

State of Minnesota

State Register



**Proposed, Adopted, & Expedited Rules; Executive Orders; Appointments;
Commissioners' Orders; Revenue Notices; Official Notices;
State Grants & Loans; State Contracts; Non-State Public Bids, Contracts & Grants**
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State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. The *State Register* contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-state Public Bids, Contracts and Grants

Printing Schedule and Submission Deadlines										
Vol. 37 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts					Deadline for Proposed, Adopted and Exempt RULES			
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# 33	Monday 11 February	Noon Tuesday 5 February				Noon Wednesday 30 January				
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Minnesota Rules: Amendments and Additions

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

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

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

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules, and withdrawn proposed rules, are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety, but 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.

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 #40-52 inclusive, with final index (#1-52, or 53 in some years). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529.

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

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

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

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

Minnesota Department of Human Services (DHS)

Proposed Permanent Rules Relating to Medical Assistance; Rehabilitative and Therapeutic Services

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received

Proposed Amendment to Rules Governing Rehabilitative and Therapeutic Services, Therapists Eligible to Enroll as Providers, and Required Documentation of Rehabilitative and Therapeutic Services, *Minnesota Rules*, parts 9505.0390, 9505.0391, 9505.0412

Introduction. The Minnesota Department of Human Services (hereinafter, "the department") intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on March 29, 2013, the department will hold a public hearing in room 3148, Minnesota Department of Human Services, 444 Lafayette Road N., St. Paul, Minnesota 55155, starting at 9:00 a.m. on Friday, April 12, 2013. To find out whether the department will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after March 29, 2013 and before April 12, 2013.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Marsha West at Minnesota Department of Human Services, P.O. Box 64941, St. Paul, MN 55164-0941; **phone:** (651) 431-3612; **e-mail:** Marsha.West@state.mn.us; **fax:** (651) 431-7523. **TTY** users may call the Minnesota Department of Human Services through Minnesota Relay at 711 or (800) 627-3529. For **Speech-to-Speech**, call (877) 627-3848.

Subject of Rules and Statutory Authority. *Minnesota Rules*, parts 9505.0390, 9505.0391, 9505.0412, entitled, "Rehabilitative and Therapeutic Services," "Therapists Eligible to Enroll as Providers," and "Required Documentation of Rehabilitative and Therapeutic Services" needs to be amended to bring the rule language into conformance with the most current language in federal regulations, state statutes, and U.S. Department of Health and Human Services Centers for Medicare & Medicaid Services (CMS) practices. As the rules are presently written, it states that a Medicare patient's plan of care should be reviewed every 30 days when the current CMS practice is 90 days. Moreover, *Minnesota Rule*, part 9505.0391 needs to be updated to reflect that audiologist and speech-language pathologists can now enroll in Medicare. Other technical and editorial changes are made to refer to the most current federal and state laws that govern therapists; therapist assistants; and rehabilitative and therapeutic services. The statutory authority to adopt the rules is *Minnesota Statutes*, section 256B.04, subdivision 2. A copy of the proposed rules is published in the *State Register* and attached to this notice as

Proposed Rules

mailed. You may also download a copy of the rules from the Minnesota Department of Human Services by visiting this web site and scrolling down to the section titled "Available Documents": http://www.dhs.state.mn.us/dhs16_171634

Comments. You have until 4:30 p.m. on March 29, 2013, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the department hold a hearing on the rules. You must make your request for a public hearing in writing, which must be received by the agency contact person by 4:30 p.m. on March 29, 2013. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

Modifications. The department may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the department follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the department encourages you to participate in the rulemaking process.

Cancellation of Hearing. The department will cancel the hearing scheduled for April 12, 2013, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (651) 431-3612 after March 29, 2013 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The department will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Manuel J. Cervantes is assigned to conduct the hearing. Judge Cervantes can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7945, and **fax:** (651) 361-7936.

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

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

Statement of Need and Reasonableness. The statement of need and reasonableness statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person. You may also download the statement of need and reasonableness from the Minnesota Department of Human Services by visiting this web site and scrolling down to the section titled "Available Documents":

http://www.dhs.state.mn.us/dhs16_171634

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

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

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

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

Dated: 8 January 2013

Lucinda E. Jesson, Commissioner
Minnesota Department of Human Services

9505.0390 REHABILITATIVE AND THERAPEUTIC SERVICES.

Subpart 1. **Definitions.** For purposes of parts 9505.0390 to 9505.0392 and 9505.0410 to 9505.0412, the following terms have the meanings given them in this part.

A. "Audiologist" means a person who ~~has a current certificate of clinical competence in audiology from the American Speech and Hearing Association and, when it is applicable, who holds the specific~~ maintains state licensure and registration requirements ~~for the services the person provides and meets the requirements of~~ *Code of Federal Regulations*, title 42, chapter IV, subchapter C, part 440, subpart A, section 440.110.

B. ~~"Direction"~~ "Delegation of duties" means, notwithstanding any other definition of direction in parts 9505.0170 to 9505.0475, the actions of a physical or occupational therapist who ~~instructs delegates to~~ the physical therapist assistant or the occupational therapy assistant in specific duties to be performed, monitors the provision of services as the therapy assistants provide the service, ~~provides on-site observation of the treatment and documentation of its appropriateness at least every sixth treatment session of each recipient and meets the supervisory requirements of~~ *Minnesota Statutes*, sections 148.706 and 148.6432, respectively when treatment is provided by a physical therapist assistant or occupational therapy assistant, ~~and meets the other supervisory requirements of parts 5601.1500 and 5601.1600 and~~ *Minnesota Statutes*, section 148.6432.

C. "Functional status" means the ability of the person to carry out the tasks associated with daily living.

D. "Occupational therapist" means a person who ~~is currently registered by the American Occupational Therapy Association as an occupational therapist~~ meets the requirements of *Code of Federal Regulations*, title 42, chapter IV, subchapter C, part 440, subpart A, section 440.110, and maintains applicable state licensure or is in compliance with state regulatory requirements in states that do not license.

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E. “Occupational therapy assistant” means a person who has ~~successfully completed all academic and field work requirements of an occupational therapy assistant program approved or accredited by the Accreditation Council for Occupational Therapy Education and is currently certified by the American Occupational Therapy Certification Board as~~ been certified by the National Board for Certification in Occupational Therapy and maintains applicable state licensure or is in compliance with state regulatory requirements in states that do not license an occupational therapy assistant.

F. “Physical therapist” means a person who is a graduate of a program of physical therapy ~~approved by both the Committee on Allied Health Education and Accreditation of the American Medical Association and the American Physical Therapy Association accredited by the Commission on Accreditation in Physical Therapy Education or its equivalent and, when it is applicable, licensed by the state, meets the requirements of *Code of Federal Regulations*, title 42, chapter IV, subchapter C, part 440, subpart A, section 440.110, and maintains applicable state licensure or is in compliance with state regulatory requirements in states that do not license.~~

G. “Physical therapist assistant” means a person who ~~is qualified as specified in part 5601.0100, subpart 3, has successfully completed all academic and field work requirements of a physical therapist assistant program accredited by the Commission on Accreditation in Physical Therapy Education, and maintains applicable state licensure or is in compliance with state regulatory requirements in states that do not license.~~

H. “Rehabilitative and therapeutic services” means restorative therapy, specialized maintenance therapy, and rehabilitative nursing services.

