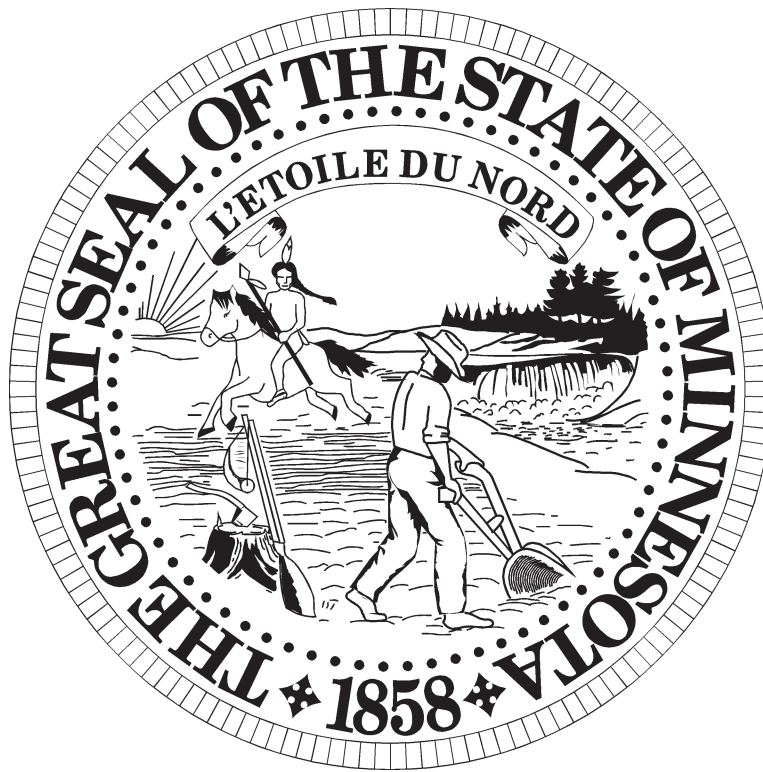


Minnesota

State Register

(Published every Monday (Tuesday when Monday is a holiday.)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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

**Monday 19 October 2015
Volume 40, Number 16
Pages 445 - 464**

Minnesota State Register

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

The *Minnesota 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. It 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- Withdrawn Rules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. 40 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
# 17	Monday 26 October	Noon Tuesday 20 October	Noon Thursday 15 October
# 18	Monday 2 November	Noon Tuesday 27 October	Noon Thursday 22 October
# 19	Monday 9 November	Noon Tuesday 3 November	Noon Thursday 29 October
# 20	Monday 16 November	Noon Tuesday 10 November	Noon Thursday 5 November

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Senate Public Information Office (651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
Website: www.senate.mn

House Public Information Services (651) 296-2146
State Office Building, Room 175,
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
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For additional grants go to the Office of Grants Management (OGM) at:
<http://www.grants.state.mn.us/public/>

Revisor of Statutes - *RULES STATUS*:
https://www.revisor.mn.gov/rules/rule_search.php

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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

Volume 40 - Minnesota Rules

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Monday 5 October - Monday 19 October 2015

Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design Board

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Expedited Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for normal rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the conditions. Expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain conditions.

Expedited rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited rules detail the agency's rulemaking authority.

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.

MNSure

Proposed Expedited Permanent Rules Relating to MNSure Eligibility Appeals

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to Rules Governing Appeals of MNSure Eligibility Determinations, *Minnesota Rules*, parts 7700.0100, 7700.0101, and 7700.0105; Revisor's ID Number RD4377

Introduction. The Interim Chief Executive Officer of MNSure intends to amend rules under the expedited rulemaking process set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410, and the Administrative Procedure Act, *Minnesota Statutes*, section 14.389. You may submit written comments on the proposed rule amendments until November 18, 2015.

Agency Contact Person. You must submit comments or questions on the proposed rule amendments to the contact person for MNSure. MNSure's contact person is Aaron Sinner. Mr. Sinner can be reached by mail at: MNSure, 81 Seventh Street East, Suite 300, Saint Paul, MN 55101-2211, **telephone:** (651) 539-2058, or **e-mail** (communications@mnsure.org with "Appeals Process Amendments" in the subject line of the e-mail).

Subject of Rules and Statutory Authority. The proposed rule amendments clarify the scope and procedures of the MNSure appeals process.

The statutory authority to adopt the rule amendments is *Minnesota Statutes*, section 62V.05, subdivision 6(a). The statutory authority to adopt the rule amendments under the expedited rulemaking process is *Minnesota Statutes*, section 62V.05, subdivision 8. A free copy of the proposed amended rules is also available upon request from the MNSure contact person listed above.

