridement, once every five years. *Minnesota Laws 2009*, Chapter 79, Article 5, Section 27

• Effective January 1, 2010, provides that Medical Assistance covers the following services for adults, if provided in an outpatient hospital setting or freestanding ambulatory surgical center as part of outpatient dental surgery:(1) periodontics, limited to periodontal scaling and root planing once every two years; (2) general anesthesia; and (3) full mouth survey once every five years. States that MA covers dental services for children that are medically necessary, and that the following guidelines apply: (1) posterior fillings are paid at the amalgam rate; (2) application of sealants once every five years per permanent molar; and (3) application of fluoride varnish is limited to

once every six months. Minnesota Laws 2009, Chapter 79, Article 5, Section 27.

• Effective January 1, 2010, requires prior authorization for the following diagnostic imaging services: CT, MRI, MRA, PET, cardiac imaging, and ultrasound diagnostic imaging. Also permits the commissioner to contract with a private entity to provide prior authorization. Chapter 79, Article 5, Section 35.

For questions regarding MA, GAMC and MinnesotaCare services and payment rates, contact Shannon McMahon at the Minnesota Department of Human Services, Health Care Administration, PO Box 64983, St. Paul, MN 55164-0983; phone (651) 431-2315.

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

#### Intermediate Care Facilities for Persons with Developmental Disabilities (ICFs/MR)

• Effective July 1, 2009, a rate reduction of 2.58% for ICFs/MR is implemented. 2009, Chapter 79, Article 8, Section 71.

• Effective July 1, 2009, freezes funding for ICF/MR variable rate adjustments for state fiscal year 2010 so that no new variable rate adjustments will be available. The funding for variable rate adjustments is eliminated for state fiscal year 2011. *Minnesota Statutes*, §16A.152, subdivision 4.

• Effective July 1, 2009, for fiscal years 2010 and 2011, there will be no adjustments to the ICF/MR base residential rates that are based on a facility's unoccupied beds. Minnesota Statutes, §16A.152, subdivision 4.

#### **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' advocates, 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 July 1, 2009, the commencement of construction approval by the commissioner of health for nursing facility moratorium exception projects approved between July 1, 2007, and June 30, 2009, is extended by an additional 18 months. Under current law, the approval of commenced construction expires after 18 months. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 6.

• Effective October 1, 2011, and October 1, 2012, the automatic operating rate inflation adjustment for the portion of the nursing facility rate determined under 256B.434 will not be paid. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 58.

• Effective October 1, 2009, nursing facilities that converted from public to private ownership after September 30, 2006, will have a portion of their post-Public Employees Retirement Association (PERA) pension costs treated as a component of the operating rate determined under section 256B.434. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 59.

• Effective July 1, 2009, a per-bed amount of \$2,080 is allowed for a nursing facility planned bed closure and the rate negotiation process is eliminated. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 60.

• Effective October 1, 2009, the phase-in of rebased operating payment rates under section 256B.441 will be 14 percent of the rate determined using the cost report filed by each nursing facility for the report period ending one year prior to the rate year. The percentage will remain at 14 percent until September 30, 2013. Phase-in steps scheduled for October 1, 2010, 2011, and 2012 are eliminated. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 61.

• Effective July 1, 2009, the rebasing of the property payment rate and the removal of planned closure adjustments and single-bed room incentives from the external fixed portion of the nursing facility payment rate will not go into effect until phase in of 82 percent of the operating payment rate as determined under section 256B.441. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 62.

• Effective October 1, 2009, the amount paid to a nursing facility for a single-bed room for a medical assistance resident is reduced from 115 percent to 111.5 percent of the total payment rate. This applies if a nursing facility has elected to assign greater costs to single bed

rooms in determining its property payment rate. Minnesota Laws 2009, Chapter 79, Article 8, Section 63.

• Effective August 1, 2009, if a nursing facility gives notice more than 60 days after completion of an allowable building project, the rate adjustment is effective on the first of the month following the request. If notice is given within 60 days of completion, the rate adjustment is effective on the first of the month following the completion of the project. *Minnesota Laws 2009*, Chapter 159, Section 96.

• Effective August 1, 2009, payments for ancillary services for nursing facility residents must be billed separately and not included in the costs used to determine the per diem rates. *Minnesota Laws 2009*, Chapter 159, Section 97.

• Effective August 1, 2009, training costs related to the provision of care are to be reported as direct care costs and all other training-related costs are to be reported as administrative costs on the annual nursing facility cost report. *Minnesota Laws 2009*, Chapter 159, Sections 98 and 99.

• Effective May 17, 2009, the commissioner of the Department of Human Services may pay parties under contract, provider agreement or other arrangement with the commissioner as of the date of a natural disaster, or the date when action was taken in anticipation of a possible natural disaster or other event that threatens the health and safety of individuals served by a program that receives funding from medical assistance for the costs of evacuation, transportation, medical, remedial or personal care services provided to vulnerable residents. Only costs that are not already paid for by another source are eligible. *Minnesota Laws 2009*, Chapter 93, Article 2, Section 14.

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.

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

• Effective July 1, 2009, limits are established for rates paid by Elderly Waiver in housing with services settings for 24-hour Customized Living. The limits are fixed and increased only when payment adjustments are approved by the legislature. Limits are set at the 95th percentile of the statewide monthly authorizations in effect on March 31, 2009. The Department of Human Services is required to adjust managed care capitation payments accordingly. *Minnesota Laws 2009, Chapter 79,* Article 8, Sections 46, 47 and 49.

• Effective July 1, 2009, monthly costs for Alternative Care recipients are limited to \$597 for persons with 0 or 1 dependency in qualified activities of daily living. Current recipients are subject to the limit when reassessed in fiscal year 2010. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 44.

• Effective July 1, 2009, for Elderly Waiver clients with 0 or 1 dependency in qualified activities of daily living their monthly budget limit is the lower of their current budget limit or the limit in effect October 1, 2008. Current recipients are subject to the limit when reassessed in fiscal year 2010. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 45.

• Effective July 1, 2009, long term care providers who received rate increases for state fiscal years 2008 and 2009 are no longer required to continue to retain employee compensation or wage-related increases required by those sections if those providers receive a payment rate reduction as a result of actions taken by the 2009 Legislature. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 78.

• Effective July 1, 2009, when the self-directed support option is approved by the Centers for Medicare & Medicaid Services, enrollment in the option is available to current Personal Care Assistance recipients upon annual reassessment, with a maximum enrollment of 1,000 people in the first fiscal year of implementation and an additional 1,000 people in the second fiscal year. *Minnesota Laws 2009*, Chapter 79, Art. 8 Section 29 and 30.

• Effective July 1, 2009. the Department of Human Services may issue a license for a fifth bed in an adult foster care home if this does not increase the overall capacity of licensed adult foster care beds in homes that are not the primary residence of the license holder, as long as certain criteria are met, including no increase to the statewide capacity of adult foster care beds. The Department of Human Services must seek federal approval and waiver amendments no later than December 1, 2009, to allow licensed adult foster care homes to provide residential services for up to five individuals. Authority to issue a license for five bed capacity expires on June 30, 2011. *Minnesota Laws 2009*, Chapter 79, Article 1, Sections 3, 21 and 22.