I. “Rehabilitative nursing services” means rehabilitative nursing care as specified in part 4658.0525.

J. “Restorative therapy” means a health service that is specified in the recipient’s plan of care and certified by a physician or other licensed practitioner of the healing arts within the practitioner’s scope of practice under state law ~~and that~~ the service is designed to restore the recipient’s functional status to a level consistent with the recipient’s physical or mental limitations.

K. “Specialized maintenance therapy” means a health service that is specified in the recipient’s plan of care and certified by a physician or other licensed practitioner of the healing arts within the practitioner’s scope of practice under state law that is necessary for maintaining a recipient’s functional status at a level consistent with the recipient’s physical or mental limitations, and that may include treatments in addition to rehabilitative nursing services.

L. “Speech-language pathologist” means a person ~~completing the clinical fellowship year required for certification as a speech-language pathologist, or a person who has a certificate of clinical competence in speech-language pathologies~~ pathology from the American Speech and Hearing Speech-Language-Hearing Association and, when it is applicable, ~~meets the specific~~ maintains state licensure ~~and registration requirements for the services the person provides, or is in compliance with state regulatory requirements in states that do not license and meets the requirements of *Code of Federal Regulations*, title 42, chapter IV, subchapter C, part 440, subpart A, section 440.110.~~

Subp. 2. **Covered service; occupational therapy and physical therapy.** To be eligible for medical assistance payment as a rehabilitative and therapeutic service, occupational therapy and physical therapy must be:

A. prescribed by a physician or other licensed practitioner of the healing arts within the practitioner’s scope of practice under state law;

B. provided by a physical or occupational therapist or by a physical therapist assistant or occupational therapy assistant who, as appropriate, is under the direction supervision of a physical or occupational therapist as defined in part 9505.0390, subpart 1, items D to G;

C. provided to a recipient whose functional status is expected by the physician or other licensed practitioner of the healing arts within the practitioner’s scope of practice under state law to progress toward or achieve the objectives in the recipient’s plan of care within a ~~60-day~~ 90-day period; and

D. specified in a plan of care that is reviewed, and revised as medically necessary, by the recipient’s attending physician or other licensed practitioner of the healing arts within the practitioner’s scope of practice under state law at least once every ~~60 days unless the service is a Medicare covered service and is to a recipient who also is eligible for Medicare~~ 90 days. If the service is provided to a recipient who ~~also is~~ also eligible for Medicare and the service is a Medicare covered service, the plan of care must be reviewed ~~at the intervals~~

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~~required by Medicare and the recipient must be visited by the physician or by the physician delegate as required by Medicare, in compliance with *Code of Federal Regulations*, title 42, chapter IV, subchapter G, part 485, subpart H, section 485.711.~~

Subp. 3. **Covered service; speech-language service.** To be eligible for medical assistance payment as a rehabilitative and therapeutic service, a speech-language service must be:

A. provided upon written referral by a physician or other licensed practitioner of the healing arts within the practitioner's scope of practice under state law or in the case of a resident of a long-term care facility, on the written order of a physician as specified in *Code of Federal Regulations*, title 42, section 483.45;

~~B. provided by a speech-language pathologist. A person completing the clinical fellowship year required for certification as a speech-language pathologist may provide speech-language services under the supervision of a speech-language pathologist as specified in *Minnesota Statutes*, section 148.515, subdivision 4, but shall not be eligible to be enrolled as a provider under part 9505.0195; as defined in part 9505.0390, subpart 1, item L;~~

C. provided to a recipient whose functional status is expected by the physician or other licensed practitioner of the healing arts within the practitioner's scope of practice under state law to progress toward or achieve the objectives in the recipient's plan of care within a ~~60-day~~ 90-day period; and

D. specified in a plan of care that is reviewed, and revised as medically necessary, by the recipient's attending physician or other licensed practitioner of the healing arts within the practitioner's scope of practice under state law at least once every ~~60~~ 90 days unless the service is a Medicare covered service and is to a recipient who also is eligible for Medicare. If the service is to a recipient who also is eligible for Medicare and the service is a Medicare covered service, the plan of care must be reviewed ~~at the intervals required by Medicare and the recipient must be visited by the physician or by the physician delegate as required by Medicare, in compliance with *Code of Federal Regulations*, title 42, chapter IV, subchapter G, part 485, subpart H, section 485.711.~~

Subp. 4. **Covered service; audiology.** To be eligible for medical assistance payment as a rehabilitative and therapeutic service, an audiology service must be:

A. provided upon written referral by a physician or other licensed practitioner of the healing arts within the practitioner's scope of practice under state law;

~~B. provided by an audiologist. A person completing the clinical fellowship year required for certification as an audiologist may provide audiological services under the supervision of an audiologist but shall not be enrolled as a provider under part 9505.0195; as defined in part 9505.0390, subpart 1, item A;~~

C. provided to a recipient whose functional status is expected by the physician or other licensed practitioner of the healing arts within the practitioner's scope of practice under state law to progress toward or achieve the objectives in the recipient's plan of care within a ~~60-day~~ 90-day period; and

D. specified in a plan of care that is reviewed, and revised as medically necessary, by the recipient's attending physician or other licensed practitioner of the healing arts within the practitioner's scope of practice under state law at least once every ~~60~~ 90 days unless the service is a Medicare covered service and is to a recipient who also is eligible for Medicare. If the service is to a recipient who also is eligible for Medicare and the service is a Medicare covered service, the plan of care must be reviewed ~~at the intervals required by Medicare and the recipient must be visited by the physician or by the physician delegate as required by Medicare, in compliance with *Code of Federal Regulations*, title 42, chapter IV, subchapter G, part 485, subpart H, section 485.711.~~

Subp. 5. **Covered service; specialized maintenance therapy.** To be eligible for medical assistance payment, specialized maintenance therapy must:

A. be provided by a physical therapist, physical therapy assistant, occupational therapist, occupational therapy assistant, or speech-language pathologist;

B. be specified in a plan of care that is reviewed, and revised as medically necessary, by the recipient's physician or other licensed practitioner of the healing arts within the practitioner's scope of practice under state law at least once every ~~60~~ 90 days unless the service is a Medicare covered service and is to a recipient who also is eligible for Medicare. If the service is to a recipient who also is eligible for Medicare and the service is a Medicare covered service, the plan of care must be reviewed at the intervals required by Medicare and the

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recipient must be visited by the physician or by the physician delegate as required by Medicare;

C. be provided to a recipient whose condition cannot be maintained or treated only through rehabilitative nursing services or services of other care providers, or by the recipient because the recipient's physical, cognitive, or psychological deficits result in:

(1) spasticity or severe contracture that interferes with the recipient's activities of daily living or the completion of routine nursing care, or decreased functional ability compared to the recipient's previous level of function;

(2) a chronic condition that results in physiological deterioration and that requires specialized maintenance therapy services or equipment to maintain strength, range of motion, endurance, movement patterns, activities of daily living, cardiovascular function, integumentary status, or positioning necessary for completion of the recipient's activities of daily living, or decreased abilities relevant to the recipient's current environmental demands; or

(3) health and safety risks for the recipient;

D. have expected outcomes that are functional, realistic, relevant, and transferable to the recipient's current or anticipated environment, such as home, school, community, and work, and be consistent with community standards; and

E. meet at least one of the criteria in subitems (1) to (3):

(1) prevent deterioration and sustain function;

(2) provide interventions, in the case of a chronic or progressive disability, that enable the recipient to live at the recipient's highest level of independence; or

(3) provide treatment interventions for recipients who are progressing but not at a rate comparable to the expectations of restorative care.