Comments. MNSure encourages comment in support of or in opposition to the proposed rule amendments and any part or subpart of the rules. You have 30 days to submit comments. The comment period ends at 11:59 p.m. Central Standard Time on Thursday, November 18, 2015. Your comment must be in writing and received by the MNSure contact person by the due date. Your comment should identify the portion of the proposed rule amendments addressed and the reason for the comment. In addition, you are encouraged to propose any change desired. Any comments that you have about the legality of the proposed rule amendments must also be made during this comment period.

Modifications. MNSure may modify the proposed rule amendments using either of two avenues. The agency may modify the rules directly so long as the modifications do not make the rules substantially different, as defined in *Minnesota Statutes*, section 14.05, subdivision 2, paragraphs (b) and (c). Or, MNSure may adopt substantially different rules if it follows the procedure under *Minnesota Rules*, part 1400.2110. If the rules are not modified, MNSure will publish a notice of adoption in the *State Register*. If the final rules are different from the rules originally published here, MNSure must publish a copy of the change in the *State Register*. If the proposed rule amendments affect you in any way, MNSure encourages you to participate in the rulemaking process.

Alternative Format and Accommodations. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the MNSure contact person at the mailing address, telephone number, or email address listed above.

Expedited Rules

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone: (651) 539-1180 or 1-800-657-3889.

Adoption and Review of Rules. MNSure may adopt the rule amendments after the end of the comment period. MNSure will then 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 MNSure submits the rule amendments to the Office of Administrative Hearings. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the MNSure contact person listed above.

Dated: 13 October 2015

Aaron Sinner
Acting Board and Federal Relations Director

7700.0101 DEFINITIONS.

[For text of subps 1 to 8, see M.R.]

Subp. 8a. **Case file.** “Case file” means the information, documents, and data, in whatever form, which have been generated, collected, stored, or disseminated by the agency in connection with the person and the program or service involved.

[For text of subps 9 to 17, see M.R.]

7700.0105 MNSURE ELIGIBILITY APPEALS.

Subpart 1. Eligibility.

A. MNSure appeals are available for the following actions:

[For text of subitems (1) to (5), see M.R.]

(6) a failure by MNSure to provide timely notice of an eligibility determination in accordance with *Code of Federal Regulations*, title 45, sections 155.310 (g); 155.330 (e)(1)(ii); 155.335 (h)(ii); 155.610 (i); and 155.715 (e) and (f); and

(7) in response to a notice from MNSure under *Code of Federal Regulations*, title 45, section 155.310 (h), a determination by MNSure that an employer does not provide minimum essential coverage through an employer-sponsored plan or that the employer does provide coverage but is not affordable coverage with respect to an employee; and

(8) in response to a denial of a request to vacate a dismissal made according to this chapter and in accordance with *Code of Federal Regulations*, title 45, section 155.530 (d)(2);

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

Subp. 2. Filing an appeal.

A. To initiate an appeal, an appellant must file the appeal with MNSure as follows:

(1) by mail;

(2) by telephone;

(3) by Internet; and or

(4) in person.

B. MNSure must provide the necessary contact information for each method of filing an appeal with each written eligibility determination and also through the MNSure Web site.

[For text of items C to G, see M.R.]

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

Subp. 4. Rescheduling.

A. Requests to reschedule a hearing must be made in person, by telephone, through the Internet, or ~~mailed and postmarked by mail~~ to the appeals examiner ~~at least five days in advance of the regularly scheduled hearing date~~. The rescheduling request may be made orally or in writing. The requesting party must provide the other party a copy of a written request or must otherwise notify the other party of

Expedited Rules

the request if the request is made orally.

B. ~~Any rescheduling of a hearing with less than five days' advance notice will be at the discretion of the appeals examiner and granted only when the rescheduling does not prejudice any party to the rescheduling. Requests to reschedule a hearing with less than five calendar days' advance notice of the scheduled hearing date requires one attempt by the requesting party to contact the other party to notify them of the forthcoming request and to provide an opportunity to express disagreement, if any. Requests to reschedule a hearing with less than 24 hours' advance notice of the scheduled hearing date is at the discretion of the appeals examiner upon considering the potential prejudicial effect or burden to the appellant.~~

C. Unless a determination is formally made in writing by the appeals examiner that a request to reschedule a hearing is made for the purpose of delay or where a party has expressed disagreement, as provided for in item B, and the reason for the disagreement outweighs the need for the rescheduling, a hearing must be rescheduled by the appeals examiner for good cause as determined by the appeals examiner. Good cause includes the following:

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

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

Subp. 4a. **Resolution offers.** The agency, in its discretion, may offer the appellant consideration to compromise or resolve the appeal. If such an offer is made, the appellant must communicate to MNsure the appellant's acceptance or denial, including plan enrollment selection, where applicable, within 14 calendar days from the day the offer is made or the offer expires.