• Effective July 1, 2009, payment rates for adult foster care and supported living services above the 95th percentile are decreased by up

to five percent, with a floor at the 95<sup>th</sup> percentile. The reduction in rates shall take into account the acuity of the individuals served. Lead agency contracts for services shall be amended to implement the rate changes for service rendered on or after July 1, 2009. The Department of Human Services must make corresponding reductions to waiver allocations and capitation rates. *Minnesota Laws*, 2009, Chapter 79, Article 8, Section 55.

• Effective July 1, 2009, and July 1, 2010, the caseload growth of the Traumatic Brain Injury waiver is limited to 12.5 allocations per month each year of the biennium. Community Alternatives for Disabled Individuals waiver growth is limited to 95 allocations per month each year of the biennium. The Development Disabilities waiver is limited to 15 additional diversion allocations each month for the calendar years that begin on January 1, 2010, and January 1, 2011. Under certain conditions the limits on the waivers do not apply. Priority for the allocation of funds must be for individuals anticipated to be discharged from institutional settings or who are at imminent risk of a placement in an institutional setting. *Minnesota Laws 2009*, Chapter 79, Article 13, Section 3, Subd. 8.

• Effective July 1, 2009, the Department of Human Services is required to develop a new service, residential support services, under the disability waivers. Once developed, the Department of Human Services is required to license residential support services as community residential settings which integrate the service standards and the residential setting under a single license. *Minnesota Laws 2009*, Chapter 79, Article 8, Sections 9, 53, and 68.

• Effective July 1, 2009, the Department of Human Services is required to begin development of an alternative payment methodology for long-term care consultation services. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 42.

• Effective July 1, 2009, the Department of Human Services begins the development for implementation of a comprehensive assessment process and tool across all long-term care programs and populations. *Minnesota Laws 2009*, Chapter 79, Article 8, Sections 37 and 41.

• Effective July 1, 2009, the Department of Human Services must begin development of new assessor certification requirements to ensure lead agency competency in evaluating the needs of people with long-term care needs and identifying service options to meet those needs. Implementation of the certification begins January 1, 2010. All assessors must be certified by January 1, 2011, and recertified every three years. Starting January 1, 2011, all assessments for home and community based services including personal care assistance will be conducted by certified assessors from lead agencies including counties, health plans and tribes. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 34, 35 and 37.

• Effective July 1, 2009, the Department of Human Services is required to establish statewide rate-setting methodologies that meet federal waiver requirements for home and community-based waiver services. The rate-setting methodologies must abide by the principles of transparency and equity across the state, involve a uniform process of structuring rates for each service, and promote quality and participant choice. This includes use of a uniform tool to develop and document customized living service plans and payment rates. *Minnesota Laws 2009*, Chapter 79, Article 8, Sections 10, 46, 47 and 69.

• Effective July 1, 2009, all personal care assistance agencies are required to provide certain documentation to assure that they meet the provider standards and are qualified to provide PCA services. This documentation is required to be submitted upon initial enrollment and yearly thereafter.

- All PCA agencies must complete standardized training prior to enrollment. Any provider that is currently enrolled will have to complete the standardized training within 18 months after enactment, i.e. by December, 2010.
- PCA staff must complete standardized training.
- Qualified Professionals must complete standardized training and pass a background check.
- A provider agency for PCA services cannot also control the housing in which the recipient lives.
- Responsible parties must enter into written agreements with providers to assure that they understand their role as a responsible party. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 31.

• Effective July 1, 2009 personal care assistants will not be allowed to work more than 310 hours per month whether they work for one agency or recipient or multiple agencies or recipients. *Minnesota Laws*, Chapter 173, Article 1, Section 25.

• Effective July 1, 2009, for fiscal years 2010 and 2011 personal care assistants will not be allowed to work more than 275 hours per month whether they work for one agency or recipient or multiple agencies or recipients. *Minnesota Statutes*, \$16A.152, subdivision 4.

• Effective October 1, 2009, managed care organizations must implement a 2.58% rate reduction for waiver and home care services.

Minnesota Laws 2009, Chapter 79, Article 8, Section Sections 71 and 79.

• Effective July 1, 2009, a rate reduction of 2.58% for certain fee-for-service providers of continuing care and other services is implemented. Providers include: Intermediate Care Facilities/Developmental Disabilities, home and community-based services waivers, home care services, day training and habilitation, group residential housing supplemental services, semi-independent living services, deaf and hard-of-hearing, consumer support grants, family support grants, and aging grants. *Minnesota Laws 2009*, Chapter 79, Article 8, Sections 71 and 79.

• Effective January 1, 2010, the methodology for determining the need for personal care services will be simplified and consistent statewide. The current Home Care Rating system will be reduced from 21 ratings to 10 and ratings will be based on total number of dependencies of Activities of Daily Living and critical Activities of Daily Living, number of complex health related functions, and number of behavior descriptions. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 28.

• Effective January 1, 2010, all recipients receiving personal care assistance must have their personal care assistants supervised by a qualified professional. *Minnesota Laws 2009*, Chapter 173, Article 1, Section 25.

• Effective January 1, 2010, new definitions and expanded and specific criteria will apply to some components of the assessment and access to personal care assistance services:

- Definitions of dependencies in Activities of Daily Living are simplified and consistent across the eight Activities of Daily Living.
- "Critical" Activities of Daily Living will be defined as: transferring, mobility, eating and toileting
- "Complex medical" is redefined as complex health-related needs, including descriptions and frequency of interventions needed by the recipient
- · Multiple definitions and levels of behavior are replaced by a single definition

A person must be dependent in one activity of daily living or have a Level I Behavior to be eligible for PCA services. *Minnesota Laws* 2009, Article 8, Section 28.

• Effective January 1, 2010, all personal care assistance agencies including Personal Care Choice agencies must submit documentation that assures that a minimum of 72.5% of their revenue from the Medical Assistance rate paid for Personal Care Assistance services goes towards employee wages and benefits. *Minnesota Laws 2009*, Article 8, Section 31.

• Effective January 1, 2010, the recipient's home care rating will be based on the following analysis from the assessment process:

- Total number of dependencies of Activities of Daily Living including the critical Activities of Daily Living.
- Number of complex health-related needs determined per the identified list
- Number of behavior descriptions determined per the identified list.

Minnesota Laws 2009, Article 8, Section 28.

• Effective January 1, 2010, simplifies the home care rating system by establishing a base number of hours for each home care rating and eliminating the calculation of minutes per task. Recipients are authorized additional time beyond their home care rating base hours if they qualify as described below:

- · 30 additional minutes for each critical activity of daily living dependency
- 30 additional minutes for each complex health related function identified as described in the new definition
- 30 additional minutes for each behavior issue as described in the new definition.

Minnesota Laws 2009, Article 8, Section 28.

• Effective July 1, 2011, the criteria to access the personal care assistance program is dependency in at least two Activities of Daily Living. *Minnesota Laws 2009*, Chapter 79, Article. 8, Sections 7, 18-28, 31, 74, 75, 77, and 80.