Subp. 6. **Payment for rehabilitative nursing service in long-term care facility.** Medical assistance payment for a rehabilitative nursing service in a long-term care facility is subject to the conditions in parts 9549.0010 to 9549.0080 and 9553.0010 to 9553.0080.

Subp. 7. **Payment limitation; therapy assistants and aides.** To be eligible for medical assistance payment on a fee-for-service basis, delegated health services provided by therapy assistants must be provided under the direction supervision of a physical or occupational therapist. Services of a therapy aide in a long-term care facility are not separately reimbursable on a fee for service basis. Services of a therapy aide in a setting other than a long-term care facility are not reimbursable.

Subp. 8. **Excluded restorative and specialized maintenance therapy services.** Restorative and specialized maintenance therapy services in items A to K are not eligible for medical assistance payment:

A. physical or occupational therapy that is provided without a prescription of a physician or other licensed practitioner of the healing arts within the practitioner's scope of practice under state law;

B. speech-language or audiology service that is provided without a written referral from a physician or other licensed practitioner of the healing arts within the practitioner's scope of practice under state law;

C. services provided by a long-term care facility that are included in the costs covered by the per diem payment under parts 9549.0010 to 9549.0080 and 9553.0010 to 9553.0080 including:

(1) services for contractures that are not severe and do not interfere with the recipient's functional status or the completion of nursing care as required for licensure of the long-term care facility;

(2) ambulation of a recipient who has an established functional gait pattern;

(3) services for conditions of chronic pain that does not interfere with the recipient's functional status and that can be managed by routine nursing measures;

(4) services for activities of daily living when performed by the therapist, therapist assistant, or therapy aide; and

(5) bowel and bladder retraining programs;

D. arts and crafts activities for the purpose of recreation;

E. service that is not medically necessary;

F. service that is not documented in the recipient's health care record;

G. service specified in a plan of care that is not reviewed, and revised as medically necessary, by the recipient's attending physician or other licensed practitioner of the healing arts within the practitioner's scope of practice under state law as required in subparts 2 to 5;

H. service that is not designed to improve or maintain the functional status of a recipient with a physical impairment or a cognitive or psychological deficit;

I. service that is not part of the recipient's plan of care;

J. service by more than one provider of the same type of rehabilitative and therapeutic services, for the same diagnosis unless the service is provided by a school district as specified in the recipient's individualized education program under Minnesota Statutes, section 256B.0625, subdivision 26; and

K. service that is provided by a rehabilitation agency as defined in part 9505.0385, subpart 1, item B, and that takes place in a sheltered workshop, in a developmental achievement center as defined in part 9525.1210, subpart 8, or service at a residential or group home which is an affiliate of the rehabilitation agency.

9505.0391 THERAPISTS ELIGIBLE TO ENROLL AS PROVIDERS.

A physical therapist, an occupational therapist, an audiologist, or a speech-language pathologist is eligible to enroll as a provider if the therapist complies with the requirements of part 9505.0195. Additionally, a physical therapist ~~or~~ occupational therapist, audiologist, or speech-language pathologist must be enrolled by Medicare.

9505.0412 REQUIRED DOCUMENTATION OF REHABILITATIVE AND THERAPEUTIC SERVICES.

A rehabilitative or therapeutic service provided under parts 9505.0385, 9505.0386, 9505.0390, 9505.0391, 9505.0395, 9505.0410, and 9505.0411 must be documented as specified in items A to D.

A. The service must be specified in the recipient's plan of care that is reviewed and revised as medically necessary by the recipient's physician at least once every ~~60~~ 90 days. ~~However, If the service is to a recipient who is also eligible for Medicare and the service is a Medicare covered service, the plan of care must be reviewed at the intervals required by Medicare and the recipient must be visited by a physician or by the physician delegate as required by Medicare, in compliance with Code of Federal Regulations, title 42, chapter IV, subchapter G, part 485, subpart H, section 485.711.~~

B. The recipient's plan of care must state:

(1) the recipient's medical and treatment diagnosis and any contraindications to treatment;

(2) a description of the recipient's functional status;

(3) the objectives of the rehabilitative and therapeutic service; and

(4) a description of the recipient's progress toward the objectives in subitem (3).

C. The recipient's plan of care must be signed by the recipient's physician or other licensed practitioner of the healing arts.

D. The record of the recipient's service must show:

(1) the date, type, length, and scope of each rehabilitative and therapeutic service provided to the recipient;

(2) the name or names and titles of the persons providing each rehabilitative and therapeutic service;

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(3) the name or names and titles of the persons supervising or directing the provision of each rehabilitative and therapeutic service; and

(4) ~~a statement, documented evidence of progress at least~~ every 30 days, by the therapist providing or supervising the services, other than an initial evaluation, that the therapy's nature, scope, duration, and intensity are appropriate to the medical condition of the recipient in accordance with *Minnesota Statutes*, section 256B.433, subdivision 2.

Errata

Corrections to agency or *State Register* errors in rules, or in following the rulemaking process, as well as incomplete notices, mislabeled rules, incorrect notice and citations will appear in this section. Whenever an error is corrected in this section, its corresponding rules number(s) will also appear in the *State Register's* index to rulemaking activity: ***Minnesota Rules: Amendments and Additions***.

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

Department of Transportation (Mn/DOT) Correction to Exempt Adopted Rules Relating to Local State-Aid Route Standards; Financing

The rules proposed and published at *State Register*, Volume 37, Number 19, pages 697-708, November 5, 2012 (37 SR 697), contained the following chart with a missing integer. Below is the corrected version.

8820.9941 MINIMUM DESIGN STANDARDS: ON-ROAD BICYCLE FACILITY FOR URBAN; NEW OR RECONSTRUCTION PROJECTS.

The bicycle facility design standard in this part applies when the road authority has determined that the roadway will be specifically designed to include an on-road bicycle facility and only if the roadway surface is paved.

New or reconstruction projects for urban roadways must meet or exceed the dimensions indicated in the following design chart.

