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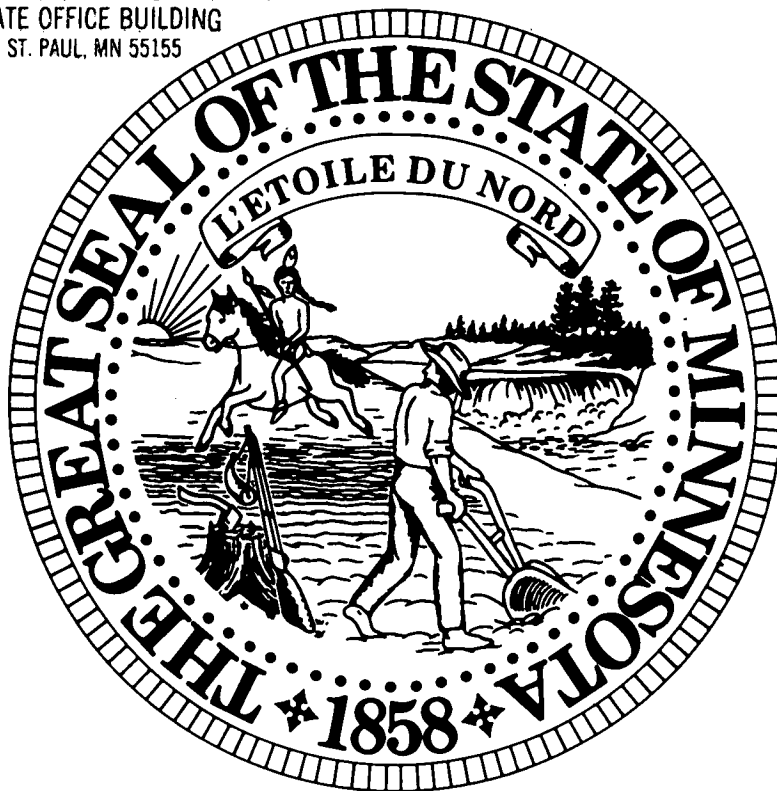
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The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional, technical and consulting contracts, non-state bids and public contracts, and grants.

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Minnesota Rules: Amendments and Additions

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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 75 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. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-657-3757.

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9565.5000; .5010; .5020; .5025; .5027; .5030; .5050; .5060; .5065; .5070; .5080; .5090; .5100; .5110; .5120; .5130; .5140; .5150; .5160; .5200 (adopted).....	1144	9565.5010, s.6, 6, 13, 23, 24, 33; .5025, s.4; .5030, s.2, 3, 8; .5040; .5060, s.1, 3, 4, 5, 6, 7; .5110, s.6, 9, 10 (repealed).....	1144
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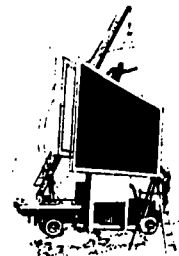
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Proposed Rules

Pursuant to Minn. Stat. §14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted

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*.

Pursuant to Minn. Stat. §§14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Minnesota Housing Finance Agency

Proposed Permanent Rules Relating to Rent Assistance for Family Stabilization Demonstration Project and Correcting Obsolete References

Notice of Intent to Adopt a Rule Without a Public Hearing

The Minnesota Housing Finance Agency intends to adopt a permanent rule without a public hearing following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22 to 14.28. You have 30 days to submit written comments on the proposed rule and may also submit a written request that a hearing be held on the rule.

Agency Contact Person. Comments or questions on the rule and written requests for a public hearing on the rule must be submitted to:

Renee Dickinson
Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101-1998
(612) 296-9794

Subject of Rule and Statutory Authority. The proposed rule is about the Rental Assistance for Family Stabilization Demonstration program. The statutory authority to adopt this rule is *Minnesota Statutes* 462A.06, subd. 4 and 11. You have until 4:30 PM, January 26, 1994, to submit written comment in support of or in opposition to the proposed rule and any part or subpart of the rule. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 PM, on January 26, 1994. Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rule which caused your request, the reason for the request, and any changes you want made to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Modifications. The proposed rule may be modified as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in a substantial change in the proposed rule. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule.

Adoption and Review of Rule. If no hearing is required, after the end of the comment period the agency may adopt the rule. The rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rule is submitted to the attorney general or be notified of the attorney general's decision on the rule. If you wish to be so notified, or wish to receive a copy of the adopted rule, submit your request to the agency contact person listed above.

James J. Solem
Commissioner

Rules as Proposed**4900.0010 DEFINITIONS.**

[For text of subs 1 to 15, see M.R.]

Subp. 16. **Local community.** "Local community" means and refers to a city, village, or borough, however organized, in the state of Minnesota, and any housing and redevelopment authority created pursuant to the provisions of *Minnesota Statutes* ~~1971~~, sections ~~462.411~~ 469.001 to ~~462.711~~ 469.047.

[For text of subs 17 to 20, see M.R.]

Subp. 21. **Nonprofit or nonprofit entity.** "Nonprofit" or "nonprofit entity" means and refers to: housing and redevelopment authorities established under and pursuant to the provisions of *Minnesota Statutes* ~~1971~~, sections ~~462.411~~ 469.001 to ~~462.711~~ 469.047; and those partnerships, joint ventures, corporations, and associations which are established for a purpose not involving pecuniary gain to the members, partners, or shareholders thereof, pay no dividends or other pecuniary remuneration, directly or indirectly, to the members, partners, or shareholders thereof, and in the case of private, nonprofit corporations, are established under and pursuant to *Minnesota Statutes*, chapter 317A and are in compliance with all the provisions thereof; provided, however, that in no event shall a limited dividend entity be deemed a nonprofit entity.