[For text of subp 5, see M.R.]

Subp. 6. **Emergency expedited appeals.**

A. An appellant has a right to ~~request~~ an emergency expedited appeal when there is an immediate need for health services because a standard appeal could seriously jeopardize the appellant's life or health or ability to attain, maintain, or regain maximum function. An appellant must specify that an emergency expedited appeal is being requested when submitting the initial appeal. If an emergency develops during a pending appeal such that there has developed an immediate need for health services because a standard appeal could seriously jeopardize the appellant's life or health or ability to attain, maintain, or regain maximum function, an appellant may request an expedited appeal.

B. ~~If an emergency develops during a pending appeal such that there has developed an immediate need for health services because a standard appeal could seriously jeopardize the appellant's life or health or ability to attain, maintain, or regain maximum function, an appellant may request an expedited appeal. An appeals examiner must grant an emergency expedited appeal if an appellant has any of the following conditions or circumstances:~~

(1) pregnancy and postpartum care;

(2) newborn baby;

(3) prescriptions for chronic illnesses;

(4) dialysis;

(5) cancer treatment;

(6) broken bones needing immediate treatment;

(7) prescription refills necessitating physician visit;

(8) outpatient treatment currently being received;

(9) prescriptions for mental health conditions;

(10) nonelective surgery;

(11) heart disease;

Expedited Rules

(12) severe mood and brain disorders (e.g., schizophrenia, bipolar disorder); or

(13) other similar conditions or circumstances.

[For text of items C and D, see M.R.]

[For text of subp 7, see M.R.]

Subp. 8. **Access to data.**

A. Subject to the requirements of all applicable state and federal laws regarding privacy, confidentiality, and disclosure of personally identifiable information, the appellants and agencies involved in an appeals hearing must be allowed to access the appeal record upon request at a convenient place and time before and during the appeals hearing. Upon request, copies of the appeal record, including an electronic copy of the recorded hearing, must be provided at no cost and, upon request, must be mailed or sent by electronic transmission to the party or the party's representative.

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

[For text of subps 9 to 13, see M.R.]

Subp. 14. **Disqualification of appeals examiner.**

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

B. A party may move for the removal of an appeals examiner by written application of the party together with a statement of the basis for removal. Upon the motion of the party, the chief appeals examiner must decide whether the appeals examiner may hear the particular case. Removal of an appeals examiner under this item is at the discretion of the chief appeals examiner.

[For text of subp 15, see M.R.]

Subp. 16. **Commencement and conduct of hearing.**

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

F. The agency must present its evidence prior to or at the appeal hearing. The agency parties shall not be permitted to submit evidence after the hearing except:

(1) by agreement at the hearing between the appellant, the agency, and the appeals examiner;

(2) in response to new evidence; or

(3) when determined necessary by the appeals examiner to receive evidence needed to sufficiently complete the appeal record and make a fair and accurate decision.

~~If a party submits evidence is submitted after the appeal hearing, based on an agreement, the appellant and the agency other party must be allowed sufficient opportunity to respond to the evidence. When determined necessary by the appeals examiner, the appeal record shall remain open to permit an appellant to submit additional evidence on the issues presented at the appeal hearing.~~

Subp. 17. **Orders of the MNsure board.**

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

E. The appeals examiner shall not independently investigate facts or otherwise rely on information not presented at the appeal hearing. However, if the appeals examiner needs further clarification from the parties, the appeals examiner may request clarification from the parties at any time until a decision is issued. The appeals examiner may not contact other agency personnel, except as provided in subpart 16. The appeals examiner's recommended decision must be based exclusively on the testimony and evidence ~~presented at the appeal hearing~~ made part of the appeals record, legal arguments presented, and the appeals examiner's research and knowledge of the law.

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

G. Orders of the MNsure board shall be implemented either:

(1) prospectively on the first day of the month following the notice of appeal decision; or

(2) retroactively to the date ordered by the appeals examiner, at the option of the appellant.

Expedited Rules

An appellant shall communicate to the agency the appellant's plan enrollment selection within 60 calendar days from the notice of the appeal decision or the enrollment opportunity expires.

[For text of subp 18, see M.R.]

Subp. 18a. Reconsideration.