• Effective January 1, 2011, the criteria for determining whether an individual requires a nursing facility level of care, for purposes of nursing facility admission and eligibility for the Elderly Waiver, and the Community Alternatives for Disabled Individuals, Traumatic Brain Injury, and Community Alternative Care Waivers requires that the individual meet one or more of the following criteria:

- the person needs help with or constant supervision of at least four of these activities: bathing, bed mobility, dressing, eating, grooming, toileting, transferring and walking;
- the person needs help or constant supervision when toileting, transferring, or positioning and the assistance cannot be scheduled;
- the person has significant difficulty with memory, using information, daily decision making, or behavioral needs that require intervention;
- · the person requires clinical monitoring on a daily basis;
- · the person has had a qualifying nursing facility stay of at least 90 days; or
- the person is at risk for nursing facility admission based on a face-to-face long-term care consultation completed by a county, tribe, or managed care organization. The person is considered at risk if the person lives alone or will live alone after discharge and also meets one of the following criteria:
  - □ the person has had a fracture caused by a fall;
  - Let the person is at risk of maltreatment or neglect, including self-neglect; or
  - Let the person has a sensory impairment that substantially impacts their ability to live in the community.

Minnesota Laws 2009, Chapter 79, Article 8, Sections 1-5, 16, 32-37, 39-44, 48, and 65-67.

• Effective January 1, 2011, the lead agency long-term care provider contract will be eliminated and replaced by an enhanced agreement between the state and providers. *Minnesota Laws 2009*, Chapter 79, Article 8, Sections 13, 52 and 69.

• Effective January 1, 2010, managed care plans are required to use the assessment and authorization processes, forms, timelines, standards, documentation, and data reporting requirements, protocols, billing processes, and policies for personal care services consistent with medical assistance fee-for-service or the Department of Human Services contract requirements consistent with medical assistance fee-for-service. *Minnesota Laws 2009*, Chapter 79, Article 8, Section 72.

For questions regarding Medical Assistance continuing care and home and community-based waivers and payment rates, contact Amy Dellwo at the Minnesota Department of Human Services, Continuing Care Administration, PO Box 64974, St. Paul, MN 55164-0974; phone (651) 431-2585.

### **Department of Transportation**

### Modal Planning & Program Management Division Office of Investment Management and Performance Measures Notice of Solicitation for Public Review and Comment on the Draft State Transportation Improvement Program (STIP) for State Fiscal Years 2010-2011-2012-2013 (July 1, 2009 thru June 30, 2013)

The Minnesota Department of Transportation is offering an opportunity for public review and comment on a draft list of projects to be included in the *State Transportation Improvement Program* (STIP) for state fiscal years 2010-2011-2012-2013 (July 1, 2009 thru June 30, 2013). The program of transportation projects annually utilizes about \$594 million federal funds, \$260 million of state trunk highway funds, and funds from local agencies and other sources. Projects include local road and bridge projects utilizing federal funds; transit capital investments; state highway road and bridge projects; enhancement projects; congestion mitigation and air quality projects; scenic byway projects; and other projects intending to utilize federal highway funds, federal transit funds, or state trunk highway funds. The draft list of projects in the *State Transportation Improvement Program* is available for review at Department of Transportation District Offices:

- District 1 Duluth, 1123 Mesaba Avenue, Duluth, MN 55811;
- District 2 Bemidji, 3920 Highway 2 West, Bemidji, MN 56619;
- District 3 Baxter, 7694 Industrial Park Road, Baxter, MN 56425-8096;
- District 4 Detroit Lakes, 1000 Hwy. 10 West, Detroit Lakes, MN 56501;
- District 6 Rochester, 2900 48th Street N. W., Rochester, MN 55901-5858;
- District 7 Mankato, 501 South Victory Drive, Mankato, MN 56001-5302;

District 8 – Willmar, 2505 Transportation Road, Willmar, MN 56201;

Metro Division - Waters Edge Building, 1500 W. Co. Rd. B2, Roseville, MN 55113;

or the Office of Investment Management & Performance Measures, Mail Stop 440, 395 John Ireland Boulevard, Third Floor South, St. Paul, MN 55155.

You have 30 days to submit written comments. Comments must be received by 4:30 p.m. on July 22, 2009. Comments are encouraged and should identify the portion of the STIP addressed, reason for the comment, and any change proposed. Please direct all correspondence to:

> Debbie Peña Office of Investment Management Minnesota Department of Transportation Mail Stop 440 395 John Ireland Boulevard St. Paul, MN 55155 E-mail: debbie.pena@dot.state.mn.us **Phone:** (651) 366-3775 Fax: (651) 366-3790

# 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.

### Here's Help in Applying for Grants

Only State Register subscribers get a "Contracts & Grants" section that lists all "active" grants and contracts. Open the State Register and click on Bookmarks in the upper left corner. You get a list of ALL the current rules, with an INDEX, and previous volume indices, as well as a list of all "active" contracts and grants, and LINKS to the State Register. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

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# State Grants & Loans =

### Minnesota Department of Agriculture Agriculture Marketing Services Division Notice of Availability of Grant Funds for Dairy Profitability Enhancement Teams

Grants to Dairy Profitability and Enhancement Teams are available from the Minnesota Department of Agriculture, as authorized by the *Laws of Minnesota 2009*, Chapter 94, Article 1, for regional or statewide organizations to administer one-on-one educational delivery teams to provide appropriate new technologies, including rotational grazing and other sustainable agriculture methods, applicable to small and medium sized dairy farms to enhance the financial success and long-term sustainability of dairy farms in the state. Dairy development and profitability enhancement teams are encouraged to engage in activities including, but not limited to, improving milk quality, comprehensive financial analysis, risk management education, enhanced milk marketing tools and technologies, five-year business plans, and design and engineering costs. Activities must be spread throughout the dairy producing regions of the state. Applicants are strongly encouraged to coordinate risk management education and use of milk marketing tools and technologies.

These teams must consist of farm business management instructors, dairy extension specialists, and dairy industry partners to deliver the informational and technological services. These teams must report semiannually to the program director on the aggregate changes in producer financial stability, productivity, product quality, animal health, environmental protection, and other performance measures attributable to the program. Information reported must be sufficient to establish regional and statewide performance benchmarks for the dairy industry a format that maintains the confidentiality of business information related to any single dairy producer. Grants to individual producers must not be used for capital improvements.

Grants will be awarded August 1, 2009 to June 30, 2010. There is approximately \$546,000 in grant funds available.

To receive an application for grant funds contact:

David Weinand Minnesota Department of Agriculture 625 North Robert St. St. Paul, MN 55155 **E-mail:** David.Weinand@state.mn.us **Phone:** (651) 201-6646 **Fax:** (651) 201-6114

Questions concerning the grant application should be directed to Mr. Weinand. Two copies of the application must be received by Mr. Weinand 4:00 pm C. D. T. on July 22, 2008. Faxed and emailed applications will be accepted. At the department's discretion, applicants may be asked to meet with the department or submit clarification.

Grant funds will be withheld from grantees that fail to submit reports. Applicants must include participants from the areas of extension and farm business management on the diagnostic teams. Preference will be given to those applicants whose proposals are aimed at small and medium sized farms, show low administrative cost versus services delivered to dairy producers and also for innovative ideas for delivering information and technology to dairy producers.

### Minnesota Department of Health (MDH) Office of Rural Health and Primary Care Indian Health Grant Program Notice of Grant Opportunity

The Minnesota Department of Health (MDH) is seeking applications from nonprofit organizations, governmental or tribal entities for the Indian Health Grant Program. The purpose of this program is to provide assistance to eligible applicants to establish, operate, or subsidize clinic facilities and services to furnish health services for American Indians who reside off reservations. For purposes of the grant, "resides off reservation" means persons not living on Indian land who are members of an organized tribe, band or other group of aboriginal

### State Grants & Loans

people of the United States, having a treaty relationship with the federal government and who are regarded as American Indians by the group in which they claim membership.