Functional Classification and Projected Traffic Volume	Design Speed	Lane Width (a)	Curb Reaction Distance (d)	Parking Lane Width (f)	Bikeway Design Roadways with Two Travel Lanes Urban Curb and Gutter		Bikeway Design Roadways with Four or more Travel Lanes Urban Curb and Gutter
	(mph)	(feet)	(feet)	(feet)	(ADT)	(feet)	(feet)
Collectors or Locals with ADT <2,000	25-30	10-12 (e)	2	7-10	<500	SL	N/A
					500-2,000	WOL 14-16 or BL 5-6	
	35-40	11-12	2	8-10	<500 500-2,000	SL WOL 14-16 or BL 5-6	BL 5-6
	over 40	12	2	10		BL 5-6	BL 5-6
Collectors or Locals With ADT 2,000-5,000	25-30	10-12 (e)	2	7-10		WOL 14-16 or BL 5-6	WOL 14-16 or BL 5-6
	35-40	11-12	2	8-10		BL 5-6	BL 5-6
	over 40	12	2	10		BL-6	BL-6
Collectors or Locals with ADT 5,000-10,000	25-30	10-12 (e)	2	7-10		BL 5-6	BL 5-6
	35-40	11-12	2	8-10		BL 5-6	BL 5-6
	over 40	12	2	10		BL 6 or PS 8 or SUP	BL 6 or PS 8 or SUP
Collectors or Locals with ADT >10,000 and Arterials	30-40	11-12	4 (b)	10		BL 6 or PS 8 or SUP	BL 6 or PS 8 or SUP
	over 40	12	4 (b)	10 (c)		BL 6 or PS 8 or SUP	PS 8 or SUP

(SL = shared lane; BL = bicycle lane; WOL = wide outside lane; PS = paved shoulder; SUP = shared use path)

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 Board of Animal Health Notice of Quarterly Meeting of the Board 20 February 2013

NOTICE IS HEREBY GIVEN that the Minnesota Board of Animal Health will hold its quarterly meeting on Wednesday, February 20, 2013. The meeting will take place in room B144 of the Orville Freeman Building, 625 Robert Street North, St. Paul, Minnesota at 9:30 a.m.

Minnesota Department of Health (MDH) Division of Health Policy Notice of Adoption of Revised Rule, Minnesota Uniform Companion Guide for the Implementation of the ASC X12N/005010X221A1 Health Care Claim Payment/ Advice (835), version 6.0

Introduction.

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health (MDH) has adopted version 6.0 of the Minnesota Uniform Companion Guide (MUCG) for the Implementation of the ASC X12N/005010X221A1 Health Care Claim Payment/Advice (835), hereinafter referred to as MUCG (835).

Description of the Rule.

Minnesota Statutes, section 62J.536, requires the Minnesota Commissioner of Health, in consultation with the Minnesota Administrative Uniformity Committee (AUC), to promulgate rules pursuant to section 62J.61 establishing and requiring group purchasers, clearing-houses, and health care providers to exchange specified health care administrative transactions electronically, using the applicable single, uniform companion guide adopted by the Commissioner of Health. Under *Minnesota Statutes*, section 62J.61, the Commissioner of Health is exempt from chapter 14, including section 14.386, in implementing sections 62J.50 to 62J.54, subdivision 3, and 62J.56 to 62J.59.

Changes and Updates to Previously Adopted Rule.

The Commissioner of Health, in consultation with the AUC and its Technical Advisory Groups (TAGs) determined that it was necessary to make revisions to the MUCG (835) rule known as "version 4.0," previously adopted in the *Minnesota State Register*, Volume 35, Number 51, June 20, 2011, to ensure the rule remained up to date and was as clear and useful as possible. A proposed new version of the rule, "version 5.0," was announced in the *Minnesota State Register*, Volume 37, Number 20, November 13, 2012 and was made available

for a 30 day public comment period. The public comment period concluded on December 12, 2012. The public comments were reviewed with the assistance of the AUC, resulting in additional changes to version 5.0. Version 6.0 incorporates and adopts into rule the changes from version 4.0 to version 5.0., as well as subsequent changes to version 5.0.

Because the Commissioner of Health has determined that it is unduly cumbersome to publish the entire text of the rule, the Commissioner is publishing this notice adopting version 6.0. Version 6.0:

- Describes the data content and other transaction specific characteristics of the ASC X12N/005010X221A1 Health Care Claim Payment/Advice (835), hereinafter referred to as 005010X221A1, for use by entities subject to *Minnesota Statutes*, section 62J.536;
- Supersedes all previous versions and is effective 30 days after the publication of this notice of adoption in the *State Register*;
- Is to be used in conjunction with all applicable Minnesota and federal regulations, including 45 CFR Parts 160, 162, and 164 (HIPAA Administrative Simplification, including adopted federal operating rules) and related ASC X12N and retail pharmacy specifications (ASCX12N and NCPDP implementation specifications);
- Supplements, but does not otherwise modify, the 005010X221A1 in a manner that will make its implementation by users to be out of compliance;
- Must be appropriately incorporated by reference and/or the relevant transaction information must be displayed in any companion guides provided by entities subject to *Minnesota Statutes*, section 62J.536. In particular, the applicable information in the version 6.0 MUCG (835) adopted rule must be appropriately incorporated by reference and/or displayed in companion guides of entities subject to *Minnesota Statutes*, section 62J.536, so as to meet any applicable requirements of CFR 45 § 162.1603 including compliance with the “ACME Health Plan, CORE v5010 Master Companion Guide Template, 005010, 1.2, March 2011 (incorporated by reference in § 162.920), as required by the Phase III CORE 350 Health Care Claim Payment/Advice (835) Infrastructure Rule, version 3.0.0, June 2012.”

Modifications.

Version 6.0 was developed to improve the clarity and readability of the rule. As a result, the organization, content, and appearance of version 6.0 of the MUCG (835) are different than the most recent previously adopted version (version 4.0).

The following modifications to version 4.0 of the MUCG (835) were proposed in version 5.0 and are being adopted in version 6.0, as summarized below.

1) A new cover page has been added to provide summary information regarding the document, including: the applicable statutes; a description of the document, including its purpose and relationship with other laws and related documents; and the status of the document. The cover page also states that permission has been granted to use ASC X12 copyrighted material.

2) Information previously published on the inside front cover page and as section 4 (Introduction and Overview) in version 4.0 has been revised and relocated to new sections 1 (Overview) and 3 (How to use this document) in version 6.0.

3) The following sections in version 4.0 have been removed:

- a) Section 2 (Statement of the Minnesota Department of Health);
- b) Section 3 (Statement of the Minnesota Administrative Uniformity Committee (AUC)); and
- c) Much of the information published previously as Section 5.1 (Introduction to Table).

4) Section 4.1.2 (Applicability) from version 4.0 is now shown as Section 1.2 of version 6.0, and has been lengthened to include additional information about the applicability of the state’s health care administrative data exchange requirements to health care clearing-houses.

5) A proposed new section 2.0 (Purpose of this document and its relationship with other applicable regulations) was added to version 6.0. This section repeats information from the cover page for emphasis, corrects the website address for obtaining a copy of the ASC X12 implementation specifications, and also states that permission has been granted to use ASC X12 copyrighted material.

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- 6) The data content tables in section 5 of version 4.0 have been appreciably shortened and moved to section 4 in version 6.0 a result of:
- a) An overall reorganization of the MUCGs;
 - b) Deleting references to and explanations of the designation “Not Considered for Processing (NCFP)”;
 - c) Listing only those loops, segments, and elements for which there are clarifications and/or instructions that are different than the ASC X12N implementation specifications.
- 7) The appendices that appeared in version 4.0 have been reorganized and in some cases substantially modified as follows:
- a) “Appendix A: Terminology And Acronyms” has been deleted;
 - b) “Appendix B: Minnesota Crosswalk For The Claim Adjustment Reason Codes (CARC), Claim Adjustment Group Codes, And Remittance Advice Remark Codes (RARC)” has been substantially revised and now appears as Appendix A in version 6.0;
 - c) “Appendix C: Workers Compensation Reporting Of Reason For A Denial Or Reduction Of Payment” has been slightly revised to be more clear and now appears as Appendix B in version 6.0;
 - d) “Appendix D: Coordination Of Benefits (Cob) Examples” now appears as Appendix C in version 6.0; and
 - e) A new “Appendix D: Prepaid Medical Assistance Program (Pmap) Program Codes For Medicaid Remittances” was added to version 6.0.
- 8) Other grammatical and formatting revisions were made throughout in version 6.0 to improve readability, organization, and ease of use.