A. A party aggrieved by an order of the MNsure board may appeal under subpart 19 or 20, as applicable, or request reconsideration by the MNsure board within 30 days after the date the MNsure board issues the order. The MNsure board may reconsider an order upon request of any party or on the MNsure board's own motion. A request for reconsideration does not stay implementation of the MNsure board's order. The party seeking reconsideration has the burden to demonstrate why the matter should be reconsidered. The request for reconsideration may include legal argument and proposed additional evidence supporting the request, but this information is not required. If proposed additional evidence is submitted, the party must explain why the proposed additional evidence was not provided at the time of the hearing. If reconsideration is granted, the other parties must be sent a copy of all material submitted in support of the request for reconsideration and must be given ten days to respond. Upon reconsideration, the MNsure board may issue an amended order or an order affirming the original order.

B. Any order of the MNsure board issued under this subpart shall be final upon the parties unless an appeal is made in the manner provided under subpart 19 or 20, as applicable. Any order of the MNsure board is binding on the parties and must be implemented until the order is reversed.

C. A vendor, contractor, health insurance carrier, or other MNsure stakeholder is not a party and may not request a hearing or seek judicial review of an order issued under this part unless the vendor, contractor, health insurance carrier, or other MNsure stakeholder is assisting an appellant as a representative.

[For text of subp 19, see M.R.]

Subp. 20. Judicial review. An appellant may seek judicial review to the extent it is available under *Minnesota Statutes*, section 62V.05, subdivision 6, paragraphs (e) to (i), or as otherwise allowed by law.

Official Notices

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

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

Minnesota Department of Agriculture (MDA) Commissioner's Office Notice of Comment Period for the Proposed Emerald Ash Borer Quarantine in Chisago County and Scott County

The Minnesota Department of Agriculture (MDA) is accepting comments on the proposed state formal quarantine for emerald ash borer, *Agrilus planipennis* (Fairemaire), in Chisago County and Scott County to be implemented November 15, 2015.

Oral and written comments regarding the proposed regulations will be accepted via email, phone or fax through October 30, 2015. Submit comments to Kimberly Thielen Cremers, Minnesota Department of Agriculture, 625 Robert Street North, Saint Paul, MN 55155, **e-mail: kimberly.tcremers@state.mn.us**, **phone: (651) 201-6329**, **fax: (651) 201-6108**.

For more information on emerald ash borer, including a copy of the emergency quarantine, visit the Minnesota Department of Agriculture website at: www.mda.state.mn.us/eab.

Minnesota Department of Agriculture (MDA) Minnesota Rural Finance Authority Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C, for the Purchase of a Land Roller on Behalf of Jordan Martyn Aakre

NOTICE IS HEREBY GIVEN that a public hearing will be held on November 2, 2015, at 9:00 A.M., Department of Agriculture Building, Rural Finance Authority Division, 625 Robert Street North, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of a land roller; located 3 miles south of Warren, MN on MN State Hwy. 20, 1/4 mile west on 190th St. NW to farmstead; Section 23, Farley Township, Polk County, Minnesota on behalf of Jordan Martyn Aakre, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$20,000.00.

The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 7 October 2015

James A. Boerboom, Deputy Commissioner
Minnesota Department of Agriculture

**Minnesota Department of Human Services (DHS)
Health Care Purchasing and Delivery Systems Division
Health Care Administration
Public Notice of Maximum Allowable Costs of Medical Assistance Outpatient
Prescribed Drugs**

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of additions to the state Medical Assistance maximum allowable cost (state MAC) list for certain outpatient prescribed drugs.

At least once each calendar year, the United States Department of Health and Human Services, Centers for Medicare & Medicaid Services, publishes a federal upper limit (FUL) payment schedule for many commonly prescribed multiple-source drugs. The federal upper limit is set at a rate equal to 150 percent of the published price for the least costly therapeutic equivalent that can be purchased by pharmacists. This FUL payment schedule constitutes the federal MAC list. For many multiple-source drugs that are not on the federal MAC list, the Department establishes a state MAC list. Additionally, the Department imposes a state MAC for many multiple-source drugs that are on the federal MAC list, as long as the aggregate savings are at least as much as the savings would be using the federal MAC list.

The Department requires Medical Assistance pharmacy providers to submit their usual and customary costs. Pharmacy providers are reimbursed at the lower of: 1) the state MAC or the estimated acquisition cost determined using wholesale acquisition cost, plus a dispensing fee; or 2) the submitted usual and customary charge to the general public.

No earlier than October 20, 2015 the Department may add the following outpatient prescribed drugs to the state MAC list:

Drug Name

Paliperidone
Travoprost Sol.
Albuterol/pratropium inh.
Palonosetron
Olopatadine Sol.
Colesevelam

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$27, 000.00 for State Fiscal Year 2015 (July 1, 2015 through June 30, 2016).