The total amount of funding for the Indian Health Grant Program is \$174,000 per year. The award cycle is for two years from January 1, 2010 to December 31, 2011. Completion of grant cycle awards will be contingent upon 2011 Legislative decisions.

A copy of the full Request for Proposals will be online July 1, 2009, at: http://www.health.state.mn.us/divs/orhpc/funding/index.html#indian.

A copy can also be obtained by contacting Debra Jahnke at (651) 201-3845 or: *debra.jahnke@state.mn.us*. Proposals may be mailed to

Debra Jahnke Division of Health Policy, Office of Rural Health and Primary Care Minnesota Department of Health P.O. Box 64882 St. Paul, MN 55164-0882

Courier address for delivery of applications is 85 East 7th Place, Suite 220, St. Paul, MN 55101.

Proposals must be received by 4:00 p.m. on August 14, 2009.

### Minnesota Department of Health Office of Rural Health and Primary Care Migrant Health Grant Program Notice of Grant Opportunity

The Minnesota Department of Health (MDH) is seeking applications from eligible cities, counties, groups of cities or counties, or nonprofit corporations for the Migrant Health Grant Program. The purpose of this grant is to fund the establishment, operations, or subsidization of clinic facilities and services, including mobile clinics, to furnish health services for migrant agricultural workers and their families in areas of the state in which significant numbers of migrant workers are located. A "migrant agricultural worker" means any individual whose principal employment is in agriculture on a seasonal basis who has been so employed within the last 24 months, and who established a temporary residence for the purpose of such employment. First consideration for funding will be given to organizations that can provide services on a statewide basis.

The total amount of funding for the Migrant Health Grant Program is \$102,000 per year. The award cycle is for two years from January 1, 2010 to December 31, 2011. Completion of grant cycle awards will be contingent upon 2011 legislative decisions.

A copy of the full Request for Proposals will be online July 1, 2009, at: http://www.health.state.mn.us/divs/orhpc/funding/index.html#migrant.

A copy can also be obtained by contacting Debra Jahnke at (651) 201-3845 or: *debra.jahnke@state.mn.us*. Proposals may be mailed to

Debra Jahnke Division of Health Policy, Office of Rural Health and Primary Care Minnesota Department of Health P.O. Box 64882 St. Paul, MN 55164-0882

Courier address for delivery of applications is 85 East 7th Place, Suite 220, St. Paul, MN 55101.

Proposals must be received by 4:00 p.m. on August 14, 2009. (Cite 33 SR 2141) State Register, Monday 29 June 2009

### State Grants & Loans Minnesota Historical Society Grants Office Notice to Solicit Nominees to Historic Resources Advisory Committee

The Minnesota Historical Society seeks candidates for service on the Historic Resources Advisory Committee. The committee's purpose is to provide policy and grant making guidance on expenditure of funds from the newly established Arts and Cultural Heritage Fund Grants program for statewide history and cultural grants and make recommendations to the Executive Council of the Minnesota Historical Society in the award of grants for history projects from the fund.

The Legacy Amendment passed by voters last fall created the Arts and Cultural Heritage Fund. In May the Minnesota Legislature appropriated \$22 million from the fund for history projects and activities that includes \$6.75 million for statewide historic and cultural grants to be awarded during the 2010-11 biennium. Expectations are high for what these funds can accomplish across Minnesota – projects of enduring value for the cause of history and historic preservation.

The responsibility for administering the new competitive grants program and appointing members to the Historic Resources Advisory Committee lies with the Minnesota Historical Society. The bill specifies that the committee have balanced statewide membership and include representatives of local, county, and statewide historic and cultural organizations and programs. It further requires that membership shall include, but is not limited to, members representing the interests of historic preservation, local history, archaeology, archival programs, and other cultural programs related to the history of Minnesota.

The anticipated time commitment for committee members will be substantial as the grants program is shaped over the coming months. Committee appointments are expected to be made in August with at least three grant cycles anticipated between November 2009 and September 2010. The committee work will require extensive reading prior to meetings and the ability to meet during the work week to deliberate regarding fund award recommendations.

To be considered, send 1) a letter of interest specifying your qualifications for serving on this committee and the region of the state in which you live; 2) a brief resume; and 3) contact information for two references. Nomination packages should not exceed 5 pages and are due no later than July 31, 2009.

Send to: Grants Office, Historic Resources Advisory Committee, Minnesota Historical Society, 345 Kellogg Blvd. W., St. Paul, MN 55102 or: *mnshpo@mnhs.org* 

### Minnesota Department of Human Services Child Support Enforcement Division Notice of Request for Proposals from Qualified Responders Operating Programs in Minnesota Which Support and Facilitate Access and Visitation

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals from qualified Responders operating programs in Minnesota which support and facilitate access and visitation by non-custodial parents with their children. Successful Responder(s) will receive project funds to be used to address critical needs in providing access and visitation programming, irrespective of marital status and whether or not the parties are currently living separately on a permanent or temporary basis.

Work is proposed to start October 1, 2009. For more information, or to obtain a copy of the Request for Proposal, contact:

Jennifer Strei Department of Human Services Child Support Enforcement Division P.O. Box 64946 444 Lafayette Road North, St. Paul, MN 551550946 Phone: (651) 431-4561 Fax: (651) 431-7517

State Register, Monday 29 June 2009

### **State Grants & Loans**

E-mail: Jennifer.M.Strei@state.mn.us

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than 4:00 p.m., Central Time, August 7, 2009. Late proposals will NOT be considered. Faxed or e-mailed proposals will NOT be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site: http://www.dhs.state.mn.us/main/id\_000102

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.

# **State Contracts**

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

**Formal Solicitations:** Department of Administration procedures require that formal soliciations (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.

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

\$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600 \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days; \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar day

### All "Active" Contracts and Grants

A summarized "Contracts & Grants" section lists **all "active" contracts and grants.** It is available **only to subscribers** to the *State Register*. Subscribers also receive LINKS to the *State Register*, as well as Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. Subscribers open their State Register and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

- Word Search CapabilityLINKS, LINKS, LINKS
- Updates to Index to Vol. 31
- "Contracts & Grants" Open for Bid
- Easy Access to State Register Archives

- Early delivery, on Friday
- E-mailed to you . . . its so easy
- Indexes to Vols. 31, 30, 29, 28 and 27

Subscriptions cost \$180 a year (an \$80 savings). It's all E-MAILED to you, at end-of-day on Friday, instead of waiting for the nonsubscriber's issue released on Monday. Contact Cathy Hoekstra, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** *cathy.hoekstra@state.mn.us* 

## State Contracts =

### Minnesota State Colleges and Universities (MnSCU) Anoka Ramsey Community College - Coon Rapids Campus ADVERTISEMENT FOR BIDS for Elevator Alterations

Sealed Bids for:	Anoka Ramsey Community College Elevator Alterations Coon Rapids Campus 11200 Mississippi Blvd. NW Coon Rapids, MN 55433-3470
Will be received by:	<i>Mirela Gluhic</i> Administration Building Room C140 Anoka Ramsey Community College Coon Rapids Campus 11200 Mississippi Blvd. NW Coon Rapids, MN 55433-3470

Until *10:00 AM*, *local time*, *July 7*, *2009* at which time the bids will be opened and publicly read aloud in the Riverview Room, SC200 located in the Student Center Building.