In addition, version 6.0 also:

- Corrects the instructions for obtaining copies of the reference document and includes a permission statement to use ASC X12 copyrighted materials;
- Clarifies the “Value definition and notes” entry in section 4.2 “005010X221A1 (835) Transaction Table” for the Loop 2100 “Claim Payment Information,” Segment “CLP Claim Payment Information,” Element “CLP06 Claim Filing Indicator.” The entry now states that “ZZ may be used by pharmacy payers to identify Medicare retro-active Low Income Subsidy (LIS) adjustment of pharmacy claims using the 005010X221A1 with their long term care (LTC) business partners. Otherwise, ZZ is not an appropriate code because this document does not support the use of a mutually defined qualifier.”

How to Obtain the version 6.0 MUCG (835).

A free copy of the revised rule as described above is available for viewing or downloading on the World Wide Web at:

<http://www.health.state.mn.us/asa/>

Persons who wish to obtain a paper copy should contact Judy Edwards, Minnesota Department of Health, at:

Minnesota Department of Health
P.O. Box 64882, St. Paul, MN 55164-0822;
Phone: (651) 201-3578
Fax: (651) 201-3830
E-mail: *Judy.Edwards@state.mn.us*

Dated: 28 January 2013

Edward P. Ehlinger, MD, MSPH,
Commissioner
P.O. Box 64975
St. Paul, MN 55164-0975

**Minnesota Department of Health (MDH)
Division of Health Policy, Health Economics Program
Notice of Public Interest Review Application for New Hospital and
Opportunity for Public Comment**

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health has received a filing under *Minnesota Statutes 144.552* requesting public interest review of an intent from Perham Health, a Critical Access Hospital under federal provisions in Perham Minnesota, to establish a new 12 bed inpatient psychiatric hospital at the site of the former Perham Health community hospital at 635 - 3rd St., S.W., Perham, Minnesota. Under this statute, a hospital seeking to increase its number of licensed beds or an organization seeking to obtain a hospital license must submit a plan to the Minnesota Department of Health (MDH). MDH is required to review the plan and issue a finding within 90 days (or up to six months in extenuating circumstances) on whether the plan is in the public interest.

In conducting its review, the MDH is required to consider certain issues, including (1) whether the new hospital or hospital beds are needed to provide timely access to care or access to new or improved services; (2) the financial impact of the new hospital or hospital beds on existing acute-care hospitals that have emergency departments in the region; (3) how the new hospital or hospital beds will affect the ability of existing hospitals in the region to maintain existing staff; (4) the extent to which the new hospital or hospital beds will provide services to nonpaying or low-income patients relative to the level of services provided to these groups by existing hospitals in the region; and (5) the views of affected parties.

Affected parties may submit written statements or comments on the proposal to MDH by February 21, 2013. Electronic copies of documents submitted to MDH will be posted on the Health Economics Program website:

<http://www.health.state.mn.us/divs/hpsc/hep/moratorium/index.html>

when available. All written comments that we receive from affected parties will also be posted to this website.

Written statements or comments on any of the proposals may be submitted to the following address:

Stefan Gildemeister, Director
Health Economics Program
Minnesota Department of Health
P.O. Box 64882
St. Paul, MN 55164-0882

Comments may also be submitted electronically by e-mailing them to Stefan.Gildemeister@state.mn.us. Questions about the public interest review process may be directed to Stefan Gildemeister at (651) 201-3554 (Stefan.Gildemeister@state.mn.us) or Nathan Hierlmaier at (651) 201-3541 (Nathan.Hierlmaier@state.mn.us).

**Department of Labor and Industry (DLI)
Labor Standards Unit
Notice of Correction to Commercial Prevailing Wage Rates for Various Groups in
Various Counties**

Corrections have been made to the Commercial Prevailing Wage Rates certified 12/24/12, for:

Group 1 (501 through 503) in Cook and Yellow Medicine Counties.

Group 2 (306 through 308) in Ramsey County.

Group 2 (504 through 507) in Mahnommen, Norman and Waseca Counties.

Group 4 (323 through 331) in Anoka, Houston, Lac Qui Parle and Washington Counties.

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Group 5 (370 through 385) in Goodhue County.

Labor Code 717, Pipefitters, Steamfitters in Pope County.

Labor Code 719, Plumbers, in Chisago, Dakota, Goodhue, Ramsey and Washington Counties.

Copies with the corrected certified wage rates for these Counties may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091, or accessing our web site at: www.dli.mn.gov. Charges for the cost of copying and mailing are \$.25 per page for the first 100 pages, \$.65 per page after that. Make check or money order payable to the State of Minnesota.

Ken B. Peterson
Commissioner

Minnesota Pollution Control Agency (MPCA) Attention Minnesota Hospitality Businesses: Free Service to Remove BPA from Receipt Paper

Minnesota Pollution Control Agency has commissioned a statewide project to help reduce the use of thermal receipt papers, many of which contain BPA (Bisphenol A). BPA is used in thermal receipt paper processes and is a chemical that can cause human and environmental health hazards.

About 20 Minnesota Hospitality Businesses will participate in this free program to review BPA in receipt paper, understand risks to employees, and get assistance to transition into paperless point-of-sale systems. Webinars around this subject are presently being developed.

If interested in participating please e-mail – Mark Apfelbacher; msa@stratford-companies.com with *BPA Program* in the e-mail title ASAP.

Teachers Retirement Association (TRA) Notice of Meeting of the Board of Trustees February 13, 2013

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, February 13, 2013 at 9:30 a.m. in Suite 400, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the Board. Board members may participate by telephone.

Teachers Retirement Association (TRA) Notice of Meeting of the Internal Audit Committee February 12, 2013

The Minnesota Teachers Retirement Association Internal Audit Committee will hold a meeting on Tuesday, February 12, 2013 at 1:30 p.m. in Room 414, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the committee. Committee members may participate by telephone.

**Department of Transportation (Mn/DOT)
Engineering Services Division,
Office of Construction and Innovative Contracting
Notices of Suspension and Debarment****NOTICE OF SUSPENSION**

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be suspended for a period of sixty (60) days, effective November 30, 2012 until January 29, 2013:

- Marlon Louis Danner and his affiliates, South St. Paul, MN
- Danner, Inc. and its affiliates, South St. Paul, MN
- Bull Dog Leasing, Inc. and its affiliates, Inver Grove Heights, MN
- Danner Family Limited Partnership and its affiliates, South St. Paul, MN
- Ell-Z Trucking, Inc. and its affiliates, South St. Paul, MN
- Danner Environmental, Inc. and its affiliates, South St. Paul, MN

NOTICE OF DEBARMENT

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective February 24, 2010 until February 24, 2013:

- Joseph Edward Riley, Morris, MN
- John Thomas Riley, Morris, MN

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective March 25, 2011 until March 25, 2014:

- Philip Joseph Franklin, Leesburg, VA
- Franklin Drywall, Inc. and its affiliates, Little Canada, MN
- Master Drywall, Inc. and its affiliates, Little Canada, MN

Minnesota Statute section 161.315 prohibits the Commissioner, counties, towns, or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred, including:

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity, which is sold or transferred by a debarred person to a relative or any other party over whose actions the debarred person exercises substantial influence or control, remains ineligible during the duration of the seller’s or transfer’s debarment.