This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires publication of a notice when there is a rate change in the methods and standards for setting payment rates for Medical Assistance services.

Written comments and requests for information may be sent to:

Sara Drake R.Ph., Pharmacy Program Manager
Health Services and Medical Management Division
Health Care Administration
Minnesota Department of Human Services
P.O. Box 64984
St. Paul, Minnesota 55164-0984

Official Notices

Minnesota Board of Psychology

REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Examination Requirements for Licensure as a Licensed Psychologist (EPPP admission) and Supervised Psychological Employment (Adding Supervision Plans), *Minnesota Rules, 7200.0550* and *Minnesota Rules 7200.0820*; Revisor's ID Number RD4329

Subject of Rules. The Minnesota Board of Psychology (Board) requests comments on its possible amendment to rules: (1) governing the admission to the Examination for Professional Practice in Psychology (EPPP); and (2) the way in which postdoctoral students begin and prepare for their postdoctoral supervised psychological employment experience.

The proposed EPPP rule proposes to limit the number of attempts at the EPPP to 4. Issues identified with repeated, unlimited attempts at the EPPP include: (1) concerns regarding competency to practice clinical psychology; (2) the need for additional support and remediation of applicants unable to pass the EPPP following three (3) attempts; (4) concerns related to the protection of the public by ensuring adequately trained and educated psychologists; (5) examination security and access; (6) threats to the continued access by the Board to the national examination; and (7) meeting the national standard for attempts at the EPPP.

The proposed rule related to postdoctoral supervised employment is intended to proactively assist applicants in properly completing the requisite supervised clinical training in accordance with the existing statutes and administrative rules and to provide notice, oversight, and additional regulation of those applicants engaging in unlicensed practice of psychology under supervision in preparation for licensure in the State of Minnesota. In pertinent part, the absence of pre-approved postdoctoral supervision plans raises the following issues: (1) individuals not pursuing licensure practicing psychology without a license; (2) improperly conducted supervision placing clients (Minnesota citizens) at risk including: (a) lack of primary supervision; (b) lack of the requisite number of hours of supervision; (c) lack of the appropriate clinical site for the supervised experience; (d) improperly qualified supervisors or designated supervisors; (e) lack of appropriate clinical responsibility for supervision; (f) denial of licensure based on inadequate supervision; (g) increased investigation and corrective or disciplinary action related to supervision. The proposed rule adds a requirement to submit a supervision plan *prior* to beginning the supervised experience to ensure compliance with the statutory and administrative rule requirements and to save applicants time, money, and work when postdoctoral supervised experiences are conducted improperly. Additionally, prior approval of supervisions plans is intended to save applicants time, money, and effort in completing their experience allowing them to become licensed in a more efficient manner and to ensure the public is adequately protected by appropriate supervisory oversight of applicants preparing for licensure.

Persons Affected. The amendment to the rules would likely affect: (1) applicants for licensure applying for admission to the Examination for Professional Practice in Psychology (EPPP); (2) Applicants for the EPPP who are unable to pass the EPPP in three attempts; (3) Applicants for the EPPP who are unable to pass the EPPP in four attempts; (4) citizens receiving psychological services in the State of Minnesota; (5) applicants for licensure by the Minnesota Board of Psychology wishing to begin a postdoctoral supervised employment experience following the conferral of a graduate degree in psychology; (5) individuals qualified to provide supervision to postdoctoral applicants (primary and designated supervisors); (6) entities employing postdoctoral applicants to provide psychological services prior to licensure (including psychological firms, mental health clinics, hospitals, private licensed providers of mental health services, city, county, state, and federal entities employing postdoctoral applicants prior to licensure.

Statutory Authority. *Minnesota Statutes*, section 148.905, subd. 1(1), authorizes the Board to adopt rules for licensing psychologists...and for regulating their professional conduct. *Minnesota Statutes*, section 148.905, subd. 1(3), requires the Board to “adopt and implement rules for examinations which shall be held at least once a year to assess applicants’ knowledge and skills. The examinations may be written or oral or both, and may be administered by the board or by institutions or individuals designated by the board.” Additionally, *Minnesota Statutes*, section §148.98, requires the Board to “adopt rules of conduct to govern an applicant’s or licensee’s practices or behavior.”

Public Comment. Interested persons or groups may submit comments or information on these possible rules in **writing or orally until 4:30 p.m. on Thursday, December 17th, 2015**. The Board will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Board does not plan to appoint an advisory committee to comment on the possible rules.

Rules Drafts. The Board has drafted the possible rules amendments which will be available before publication of the proposed rule.