**Project Scope:** The Project consists of adding a new elevator in Humanities area and demolition of three existing elevators, elevator equipment and remodeling the areas. The Work will include, but is not limited to: minor demolition of masonry partitions, ceilings, and related mechanical and electrical systems; construction of new partitions, doors, frames, hardware, suspended ceilings, and finishes; mechanical systems including plumbing, ventilating and fire protection; and electrical systems including power, lighting and special systems.

A Pre-Bid Meeting will be held at 10:00 AM, Tuesday, June 30, 2009, in the Riverview Room, SC200 of the Student Center Building of Anoka Ramsey Community College, Coon Rapids Campus. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents as prepared by the Project Architect/Engineer; Armstrong, Torseth, Skold and Rydeen, Inc., are on file at the offices of the:

- 1) Armstrong, Torseth, Skold and Rydeen, Inc., Architect/Engineer.
- 2) Minneapolis, St. Paul, Duluth, St. Cloud and Fargo-Moorhead Builder Exchanges.
- 4) McGraw Hill Construction Plan Room.
- 5) MEDA, Minority Contractors Plan Room.
- 6) National Association of Minority Contractors of Upper Midwest.

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained at the following address:

Armstrong, Torseth, Skold and Rydeen, Inc. 8501 Golden Valley Road, Suite 300 Minneapolis, Minnesota 55427 Phone: (763) 545-3731 Fax: (763) 525-3289

A refundable deposit of \$75.00 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 *\$25.00* per set for shipping & handling (in addition to the *\$75.00* refundable deposit) to the Architect. Such deposits and payments may be sent prior to *June 23, 2009*. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 shall be accompanied by a certified check, payable to Minnesota State Colleges and

# **State Contracts**

**Universities,** in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

### Minnesota State Colleges and Universities (MnSCU) Anoka Ramsey Community College Advertisement for Sealed Bids for ARCC Cambridge Science Lab Renovation and

Nursing Addition

Sealed Bids for:	ARCC Cambridge Science Lab Renovation and Nursing Addition Anoka Ramsey Community College Cambridge Campus 300 Spirit River Drive South, Cambridge, Minnesota 55008-5704
will be received by:	Heidi Vidor Room D223 – Business Office Anoka Ramsey Community College Cambridge Campus 300 Spirit River Drive South, Cambridge, Minnesota 55008-5704

Until 1:00 PM, local time, July 16, 2009 at which time the bids will be opened and publicly read aloud in Room E241.

The scope of work for this project involves the Science Lab Renovation and Nursing Addition at Anoka Ramsey Community College, Cambridge Campus.

Project consists of general construction including concrete, masonry, metals, carpentry, thermal and moisture protection, roofing, doors and frames, aluminum windows and glazing, wall and floor finishes and specialties. Mechanical systems include plumbing, heating, ventilation, air conditioning and temperature controls. Electrical systems include power, lighting, communications and special systems infrastructure and fire alarm. Site work includes concrete pavement, sanitary sewer storm drainage and landscaping. Manufactured Casework and fume hoods will be by separate contract but connected to this project including extending existing lab gases, etc.

A Pre-Bid Meeting will be held at 1:00 PM July 9, 2009 in Room E241 at Anoka Ramsey Community College, Cambridge Campus. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents as prepared by the Project Architect/Engineer; DLR Group, inc., are on file at the offices of the:

- 1) Above named Project Architect/Engineer.
- 2) McGraw Hill Construction Plan Room
- 3) Minneapolis Builders' Exchange
- 4) St. Paul Builders' Exchange
- 5) Reed Construction Data Plan Room
- 6) MEDA Minority Contractors Plan Room
- 7) National Association of Minority Contractors of Upper Midwest
- 8) St. Cloud Builder's Exchange
- 9) Duluth Builders Exchange

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained by calling the following and arranging for pick up:

### **State Contracts**

Engineering Repro Systems 3005 Ranchview Lane, Plymouth, Minnesota 55447 Phone: (763) 694-5910

A deposit of \$75.00 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 \$25.00 per set for shipping & handling (in addition to the deposit amount) to the Architect. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 shall be accompanied by a certified check, payable to Minnesota State Colleges and Universities, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

### Minnesota State Colleges and Universities (MnSCU) Bemidji State University Notice of Request for Proposals for Hockey Equipment Sponsor/Supplier

**NOTICE IS HEREBY GIVEN** that Bemidji State University will receive sealed proposals for a Hockey Equipment & Apparel Sponsor/Supplier for Men's & Women's Hockey. Specifications will be available June 29, 2009, at the following Bemidji State University website:

#### http://www.bemidjistate.edu/offices/logistical\_services/rfps\_bids/

Sealed proposals must be received by Belinda Lindell, Director of Logistical Services, Bemidji State University, Deputy 204, Box 8, 1500 Birchmont Drive NE, Bemidji, MN 56601, by 2:00 PM, July 16, 2009.

Bemidji State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received. This Request for Proposal does not obligate the University to complete a proposed contract, and the University reserves the right to cancel the solicitation if it is considered to be in its best interest.

### Minnesota State Colleges and Universities (MnSCU) Office of the Chancellor Notice of Availability of Request for Proposal (RFP) for Roofing Consultant for North Hennepin Community College, Health & Wellness Building

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of the Office of the Chancellor, is soliciting proposals for experienced roof consulting services for the design of roof replacement systems and inspection/testing services. The consultant team will be responsible for complete roof replacement design, including any electrical/ mechanical work, masonry, window replacement, and/or asbestos testing and removal, as necessary.

A full Request for Proposals is available on the Minnesota State Colleges Universities website, http://www.finance.mnscu.edu/facilities/index.html

click on "Announcements". An informational meeting is scheduled for **9:00 AM**, **Thursday**, **July 2**, **2009 in Room HWC 168** in the Health and Wellness Building at North Hennepin Community College, 7411 85<sup>th</sup> Avenue North, Brooklyn Park, MN 55445-2231. All firms interested in this meeting should contact Jim Morgan at 651-296-3823 or: *James.morgan@csu.mnscu.edu* to sign up for the meeting. Project questions will also be taken by this individual.

Proposals must be delivered to James P. Morgan, Program Manager, Office of the Chancellor, Wells Fargo Place, 30 7th Street East, Suite 350, St. Paul, MN 55101-7804, not later than **2:00 PM, Tuesday, July 14, 2009**. Late responses will not be considered.

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

### Minnesota State Colleges and Universities (MnSCU) Hennepin Technical College, Eden Prairie Campus Notice of Availability of Request for Bid (RFB) for 3-Phase Diesel Engine Generator

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Hennepin Technical College, is soliciting bids from interested, qualified vendors to provide new 250 kW, 480/277 volt, 3-phase diesel engine generator, installed outdoors in a sound attenuated enclosure. Provide new automatic transfer switches, panels, and distribution equipment to create an emergency and standby electrical system for the campus. Reconfigure existing lighting, cooler/freezer equipment, heating pumps, security cameras, fire alarm system, and data/communication equipment to standby and emergency systems.

Bidding Documents as prepared by the Project Engineer, Stanley Consultants, Inc., are on file at the offices of the:

- 1) above named Project Engineer.
- 2) following Builders' Exchanges: St. Cloud, St. Paul, Minneapolis, Duluth, and Fargo-Moorhead.
- 3) McGraw Hill Construction Plan Room.
- 4) Reed Construction Data Plan Room.
- 5) MEDA Minority Contractors Plan Room.
- 6) National Association of Minority Contractors of Upper Midwest.