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.

Grant Funds and Loans

The *State Register* is one of the best ways to advertise your grants - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$10.20 per 1/10 of a page you cannot go wrong.

Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of all the current rules, a growing index, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

- **Word Search Capability**
- **LINKS, LINKS, LINKS**
- **Easy Access to *State Register* Archives**
- **Updates to Index to Vol. 31**
- **"Contracts & Grants" Open for Bid**
- **Early delivery, on Friday**
- **E-mailed to you . . . its so easy**
- **Indexes to Vols. 31, 30, 29, 28 and 27**

It's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us

Minnesota Housing Finance Agency (MHFA) Request for Proposals for the Family Homeless Prevention and Assistance Program

The Minnesota Housing Finance Agency announces the anticipated availability of grant funds through the Family Homeless Prevention and Assistance Program. The actual availability and amount of funds is contingent upon approval by the 2013 Minnesota Legislature.

Amount of Funds Available:

\$14.6 million in grant funds are anticipated for the biennium period of July 1, 2013 - June 30, 2014.

Eligible Applicants:

In the Twin Cities seven-county metropolitan area, a county is an eligible applicant. In non-metropolitan areas, eligible applicants include a county, a group of contiguous counties jointly acting together, or a community based nonprofit organization with a sponsoring resolution from each of the county boards of the counties located within its operating jurisdiction.

The service area must have a significant number or significant growth in the number of people experiencing homelessness, including families with or without children, youth/unaccompanied youth, and single adults. The applicant must focus their emergency response system on homelessness prevention and securing permanent housing for people who are homeless.

Application packages are available on the Minnesota Housing website at:

<http://www.mnhousing.gov/initiatives/housing-assistance/prevention/index.htm>

Or contact Erin Schwarzbauer at (651) 296-3656 to have application materials emailed.

Minnesota Department of Human Services (DHS) Aging and Adult Services Division Community Service/Community Services Development (CS/SD) Notice of Request for Proposals to Expand Home and Community-Based Services for Older Adults

NOTICE IS HEREBY GIVEN that The Minnesota Department of Human Services (DHS), Aging and Adults Services Division, is seeking proposals from qualified responders for state fiscal year 2014, July 1, 2013-June 30, 2014, to expand and integrate home and community-based services for older adults that allow local communities to rebalance their long-term services and supports delivery system, support people in their own homes, expand the caregiver support and respite care network and promote independence, as directed by *Minnesota Statutes*, sections 256.9754 and 256B.0917, subd.6 and 13.

Funds available: Approximately \$6.4 million is available annually. **Request per application may not exceed \$250,000 per year.**

An optional Responders Webinar will be held Monday, February 4, 2013, 9:00 a.m. Central Time. Responders interested in attending the Responder's Webinar must register online at https://minnesota.ilinc.com/perl/ilinc/lms/event.pl?div_view=reg&event_user_id=).

The complete RFP and application including directions is available online on the DHS Community Service/Community Services Development Web site at <http://www.dhs.state.mn.us/cssd> > applicant page

The deadline for receipt of proposals is April 5, 2013, 4:00 p.m. Central Time. Late, faxed and emailed proposals will not be considered.

For more information contact: Jacqueline Peichel
 Community Program Policy Consultant
 Aging and Adult Services
 Department of Human Services
 P.O. Box 64976
 St. Paul, MN 55164-0976
 Phone: (651) 431-2583
 E-mail: Jacqueline.s.peichel@state.mn.us

This is the only person designated to answer questions regarding the request for proposal.

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

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 Department of Human Services (DHS) Chemical and Mental Health Services Administration Adult Mental Health Division Notice of Request for Proposals to Develop, Operate and Evaluate a Demonstration/pilot for an Outpatient, Residential Mental Health Treatment Services for Adults at 1208 Olena Avenue, Willmar, Minnesota 56201

The service will directly benefit adults with mental illness and complex co-occurring conditions that complicates timely discharge from the hospital.

State Grants & Loans

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to develop, operate and evaluate an outpatient, residential, mental health treatment service to be licensed as an Intensive Residential Treatment service and located at 1208 Olena Avenue, Willmar, Minnesota, 56201.

Work is proposed to start on July 1, 2013. For more information, or to obtain a copy of the Request for Proposal, contact:

Cynthia Godin
Department of Human Services
Adult Mental Health Division
P.O. Box 64981
444 Lafayette Road North
St. Paul, MN 55164-0981
Phone: (651) 431-2237
Fax: (651) 431-7566
E-mail: Cynthia.godin@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, March 29, 2013. 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.

Minnesota Department of Human Services (DHS)

Health Care Administration

Notice of Request for Proposals (RFP) to Provide Innovative Forms of Health Care Delivery under Alternative Payment Arrangements to Medical Assistance (MA) and MinnesotaCare Enrollees

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals for the purpose of delivering health care services to Medical Assistance (MA) and MinnesotaCare enrollees under alternative payment arrangements through the Health Care Delivery Systems (HCDS) Demonstration.

The projected service begin date is January 1, 2014.

Proposals submitted in response to the RFP in this notice must be sent to:

Request for Proposal Response
Health Care Administration
Attention: Sara Bonneville – 0984
Department of Human Services
444 Lafayette Road North
St. Paul, MN 55155

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 **3:00 p.m., Central Time, April 16, 2013. Late proposals will NOT be considered.** Fax or e-mailed proposals will **NOT** be considered. The RFP can be viewed by visiting the Department of Human Services RFP website after 12 noon on Thursday, January 31, 2013 at 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 solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

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 days.

On-going State Contracts

The state spends \$2-3 billion a year on contracts. The *State Register* is one of the best ways to advertise your contracts - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$10.20 each 1/10 of a page, you cannot go wrong.

Subscribers receive a list of **all current contracts and grants**, as well as LINKS to the *State Register*; Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. To view, open the *State Register* and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

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State Contracts

Department of Administration (Admin) Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) Notice of Request for Proposals for Condoms, Lubricants and Related Supplies

The Department of Administration, on behalf of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP), is requesting proposals for Condoms, Lubricants and Related Supplies.

MMCAP is a voluntary group purchasing organization made up of governmental entities which contracts for pharmaceuticals. MMCAP members currently purchase over \$1.2 billion per year. For more information, go to www.mmcap.org (no password necessary).

To request a copy of the RFP, send an e-mail to: mn.multistate@state.mn.us Or write to:
Condoms, Lubricants and Related Supplies RFP Request
MMCAP
c/o Minnesota Department of Administration
50 Sherburne Avenue, Suite 112
St. Paul, MN 55155

Proposals submitted in response to the Request for Proposals in this notice must be received at the address specified in the Request for Proposals no later than 2:00 P.M. Central Time, March 4, 2013. **Late proposals will NOT be considered.**

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

Department of Administration (Admin) Plant Management Division Notice of Availability of Contract for Alternative Transportation to Visitors of the Capitol Complex by Means of Bicycle Rental

The Minnesota Department of Administration is requesting proposals from vendors who are able to provide bicycle kiosks that allow for bicycle rental.