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules, and requests for more information on these possible rules should be directed to: Angelina M. Barnes, Executive Director at The Board of Psychology, 2829 University Avenue S.E., Suite 320, Minneapolis, MN 55414, **phone:** (612) 617-2230, **fax:** (612) 617-2240, and/or e-mail: psychology.board@state.mn.us.

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: October 19th, 2015

Angelina M. Barnes, Executive Director
Minnesota Board of Psychology

Minnesota Department of Transportation (Mn/DOT) Notice to Bidders: Suspensions/Debarments as of January 12, 2015

NOTICE OF DEBARMENT

NOTICE IS HEREBY GIVEN that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective May 6, 2013 until May 6, 2016:

- Gary Francis Bauerly and his affiliates, Rice, MN
- Gary Bauerly, LLC and its affiliates, Rice, MN
- Watab Hauling Co. and its affiliates, Rice, MN

NOTICE IS HEREBY GIVEN that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective September 17, 2014 until September 17, 2017:

- Jeffrey Plzak and his affiliates, Loretto, MN
- Laurie Plzak and her affiliates, Loretto, MN
- Honda Electric Incorporated and its affiliates, Loretto, MN
- Jeffrey and Laurie Plzak doing business as Honda Electric Logistics, and its affiliates, Loretto, MN

NOTICE IS HEREBY GIVEN that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective January 12, 2015 until January 12, 2018:

- Marlin Dahl, Granada, MN
- Dahl Trucking, Elmore, MN
- Elmore Truck and Trailer, Inc., Elmore, 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.

Official Notices

Minnesota Board of Water and Soil Resources (BWSR) REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Wetland Conservation, *Minnesota Rules*, Chapter 8420; Revisor's ID Number R-04356

Subject of Rules. The Minnesota Board of Water and Soil Resources (Board) requests comments on possible amendments to the rules governing wetland conservation (i.e. the Wetland Conservation Act). The Board is considering rule amendments to:

- ∅ reconcile the rule with statute changes from 2011, 2012, and 2015 – for details on these statute changes, see the wetlands page on the Board's website at <http://www.bwsr.state.mn.us/wetlands/index.html>;
- ∅ improve outcomes relating to the replacement of unavoidable wetland impacts, including provisions to establish priorities and replacement ratios that encourage the use of high priority areas for wetland replacement, develop the standards and procedures for an in-lieu fee wetland replacement program, establish new actions eligible for wetland replacement credit in the greater than 80 percent pre-settlement wetland area of the state (northeast), and modify the requirements and process for wetland replacement; and
- ∅ as time and capacity allows, implement changes identified during the rulemaking process and other miscellaneous changes that will improve the efficiency, effectiveness, and/or outcomes of the rule.

Persons Affected. The amendment to the rules will affect many sectors whose activities may influence Minnesota's wetland resources, including landowners and organizations proposing to impact wetlands; local governments responsible for implementing the Wetland Conservation Act; and individuals and organizations with an interest in wetland protection such as environmental, agricultural, development, and public advocacy groups.

Statutory Authority. *Minnesota Statutes*, section 103G.2242, requires the Board to adopt rules governing the approval of wetland value replacement plans. These rules must address the criteria, procedure, timing, and location of acceptable replacement of wetland values and may address the state establishment and administration of a wetland banking program for public and private projects, including provisions for an in-lieu fee program; the administrative, monitoring, and enforcement procedures to be used; and a procedure for the review and appeal of decisions under this section.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on December 18, 2015. The Board does plan to appoint an advisory committee to comment on the possible rules.

Rules Drafts. The Board has not yet drafted the possible rule amendments.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Les Lemm at the Minnesota Board of Water and Soil Resources, 520 Lafayette Road North, St. Paul, MN 55155, **phone:** (651) 296-6057; or by **e-mail** at: les.lemm@state.mn.us.

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: October 9, 2015

John Jaschke, Executive Director
Minnesota Board of Water and Soil Resources

State Contracts

In addition to the following listing of state contracts, readers are advised to check the Statewide Integrated Financial Tools (SWIFT) Supplier Portal at: <http://supplier.swift.state.mn.us> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be advertised in the Supplier Portal (see link above) or posted on the Department of Administration, Materials Management Division's (MMD) Web site at: <http://www.mmd.admin.state.mn.us/solicitations.htm>.

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 advertised in the SWIFT Supplier Portal or alternatively, in the *Minnesota State Register* if the procurement is not being conducted in the SWIFT system.

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.

Anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days

Minnesota State Colleges and Universities (MnSCU)

Pine Technical and Community College

Notice of Request for Proposals for Subject Matter Evaluation Coordination and Review

NOTICES IS HEREBY GIVEN that Pine Technical and Community College, in support of the U.S. Department of Labor Employment and Training Administration funded Rural Information Technology Alliance (RITA) Consortium, is seeking proposals for the coordination and review of non-proprietary courses or enhancement of courses that were developed by the RITA Consortium and funded by the Department of Labor's Trade Adjustment Assistance Community College and Career Training (TAACCCT) Grant Program Round #3.

RITA is a four year, \$18.3 million, consortium funded by the U.S. Department of Labor with four consortium partners: Pine Technical College (lead), Central Lakes College, Ridgewater Community College, and North Central Texas College located in Gainesville, Texas. With the shortage of IT resources in rural areas, and with this grant, the four schools, along with allied workforce centers, industry partners, and IT employers is implementing a project that addresses critical rural IT needs in the workforce. In addressing these critical needs, RITA supported faculty have developed or enhanced approximately 30 courses in cybersecurity, application development, and databases. RITA is seeking a vendor to coordinate and facilitate the review of these courses by subject matter and instructional design experts as required by the Department of Labor TAACCCT Grant Program. It is anticipated that subject matter and instructional review will be completed by December 31, 2016.

Services included but not limited to the following:

- Develop rubrics to guide reviewers in their evaluation of the course content, coordinate this work with grant management staff.
- Identify SMEs to review RITA developed or enhanced curriculum including the student content of each course, each set of labs, and the instructional resources such as course syllabi and assessments.
- Identify instructional designers to review the course materials from the perspective the effectiveness of the presentation of the content.
- Negotiate terms of "statement of work" for reviews including reviewing fees and schedule.
- Manage reviewer progress
- Manage distribution of reviews to course authors
- Manage reviewer payments conforming to Federal and State regulations

In addition to outlining its approach to meeting the scope of the RFP, the response to the request for proposals should contain the following:

State Contracts

- Cost of coordinating the review process per course,
- Compensation amounts for Subject Matter and Instructional Design Experts,
- Total estimated cost of project based on 30 courses; actual cost will vary depending on the number of courses reviewed,
- Process for identifying and verifying credentials of Subject Matter and Instructional Design Experts,
- Process for developing evaluation scoring tool (i.e., rubric) to be used in evaluating the courses,
- Description of contracting and disbursement process to be followed including compliance with State and Federal regulations,
- Technology required for transferring curriculum to Subject Matter and Instructional Design Experts,
- Anticipated timeline for Subject Matter and Instructional Design Expert review,
- List and biographical sketch of key staff, including experience working with similar organizations/projects, and
- Contact information for three professional references

Questions can be addressed to Michael Olesen, RITA Consortium Director, at olesenm@pine.edu or (651) 274-9982.

Proposals must be submitted to: Michael Olesen, RITA Consortium Director, Pine Technical and Community College, 900 4th Street SE, Room 47, Pine City, MN 55063 by 3:00 pm CST October 23, 2015.

Pine Technical and Community College reserves the right to reject any or all proposal or portion thereof, to waive technicalities in proposals, and to delay final award for a period of 15 days. This request for proposals does not obligate the State to complete the work or license 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 State Colleges and Universities (MnSCU) Rochester Community and Technical College Notice of Availability of Request for Proposals (RFP) for an Engineering Design Team for 2015 Heintz Center HVAC Project

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Rochester Community and Technical College and Saint Paul College, is soliciting proposals from interested, qualified consulting engineer design firms for the above referenced project.

A full Request for Proposals and a copy of the Predesign information is available on the Minnesota State Colleges and Universities website: <http://www.finance.mnscu.edu/facilities/design-construction/announcements/index.html>, check under "Requests for Proposals."

Please note date change: A pre-proposal Project Information Meeting is scheduled for Wednesday, October 21, 2015, at 11:00 am at Rochester Community and Technical College, Heintz Center, Room HA 103, 1226 College View Road E, Rochester, MN 55904. Project questions shall be referred to the appropriate Project Contact person as listed in the Request for Proposals.

Proposals from interested firms must be delivered to June Meitzner, Purchasing Manager, Room SS153, Rochester Community and Technical College, 851 - 30th Avenue SE, Room SS153, Rochester, MN 55904-4999, not later than 2:00 pm, Monday, November 2, 2015. **Late responses will not be considered.**

Minnesota State Colleges and Universities and Rochester Community and Technical College are not obligated to complete the proposed project and reserve the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU)

System Office, Academic and Student Affairs

Request for Proposals for Identifying Vendors Who Specialize in Content Authoring Tool Cloud Solutions for Higher Education Consortia

The System Office of MnSCU is requesting proposals from Respondents for LMS-independent content authoring tool Cloud solutions for use by MnSCU faculty. The solution should provide for the development of an array of media to create engaging and interactive learning content for MnSCU courses. Respondents should be prepared to submit a proposal which addresses the needs of MnSCU as a system of higher education institutions. The System Office desires to enter into a contract with one or more successful Vendor(s) effective April 30, 2016.