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained at the following address:

Jeremy Cooan Stanley Consultants, Inc. 5775 Wayzata Boulevard, Suite 300 Minneapolis, MN 55416 **Phone:** (952) 738-4327 **Fax:** (952) 546-4279 **E-mail:** *CooanJeremy@stanleygroup.com* 

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them may send a NON-REFUNDABLE payment (check made out to Stanley Consultants, Inc.) for \$40.00 per set for shipping and handling and reproduction costs to the Engineer. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

A Pre-Bid Meeting will be held at **10:00** AM, **Tuesday**, **July 14**, **2009**, in Room D125, Hennepin Technical College, Eden Prairie Campus. The Engineer and/or College Representatives will review the bidding procedures, Bidding Documents, and other conditions with interested Bidders and answer questions.

Bids must be delivered to Pauline Arnst, Hennepin Technical College, 13100 College View Drive, Eden Prairie, MN 55347, NOT later than 2:00 p.m., Tuesday, July 21, 2009. 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.

# State Contracts =

### Minnesota State Colleges and Universities (MnSCU) Inver Hills Community College ADVERTISEMENT FOR BIDS for Science Building: Exterior Wall and Foundation Restoration

Sealed Bids for:	SCIENCE BUILDING: EXTERIOR WALL AND FOUNDATION RESTORATION Inver Hills Community College Inver Grove Heights, MN 55076
will be received by:	MR. PAT BUHL HERITAGE HALL, ROOM 102 INVER HILLS COMMUNITY COLLEGE 2500 - 80 <sup>TH</sup> Street East Inver Grove Heights, MN 55076

Until 9:00 a.m., local time, Thursday, July 9, 2009, at which time the bids will be opened and publicly read aloud.

**Project Scope**: Work includes masonry foundation repair including excavation, demolition, poured masonry against existing foundation walls, new brick and block masonry units, through-wall flashing, waterproofing, and window replacement along all elevations of the Science Building. Work also includes masonry repair of tuckpointing, replacement of individual broken or cracked brick, and control joints, as shown on drawings.

A MANDATORY Pre-Bid Meeting for all prime bidders will be held at 1:00 p.m., local time, Wednesday, July 1, 2009, in Room S105, Science Building, Inver Hills Community College. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents as prepared by the Project Architect/Engineer; Judd Allen Group, are on file at the offices of the:

- 1) above named Project Architect/Engineer.
- 2) following Builders' Exchanges: St. Paul and Minneapolis.
- 3) McGraw Hill Construction Plan Room
- 4) Reed Construction Data Plan Room
- 5) MEDA Minority Contractors Plan Room
- 6) National Association of Minority Contractors of Upper Midwest

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained at the following address:

*Judd Allen Group* 8000 West 78<sup>th</sup> Street, Suite 180 Edina, MN 55439 **Telephone:** (952) 224-5050

A refundable deposit of \$100.00 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, **Judd Allen Group**) for **\$25.00 per set for shipping & handling** (in addition to the **\$100.00** deposit) to the Architect. Such deposits and payments may be sent prior to **Thursday, June 25, 2009**, when the Bid Sets become **available**. Documents will be sent to street addresses only (P.O. Boxes not acceptable.)

Each bid which totals over \$15,000.00 shall be accompanied by a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

### State Contracts

### Minnesota State Colleges and Universities (MnSCU) Minneapolis Community and Technical College Advertisement for Sealed Bids for Plaza Renewal

Sealed Bids for:	<b>Plaza Renewal</b> Technology Building Minneapolis Community and Technical College Minneapolis, Minnesota 55403
will be received by:	Valerie Frolov Minneapolis Community and Technical College 1501 Hennepin Avenue, Room T-0600 Minneapolis, Minnesota 55403

Until 2:00 PM, local time, July 16, 2009 at which time the bids will be opened and publicly read aloud.

**Project Scope:** The MCTC Technology Building has a portion of the building on Loring Park that is below grade. This project removes the existing below grade insulation and waterproofing, as well as the existing concrete and brick paver horizontal finishes, and provides new waterproofing, insulation, drainage, paving and soil areas for plants. The site is regraded, with new below grade water retention structures and new lighting. Existing exit stair structure and ventilation shafts from the lower level are being waterproofed and reclad.

A mandatory Pre-Bid Meeting will be held at **9:00 AM**, **Thursday**, **July 9**, **2009**, in Room L**3100**, **Library**, **Minneapolis Community and Technical College**. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents as prepared by the Project Architect; Cuningham Group Architecture, P.A., are on file at:

1) The following Builders' Exchanges:	
Builder's Exchange of Minneapolis	Builder's Exchange of Saint Paul
1123 Glenwood Avenue	445 Farrington Street
Minneapolis, Minnesota55405	Saint Paul, Minnesota 55103
Telephone: (612) 377-9600	Telephone: (651) 224-7545
McGraw Hill Construction Plan Room	Reed Construction Data Plan Room
9443 Science Center Drive	4530 West 77 <sup>th</sup> Street
Plymouth, Minnesota 55428	Bloomington, Minnesota 55435
Telephone: (763) 537-7117	Telephone: (952) 831-5700
MEDA Minority Contractors Plan Room	National Association of Minority Contractors of Upper Midwest
c/o Franz Reprographics, Inc.	4801 4 <sup>th</sup> Avenue South
2781 Freeway Boulevard #100	Minneapolis, Minnesota 55409
Brooklyn Center, MN 55430	Telephone: (612) 827-2211
Phone: 763 503 3401	

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained at the following address:

Albinsons Reprographics 1401 Glenwood Avenue North Minneapolis, MN 55404 Business Telephone (612) 374-1120

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 \$15.00 per set for shipping and handling 9n addition to the \$75.00 deposit. Such deposits and payments may be sent prior to July 10, 2009. Documents will be sent to street addresses only; P.O. boxes not acceptable.

# State Contracts

Each bid which totals over \$15,000.00 shall be accompanied by a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

### Minnesota State Colleges and Universities (MnSCU) Minnesota West Community and Technical College Advertisement for Sealed Bids for an Ethanol Training Simulator

Minnesota West Community and Technical College is accepting sealed bids for an ethanol training simulator, hardware and software, and license to run a D/3 distributive control system for the Granite Falls campus.

Details regarding the ethanol training simulator and software to run a D/3 distribution control system including specifications can be obtained from Duane Carrow, Minnesota West Community and Technical College, 1593 - 11th Avenue, Granite Falls, MN 56241 or at 320-564-5046 or via e-mail at duane.carrow@mnwest.edu

Deadline for submitting sealed bids is 1:00 p.m. on Wednesday, July 15, 2009. Late proposals will NOT be accepted. Minnesota West Community and Technical College reserves the right to reject all bids.

Minnesota West Community and Technical College is a member of the Minnesota State Colleges and Universities System.

### Minnesota State Colleges and Universities (MnSCU) North Hennepin Community College Notice of Availability of Request for Proposal (RFP) for Owner Representative Selection for the Construction of the Bioscience and Health Career Center (BHCC) at North Hennepin Community College

The Minnesota State Colleges and Universities, acting as the owner for the State of Minnesota, is soliciting proposals from interested, qualified consultants for Owner Representative services for the above referenced project.