Work is proposed to start after April 15, 2013.

A Request for Proposals will be available by mail from this office through February 8, 2013. **A written request (by direct mail, e-mail or fax) is required to receive the Request for Proposal.** After February 8, 2013, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:
Anne Johnson
Department of Administration, PMD
50 Sherburne Avenue, G-10
Fax: (651) 297-5158
E-mail: Anne.johnson@state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than February 19, 2013. **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.

**Department of Administration (Admin)
Real Estate and Construction Services
Notice of Availability of Request for Proposal (RFP) for Hazardous Material
Consultant Services for Repairs, Restoration and Preservation to the
Minnesota State Capitol Building**

NOTICE IS HEREBY GIVEN that the State of Minnesota, Department of Administration, Real Estate and Construction Services, is in need of a qualified consultant to provide services for hazardous material and lead paint surveys, sampling and analysis of suspect materials, preparation of Construction Documents for the removal of identified hazardous materials, assistance with bidding and award of the abatement work, and sampling and analysis services during construction. On-site monitoring during abatement activities is not to be included in these services. They will be part of a separate, future request for proposal.

A full Request for Proposals is available on the Department of Administration, Real Estate and Construction Services website: www.admin.state.mn.us/recs/cs/cs-sa.html.

Project questions will be taken by Talia Landucci Owen at talia.landucci-owen@state.mn.us. Questions regarding this RFP must be received by Friday, February 8, 2013 at 3:30 p.m. CT.

Proposals must be received by the Real Estate and Construction Services, Department of Administration, 309 Administration Building, 50 Sherburne Ave., St. Paul, MN 55155, Attn.: Talia Landucci Owen, no later than Tuesday, February 19, 2013 by 12:00 noon CT. Late responses will not be considered. ***Note, State offices will be closed on Monday, February 18, 2013, in observance of Presidents' Day; therefore, deliveries cannot be accepted on that date.**

The Department of Administration, Real Estate and Construction Services Division 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. All expenses incurred in responding to this notice are solely the responsibility of the responder.

**Minnesota State Colleges and Universities (MnSCU)
Anoka-Ramsey Community College
Request for Proposals for the Public Art Work for Music Building**

NOTICE IS HEARBY GIVEN that Anoka-Ramsey Community College will receive proposals for public art work for the newly remodeled Music Building located at the Coon Rapids Campus of Anoka-Ramsey Community College. Specifications are available on the website <http://www.anokaramsey.edu/IT/proposal.cfm>.

Copies of the specifications can also be obtained from Mirela Gluhic at (763) 433-1338 or mirela.gluhic@anokaramsey.edu. Sealed proposals must be received by the Business Office of Anoka-Ramsey Community College, 11200 Mississippi Blvd., Coon Rapids, MN 55433 by 4 p.m. on May 1st, 2013.

Anoka-Ramsey Community College reserves the right to reject any or all proposals, or portions thereof, or to waive any irregularities or informalities, in proposals received.

State Contracts

Minnesota State Colleges and Universities (MnSCU)

Board of Trustees

Notice of Request for Information (RFI) for Architectural, Owner's Representative, Real Estate and Other Related Professional and Technical Services for a Master List of Consultants

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities ("MnSCU"), requests information of Minnesota registered consultants, as appropriate, to assist MnSCU in providing Architectural/Engineering, Owner Representative, Real Estate and other related Professional and Technical services as needed for up to a five-year period. Projects will vary in scope and may involve professional services for new construction, remodeling, commissioning, site and utility work, facilities, roads and grounds, and land development.

The Request for Information (RFI) documents can be found online at:

<http://www.finance.mnscu.edu/facilities/design-construction/index.html> under Announcements.

This RFI is to permit a consultant to be included on the new MnSCU Master List of Consultants (2013 - 2018). The consultants currently on the Master List DO need to respond to this RFI, since the current list will expire in June 2013. The current Master List can be viewed at www.finance.mnscu.edu/facilities/design-construction/pm_emanual/index.html and click on "#38 - Facilities P/T Consultants Master List".

If unable to access the RFI electronically, copies of the RFI may also be requested from:

Nancy Marandola - Minnesota State Colleges & Universities
Phone (651) 201-1780 or E-mail: Nancy.marandola@so.mnscu.edu

Proposals must be delivered to: Minnesota State Colleges & Universities
ATTN: Facilities Design and Construction
Wells Fargo Place
30 Seventh Street East, Suite 350
St. Paul, Minnesota 55101-7804

Proposals must be received NOT later than March 1, 2013 at 12:00 P.M. CST; late responses will not be considered.

MnSCU reserves the right to cancel this solicitation if it is considered to be in MnSCU's best interest. The RFI is not a guarantee of work and does not obligate MnSCU to award any contracts. MnSCU reserves the right to discontinue the use or cancel all or any part of this Master List of Consultants program if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota State Colleges and Universities (MnSCU)

Rochester Community and Technical College

Notice of Request for Bid for the Purchase of Medical Surgical Hospital Beds

NOTICE IS HEREBY GIVEN that Rochester Community and Technical College Request for Bid (RFB) for the purchase of medical surgical hospital beds.

To receive a copy of the RFB, send an e-mail to june.meitzner@roch.edu or fax your request to (507) 285-7104.

Proposals are due back by Monday, February 11, 2013 4:00 CT and are to be addressed to June Meitzner, Rochester Community and Technical College 851 - 30th Avenue S.E., Rochester, MN 55904.

Faxes are **NOT** acceptable. Late responses will **NOT** be considered. Any question should be in a form of an RFI and directed to June Meitzner: June.meitzner@roch.edu

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel this solicitation.

Minnesota State Colleges and Universities (MnSCU) System Office, Advancement Division Request for Proposal for Marketing Communication Effort

The Minnesota State Colleges and Universities (MnSCU) system includes 24 two-year community and technical colleges and seven state universities operating on 54 campuses in 47 communities throughout the state. MnSCU is requesting proposals from qualified marketing, advertising, and media placement firms to develop and implement an integrated marketing communications effort to increase enrollment at MnSCU colleges and universities by targeting prospective students through consistent messaging and statewide media placement. The initiative is intended to increase awareness of and familiarity with the system's 31 colleges and universities, increase consistency and frequency of identified key messages, enhance existing campus marketing/media buying efforts, position MnSCU campuses competitively in the marketplace, drive more traffic to campus websites, and ultimately increase enrollment. Proposals must present a detailed approach for producing these deliverables using the data gathered in an effective and efficient manner consistent with the MnSCU mission and Strategic Framework.

Proposals should include a marketing/communication strategy with emphasis on digital engagement and SEM, an overview of recommended approach(es) to achieving objectives and goals, a detailed recommendation of media vehicles to be considered, a detailed implementation timeline with cost estimates and itemization for each suggested element of the statewide strategy.