Important Dates

Monday, October 19, 2015	MnSCU publishes RFP notice in <i>State Register</i>
Friday October 30 at 10:00 A.M. CST	Deadline for Vendors to submit clarifying questions
Wednesday, November 6, 2015 at 1:00 P.M. CST	MnSCU publishes answers to RFP questions
Friday, November 20, 2015 at 3:00 P.M. CST	Deadline for RFP proposal submissions
December 18, 2015	Vendors identified as Finalists for Oral Presentations
January 1-February 5, 2016	Product trial window
January 18-22, 2016	Oral Presentations by selected finalists
March 2016	Finalist notified
March 2016	Request approval from MnSCU Board of Trustees
April 30, 2016	Contract(s) awarded

Department: Minnesota State Colleges and Universities, System Office

Sealed Proposals for: Content Authoring Tool Cloud Solutions RFP

Will be received by: Shelly Heller, Office Administrator, System Office, Wells Fargo Place, 30 - 7th Street East, Suite 350, St. Paul, MN 55101-7804

Inquiries about this RFP, and receiving proposals, must be directed to:

Lesley Blicher, Director of LMS Learning and Next Generation Technology

Telephone: (651) 201-1413

E-mail: lesley.blicher@so.mnscu.edu

All responses to this RFP must be received no later than 3:00 PM CST on Friday, November 20, 2015. For a complete copy of the RFP and required submission materials, please visit the RFP website at:

<http://asa.mnscu.edu/educationalinnovation/RFP%20Documents%20and%20Files/Content%20Authoring%20Tool%20RFP%202015.html>.

Minnesota Department of Health (MDH)

Health Care Homes Section

Request for Proposal for Meeting Planning Services

The Minnesota Departments of Health and Human Services are in need of a meeting planner to work with program staff to plan and implement a two-day statewide conference to advance the goals of the Minnesota Accountable Health Model and Health Care Homes initiative. The event will be held April 26-27, 2016 in Minneapolis, MN and will attract up to 600 attendees and 20+ exhibitors. The target audience includes primary care clinic providers, community-based providers of health and social services, local public health staff, and

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others engaged in health care transformation.

Key responsibilities of the meeting planner include working with program staff to: 1) develop, host and manage conference website with functionality for online registration and secure payment processing; 2) promote the conference via digital, print and social media; 3) recruit and evaluate speakers, exhibitors and sponsors; 4) serve as primary liaison and coordinate logistics with conference venue; 5) staff on-site registration at the conference.

Proposals must be received by 4:00 pm, Monday, November 9, 2015, at the Minnesota Department of Health, 85 West Seventh Street, Suite 220, St. Paul, MN 55101, attention Kathy Vinson. Late proposals will not be considered. For more information, please contact Kathy Vinson at: kathy.vinson@state.mn.us

A copy of the complete Request for Proposal may be accessed at the Minnesota Department of Health – Health Care Home website:
<http://www.health.state.mn.us/healthreform/homes/newsannouncements.html>

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 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.

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A subscription to the *STATE REGISTER* gets you the EARLIEST delivery. Instead of waiting until Monday at 8:00 am when the magazine is posted on our website, we'll SEND you the magazine on Friday at close of business with the State, 4:30 pm: 2-1/2 days early.

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- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** www.minnesotasbookstore.com
- ♦ **Minnesota Relay Service:** 8 a.m. - 5 p.m. Monday - Friday, 1.800.627.3529 (nationwide toll-free)
- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

PREPAYMENT REQUIRED. Prices and availability subject to change.

Fax and phone orders: Credit card purchases ONLY (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

Company _____

Name _____

Street Address (Not deliverable to P.O. boxes) _____

City () State Zip

Daytime phone (In case we have a question about your order) _____

Credit card number: _____

Expiration date: _____ Signature: _____

Shipping Charges

<i>If Product</i>	<i>Please</i>
<i>Subtotal is:</i>	<i>Add:</i>
Up to \$15.00	\$ 5.00
\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$1,000	\$ 17.00*
*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.	
More than \$1,000	Call

Product Subtotal _____

Shipping _____

Subtotal _____

Sales tax _____

(6.875% sales tax if shipped to MN address, 7.625% if shipped to St. Paul address. 7.125% MN transit tax or other local sales tax if applicable)

TOTAL _____

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