A full Request for Proposals is available on **North Hennepin Community College** website: *www.nhcc.edu/* click on "News and Announcements."

A project informational meeting has been scheduled for **July 1, 2009 at 1:00 pm** at North Hennepin Community College, Learning Resources Center (LRC), **Room 104.** 

Proposals must be delivered to Dean Collins, North Hennepin Community College, Educational Services (ES) Room 34, 7411 –  $85^{\text{th}}$ Avenue North, Brooklyn Park, MN 55445 <u>NOT</u> later than JULY 10, 2009 at 11:00 am. 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.

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### Minnesota State Colleges and Universities (MnSCU) Normandale Community College

# Request for Bids for Printing and Mailing Normandale Continuing Education Fall, 2009 Course Schedule

Signed Sealed bids are due Monday, July 20th 2009, 12:00 P.M. CST

Bid Specifications, help with questions and concerns, plus General Terms, Conditions and Instructions including signature page are available from Hieu Nguyen at (952) 487-8236 or Scott Davis at (952) 487-8236.

Deliver Bids to Normandale Community College, attention Hieu Nguyen, Room C2101; 9700 France Ave South; Bloomington, MN 55431. Envelopes must arrive at this office on time late submittals will not be accepted.

(PLEASE INDICATE ON THE ENVELOPE "CE Course Schedule Sealed Bid")

### Minnesota State Colleges and Universities (MnSCU) Winona State University Request for Proposals for a Five Year Banking Services Contract

NOTICE IS HEREBY GIVEN that Winona State University is seeking proposals for a five year banking services contract.

There will be a mandatory vendor meeting at 1:00 PM CST Wednesday, July 8, 2009 in Somsen Hall Room 106, on the WSU main campus, in Winona MN.

Proposal specifications are available by contacting the Business Services Director at PO Box 5838, 205 Somsen Hall, Winona, MN 55987, by e-mailing: *mbush@winona.edu* or by calling (507) 457-5066.

Sealed proposals must be received by Marie Bush at PO Box 5838, or at 175 W. Mark St., Somsen 205G, Business Office, Winona State University, Winona, MN 55987 by 2:00 PM CST Wednesday, July 22, 2009.

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

### Department of Employment and Economic Development (DEED) Request for Proposals for On-going and Ad-hoc Telephone Surveys of Various DEED Customers

The Minnesota Department of Employment and Economic Development (DEED) is soliciting proposals for the administration of telephone surveys of various DEED customers over a two-year period. DEED reserves the right to extend the contract for up to three additional one-year periods. Included in this request are three recurring core surveys; a monthly customer satisfaction survey of participants served by the Minnesota WorkForce Center System (MN WFC CSS), a monthly survey of customers receiving Adjustment to Blindness Training (ATB), and a monthly survey of employers who have received several visits and assistance from a DEED Business Service Specialist (Business Services Impact). DEED also requires that responders be able to conduct customized surveys; this includes asking alternative or additional questions of specific respondents in the core surveys, or by handling new survey projects as they arise.

These surveys will collect data that help DEED examine what really matters to jobseekers, employers, and communities. The

# State Contracts

Department will supply the survey instruments and the monthly samples of registered customers or employers. The contractor will produce approximately 10,500 to 10,900 completed customer surveys within the first year. Formal results reports are needed semiannually for the MN WFC CSS project only, the ATB and Business Services Impact surveys just require delivery of the raw data.

To receive the Request for Proposal, please visit *www.deed.state.mn.us/rfps/*. Prospective responders who have any questions regarding this RFP may email:

Devin Colvin, RFP Coordinator Minnesota Department of Employment and Economic Development 1st National Bank Building 332 Minnesota Street, Suite E200 St. Paul, MN 55101-1351 **E-mail:** Devin.Colvin@state.mn.us

All proposals must be received at the above address no later than **3:00 p.m., central daylight time on August 14, 2009**, in the manner specified in the RFP document.

### Department of Employment and Economic Development (DEED) State Services for the Blind Notice of Availability of Contract for State Services for the Blind Multiple Video Production

The Department of Employment and Economic Development (DEED) – State Services for the Blind, is requesting proposals for the production of several informational videos.

One video will be an inservice/training video for nursing home staff on techniques and skills for working with visually impaired residents. This video will be approximately 30 minutes in length. The majority of this video will be shot on location within a nursing home. DEED will arrange for a location that is suitable to both the vendor and DEED. Some of this video will feature client interviews. The vendor will conduct these interviews, with DEED assistance in question creation, to draw out comments from users that can be used to replace narrator text within the script. The majority of this video, however, will probably be comprised of voice-over talent.

The second GROUP of videos will contain 4 individual videos, each 4-5 minutes in length, providing an overview of all State Services for the Blind programs. Each of these 4 videos will be distributed individually, but also these 4 will be packaged together on one final DVD with a selection menu screen.

Because of the nature of the audience needing to access services provided by State Services for the Blind, the vendor MUST assure that all videos will be fully accessible. The videos must contain closed-captioning and have an option for audio-description.

Work is proposed to start after August 1, 2009.

A Request for Proposals will be available by mail from this office through Monday, July 13, 2009. A written request (by direct mail or fax) is required to receive the Request for Proposal. After July 13, 2009, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Laura Winge, Project Coordinator Department of Employment and Economic Development 1<sup>st</sup> National Bank Building 332 Minnesota Street, Suite E200 St. Paul, MN 55101 **E-mail:** *laura.winge@state.mn.us* **Phone:** 651-259-7173 **Fax:** 651-215-3841

State Register, Monday 29 June 2009

Please note - you MUST request the RFP via fax or direct mail - not email.

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than July 20, 2009. Late proposals will NOT be considered. Fax or emailed proposals will NOT be considered.

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

### **Explore Minnesota Tourism**

#### Notice of Availability of Contract for Media Relations Vendor or Agency to Assist in Media Relations Measurement and Distribution of Enterprise News Releases

Explore Minnesota Tourism seeks a media relations vendor or agency to assist in media relations measurement and distribution of enterprise news releases. This vendor would be responsible to:

- · create sliding "media value scale" to be used to measure impression of press placement for traditional and online media outlets
- advise on creating valuable metrics for monitoring social media tactics
- track and report media "clips" and value monthly (preferably no more than two months after end of month)
- · create and manage "mass" distribution list for wide-distribution enterprise press releases
- distribute up to 12 releases per year via news wire/other distribution channels
- · refer all media inquiries to Explore Minnesota media staff

This vendor will NOT be responsible for overall media strategy or tactics.

We would like to have the contract and service in place by July 30, 2009.

A request for proposals will be available at: www.industry.exploreminnesota.com/prrfp through Thursday, July 9, 2009.

Proposals submitted in response to the RFP must be received at the address above no later than Thursday, July 9, 2009 at 3:00 pm. Late proposals will NOT be considered. Fax or e-mail proposals will NOT be considered.

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

#### Minnesota Board of Nursing Notice of Availability of Contract for Research Services

The Minnesota Board of Nursing is requesting proposals for the purpose of providing research services related to the study of the incidence of unsafe practice and transition to RN scope of practice of registered nurse licensees based on teaching/learning strategies.

Work is proposed to start after August 1, 2009.