In addition, proposals should include the vendor's background and areas of expertise relative to this project, MnSCU and/or higher education; capabilities and qualifications of individuals assigned to this project; examples of work performed for similar organizations and/or education systems/institutions; and at least three references.

Proposals should include corporate philosophy, approach to marketing communications efforts of this kind, implementation timeline, and cost estimate for delivering the following:

- Executive summary of Marketing/Communications Effort and Media Placement Plan
- Target audience demographic, psychographic, and geographic profiles
- Media strategy - including placements, timelines, and costs
- Creative and messaging recommendations, specifications and deadlines
- Ad trafficking and tracking services
- Media placements and analytic reporting
- Recommendations for ongoing advertising/media placements based on performance

Specifications are available by visiting the website: <http://pa.mnscu.edu/rfp/marketing-communications/> or by contacting:

Carmen Shields, Director of Marketing and Development
Minnesota State Colleges and Universities
30 7th St. E., Suite 350
St. Paul, Minnesota 55101
Phone: (651) 201-1566
E-mail: carmen.shields@so.mnscu.edu

Sealed proposals must be received by noon CDT on Monday, February 4, 2013. MnSCU personnel other than Carmen Shields are not allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline. This request does not obligate Minnesota State Colleges and Universities to complete the proposed project, and the system reserves the right to cancel this solicitation if it is considered to be in its best interest. The Minnesota State Colleges and Universities system is an Equal Opportunity employer and educator.

State Contracts

Minnesota 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 Kelly Arneson 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:

Kelly Arneson
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
395 John Ireland Blvd. Mail Stop 680
St. Paul, MN 55155

Minnesota 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****Notice of Requests Proposals for Contract Administration, Design Verification and Construction Inspection for a Design-build Project on I-35W at 4th Street South in Minneapolis**

The Minnesota Department of Transportation (MnDOT) Requests Proposals for Contract Administration, Design Verification and Construction Inspection for a Design-build Project on I-35W at 4th Street South in Minneapolis. The project will include construction of an entrance ramp and an auxiliary lane. Work is proposed to begin in autumn of 2013.

The request for proposal (RFP) may be obtained from MnDOT 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 RFP must be received no later than 1:00 p.m. Central Standard Time on **February 22, 2013**. **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 **February 7, 2013, 2:00 p.m. Central Standard Time**. See the RFP for more information.

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

Minnesota Department of Transportation (Mn/DOT)**Metro District****Minnesota Approaches Design Verification and Construction Oversight for the St. Croix River Crossing Project**

The Minnesota Department of Transportation (MnDOT) requests proposals for contract administration, design verification and construction inspection for a design-build project on Trunk Highway 36 in Stillwater, Oak Park Heights and Bayport. Work is proposed to begin in spring of 2013.

The request for proposal (RFP) may be obtained from MnDOT 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 RFP must be received no later than 1:00 p.m. Central Standard Time on **February 11, 2013**. **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 **2:00 p.m. February 1, 2013 Central Standard Time**. See the RFP for more information.

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

Non-State Public Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Vendors Sought for these Projects

Check up on all the “active” state grants in the “Contracts & Grants” section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of all the current rules, a growing index, and previous years’ indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings).

Metropolitan Airports Commission (MAC) Notice of Intent to Solicit Requests for Qualifications for a Continuing Public Relations, Marketing and Digital Development Consultant

NOTICE IS HEREBY GIVEN that the Metropolitan Airports Commission (MAC) is seeking a continuing public relations, marketing and digital development consultant. The term of the contract is for six years, beginning April 1, 2013. A Request for Qualifications (RFQ) has been prepared and is available to interested parties.

Services needed by the MAC include but are not limited to: creation and implementation of advertising and marketing campaigns, brand development and enhancement, identification and market assessment of potential revenue opportunities, promotion of MAC services and activities, creation of web, digital, video and photographic materials, community and aviation industry outreach, public and internal communications, and crisis communication management. The consultant also provides public relations counsel, assists with special projects and events, and handles media relations as necessary.

Request for qualifications issued:	January 8, 2013
Last date for submission of questions:	January 22, 2013
Due date for qualifications statements:	January 31, 2013

For more information contact:

Patrick Hogan
Metropolitan Airports Commission
Director of Public Affairs and Marketing
4300 Glumack Drive, Suite LT 3000
St. Paul, MN 55111
Phone: (612) 726-5335
E-mail: Patrick.Hogan@mspmac.org

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

Interested parties should download the RFQ from the Metropolitan Airports Commission’s website at
<http://www.metroairports.org/business/solicitations/default.aspx>. (requests for qualifications)

Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Minneapolis – Saint Paul International Airport

Notice of Call for Bids for Parking Structure Rehabilitation 2013

MAC Contract No.:

106-3-474

Bids Close At:

2:00PM, Tuesday, February 12, 2013

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The project provides for miscellaneous repairs and maintenance to the parking structure facilities at Terminal 1-Lindbergh and Terminal 2-Humphrey.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 6%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Kimley-Horn and Associates, Inc., 2550 University Avenue West, St. Paul, Minnesota 55114; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Kimley-Horn and Associates, Inc.; 2550 University Avenue West, Suite 238N; St. Paul, Minnesota 55114; **phone:** (651) 645-4197; **fax:** (651) 645-5116. Make checks payable to: Kimley-Horn and Associates, Inc. Deposit per set (refundable): \$100.00. Requests for mailing sets will require a separate, non-refundable \$15.00 check for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 22, 2013, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC)

Minneapolis-St. Paul International Airport

Notice of Call for Bids for Air Handling Unit Replacement 2013 (P3)

MAC Contract No.:

106-2-671

Bids Close At:

2:00 p.m. February 12, 2013

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated above. The work of this project includes the replacement of a rooftop boiler stack, the replacement of ventilation units with new units and ductwork, and the replacement of exhaust fans within the rooftop mechanical penthouse.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 6%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of , at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to: Architectural Alliance. Deposit per set (refundable): \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

Non-State Public Bids, Contracts & Grants

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 22, 2013, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC) Minneapolis – Saint Paul International Airport Notice of Call for Bids for Concourse G Roof Replacement Phase 1

MAC Contract No.: 106-2-687
Bids Close At: 2:00 p.m. February 12, 2013

Notice to Contractors: Sealed Bid Proposals the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work includes Code compliant First Phase Replacement of the Concourse G Roof that encompasses approximately half of the Concourse G excluding the FIS roof.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 5%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Architectural Alliance, at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to: Architectural Alliance. Deposit per set (refundable): \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 22, 2013, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC) Minneapolis Saint Paul International Airport Notice of Call for Bids for 2013 Open Architecture Building Automation (P5)

MAC Contract No.: 106-2-670
Bids Close At: 2:00 p.m. February 12, 2013

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. Work in OABA (P5) will extend the MAC's existing Open Architecture Building Automation (OABA) system to replace existing Siemens controls on Concourses E and F. It will convert the existing Facilities Monitoring System (FMS) to use the same technology as OABA and also standardize the tracherator located at the west end of Concourse C to match the tracherator work done in OABA (P4).

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 5%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Non-State Public Bids, Contracts & Grants

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges, McGraw Hill Construction/Dodge and NAMC-UM Plan Room. Bidders desiring drawings bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to: Architectural Alliance. Deposit per set (refundable): \$150.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 22, 2013, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

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