A Request for Proposals will be available by mail from this office through July 10, 2009. A written request (by direct mail, email or fax) is required to receive the Request for Proposal. After July 10, 2009 the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Sheryl Meyer Minnesota Board of Nursing 2829 University Ave., S.E., Suite #200

Minneapolis, MN 55044 E-mail: Sheryl.Meyer@state.mn.us Fax: (612) 617-2190

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than July 22, 2009. Late proposals will not be considered. No time extensions will be granted.

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

#### Minnesota Board of Pharmacy Request for Proposals (RFP) Issued By the Minnesota Board of Pharmacy for the Implementation of the Minnesota Controlled Substances Prescription Electronic Reporting System (CSPERS)

In 2007 the Minnesota Legislature passed a law requiring the Minnesota Board of Pharmacy (MN BOP) to establish a Controlled Substances Prescription Electronic Reporting System (CSPERS) for schedule II and III controlled substance prescriptions dispensed in Minnesota. The law was modified in 2009 to include schedule IV controlled substances.

The CSPERS will be an essential tool for addressing the problem of prescription drug diversion. It will utilize an electronic monitoring system to facilitate the transmission of data concerning controlled substance prescriptions from approximately 1700 dispensers to a central database maintained by the vendor. The CSPERS will collect data from all outpatient pharmacies that provide these drugs to patients in Minnesota, including pharmacies located within the state and those nonresidential pharmacies that regularly ship into the state and are licensed by the Board.

The Responder will be responsible for hosting the CSPERS database within their own secure environment and for maintaining the data in accordance with industry standards and the state's data security and data privacy requirements.

Responders must offer redundancy, fault tolerance, and "up-time" greater than 99% annual availability. In addition, they must offer needed support for the database and the application so that the CSPERS is available for queries seven days a week, twenty-four hours a day, 365 days per year.

Responders must offer the ability to permit multiple users to use CSPERS at the same time and must provide a secure web portal and standard web browser so that authorized prescribers and pharmacies will be able to access profiles for specific patients for the purpose of identifying possible "Doctor Shopping" behavior.

Responses to this proposal are due 7/30/2009, at 3:00pm CDT.

To request a full copy of the RFP, please **e-mail:** *cody.wiberg@state.mn.us* and indicate CSPERS RFP in the subject line, **telephone:** (651) 201-2830, or write to Cody Wiberg, Executive Director, Minnesota Board of Pharmacy, 2829 University Ave. SE, Suite 530, Minneapolis, MN 55414.

#### State Court Administration REQUEST FOR PROPOSALS for IV-D Cost Allocation Plan

The State is seeking a vendor to assist with the creation and approval of a cost allocation plan that will maximize legitimate federal reimbursement pursuant to Title IV-D of the Social Security Act, while minimizing the amount of effort required to claim the reimbursement. The cost allocation plan must comply with 2 CFR 225 (OMB Circular A-87) and all other applicable federal and state law. It is anticipated that all work would be completed within nine (9) months to twelve (12) months from the effective date of any contract entered into as a result of this RFP.

- I. PROPOSAL SUBMISSION TIMELINE; QUESTIONS; FORM; DEADLINE.
  - A. Proposal Timeline:
    - 1. Posting Date: JUNE 22,2009
    - 2. Questions Due: JULY 24,2009 4PM local (i.e., St. Paul) time
    - 3. Answers Posted: JULY 29, 2009 5PM local (i.e., St. Paul) time
    - 4. Proposal Submission Deadline: **August 7, 2009** 4PM local (i.e., St. Paul) time, with possible interviews and subsequent selection as soon thereafter as possible.

B. QUESTIONS **must** be submitted in writing no later than **July 24, 2009** 4:00 PM local (i.e., St. Paul) time to the sole point of contact identified below:

Jodie Metcalf State Court Administration Court Services Division 25 Rev. Dr. Martin Luther King Jr. Blvd. St Paul, MN 55155 **E-mail:** jodie.metcalf@courts.state.mn.us

Other court personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline. Questions and answers will be posted by end of day **JULY 29, 2009** and will be accessible to other vendors and the public.

A full request for proposal is available on the Minnesota Supreme Court website: www.courts.state.mn.us

#### Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities ("Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Juanita Voigt at (651) 366-4774 for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop 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 awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to 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 for application. Applications are accepted on a continual basis. All expenses are 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 applications forms are available on Mn/DOT's Consultant Services web site at: *http://www.dot.state.mn.us/consult*.

Send completed application material to:

Juanita Voigt Consultant Services Office of Technical Support Minnesota Department of Transportation 395 John Ireland Blvd. Mail Stop 680

### Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices

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

New Public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice. Mn/DOT is also posting notices as required by the Taxpayers' Transportation Accountability Act on the above referenced website.

#### Department of Transportation (Mn/DOT) Metro District Request for Proposals for Design Verification for Trunk Highway 610 in Maple Grove and Brooklyn Park, MN

The Minnesota Department of Transportation (Mn/DOT) requests proposals for design verification for the Trunk Highway (T.H.) 610 Design-Build Project in Maple Grove and Brooklyn Park, Minnesota. The design-build project will extend approximately 2.75 miles from County State Aid Highway (CSAH) 81 to T.H. 169.

Work is proposed to start after August 10, 2009.

The Request for Proposal may be requested by e-mail from the Contract Administrator at *mark.hagen@dot.state.mn.us* or obtained from the Mn/DOT Consultant Services website at: *http://www,dot.state.mn.us/consult/files/notices/notices.html* under "Notices Open to All Consultants".

Proposals submitted in response to this Request for Proposals must be received no later than 2:00 P.M. Central Daylight Time on **July 29, 2009**. Late proposals will not be considered. No time extensions will be granted.

Note that any questions regarding this RFP must be received by the Contract Administrator no later than **July 19, 2009**. See the RFP for more information.

This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the Department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice will be borne by the responder.

### Non-State Bids, 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 futher details.

#### Anoka County Facilities Management and Construction Department Notice of Request for Proposals for Software and Professional Services to provide the Facilities Management and Construction Department of Anoka County with a Computerized Maintenance Management System

**NOTICE IS HEREBY GIVEN** the County is seeking proposals for the provision of software and professional services to provide the Facilities Management and Construction Department of Anoka County with a Computerized Maintenance Management System that will assist the department in the performance of its duties.

Proposals shall be submitted in exact accordance with the Request for Proposals (RFP) Package.

The Request for Proposals Package may be obtained at the Anoka County web site: http://www.co.anoka.mn.us/bids.

Proposal due date: August 10, 2009 at 4:00 pm Central Daylight Time.

If you have a disability and need accommodation, such as an interpreter or printed material in an alternate format (i.e., Braille, large print, or audio), contact Cindy Olson, Contract Specialist, at (763) 323-5319, **TDD/TTY** (763) 323-5289.

### Non-State Bids, Contracts & Grants

### Metropolitan Council Contracting Opportunities

The Metropolitan Council posts all notices of Requests for Proposals (RFP) and Invitations for Bids (IFB) for all of its divisions on its website: *http://www.metrocouncil.org* (see Doing Business with the Council, Contracting Opportunities). Project-specific instructions for obtaining the solicitation documents are provided in each notice.

If you have any questions regarding this advertisement, or need assistance accessing the notices, please contact: Miriam, for Metropolitan Council projects, at (651) 602-1095 or *miriam.lopez-rieth@metc.state.mn.us*; or Candace, for Metro Transit projects, at (612) 349-5070 or *candace.osiecki@metc.state.mn.us*.

### University of Minnesota (U of M) Subscribe to Bid Information Service (BIS)

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

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

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