[For text of subs 22 and 23, see M.R.]

4900.1576 HOMEOWNERSHIP ASSISTANCE FUND; URBAN INDIAN HOUSING LOAN PROGRAM.

Under the homeownership mortgage participation component of the urban Indian housing loan program, recipients are eligible for homeownership assistance fund loans as described in parts ~~4900.1310~~ 4900.1315 to ~~4900.1350~~ 4900.1359, except as modified by parts 4900.1500 to 4900.1586. All loan recipients are eligible for downpayment assistance under part 4900.1300. Recipients are eligible for monthly assistance under part ~~4900.1330~~ 4900.1331 only in the event that the first mortgage note or coupon rate exceeds an interest rate of eight percent per annum.

4900.1910 ELIGIBILITY.

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

Subp. 2. **Applicant.** To be eligible for selection as a recipient of a grant under the program, an applicant must be either:

[For text of items A and B, see M.R.]

C. a Minnesota Housing and Redevelopment Authority created under *Minnesota Statutes*, sections ~~462.415~~ 469.001 to ~~462.705~~ 469.047; or

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

4900.1923 ELIGIBLE APPLICANTS.

To be eligible for selection as a recipient of a grant or loan under the program, an applicant must be an individual, a nonprofit entity, a for profit entity, a cooperative housing corporation, a Minnesota city, a joint powers board established by two or more cities, or a Minnesota housing and redevelopment authority created under *Minnesota Statutes*, sections ~~462.415~~ 469.001 to ~~462.705~~ 469.047, with the authority to enter into any loan or grant documents that may be required by the agency.

4900.3010 DEFINITIONS.

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

Subp. 2. **Agency.** "Agency" means the Minnesota Housing Finance Agency created by *Minnesota Statutes*, sections 462A.01 to ~~462.24~~ 462A.24.

[For text of subs 3 to 8, see M.R.]

4900.3371 DEFINITIONS.

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

Subp. 9. **Local housing agency organization.** "Local housing agency organization" means the agency of local government

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

responsible for administering the United States Department of Housing and Urban Development's section 8 existing voucher and certificate program or a nonprofit or for-profit organization experienced in housing management.

[For text of subs 10 and 11, see M.R.]

4900.3372 VOUCHER OPTION.

Subpart 1. **General description.** Under the voucher option, the agency shall award a number of rental assistance vouchers to self-sufficiency program administrators for use by participating families. Participating families may use the rental assistance voucher for rental housing that is certified by the local housing agency organization as meeting section 8 existing housing quality standards.

Subp. 2. **Responsibilities of self-sufficiency program administrator.** Self-sufficiency program administrators must select the caretaker parents whose families will receive the rent assistance. The self-sufficiency program administrator must notify the local housing agency organization and the agency of the following:

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

The self-sufficiency program administrator must provide the caretaker parent who has discontinued participation in a program before completion with the notice specified in part 4900.3379. The self-sufficiency program administrator must send a subsequent notice to the caretaker parent, the local housing agency organization, and the agency 60 days before termination of the housing assistance.

Subp. 3. **Responsibilities of local housing agency organization.** The local housing agency organization must administer the monthly rent assistance. It must:

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

Subp. 4. **Eligible application.** A local housing agency organization and a self-sufficiency program administrator must submit an application jointly to the agency for the rent assistance for family stabilization demonstration program. The applicants must provide an application in the form prescribed by the agency. At a minimum, the application shall include the following:

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

Subp. 5. **Eligible applicants.** Eligible applicants are self-sufficiency program administrators that provide services to caretaker parents who reside in counties with high average housing costs and the local housing agency organization that administers the federal section 8 housing certificate and voucher program for the area.

4900.3373 PROJECT-BASED OPTION.

Subpart 1. **General description.** Under the project-based rental assistance option, the agency shall award a number of vouchers to self-sufficiency program administrators for use by participating families who live in designated rental property. Either the agency or a local housing agency organization may administer the monthly rent assistance. The responsibilities of self-sufficiency program administrators and either a local housing agency organization or the agency are as specified under part 4900.3372, subparts 2 and 3.

[For text of subs 2 and 3, see M.R.]

4900.3377 SELECTION OF ELIGIBLE FAMILIES.

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

Subp. 5. **Change in income.** The self-sufficiency program administrator must inform caretaker parents receiving rent assistance of their responsibility to inform the local housing agency organization of increases or decreases in family income, allowances, and composition when they occur.

4900.3380 TERMINATION OF ASSISTANCE; NOTICE AND APPEAL RIGHTS.

Before terminating rental assistance, the local housing agency organization or the agency must send a notice to the caretaker parent no later than ten days before the termination specifying the reasons for the termination of rental assistance and the right to appeal the termination within ten days of the receipt of the notice. Appeals under this part shall be heard by the Department of Human Services, under *Minnesota Statutes*, section 256.045.

Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §§14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

Pollution Control Agency

Adopted Permanent Rules Relating to Hazardous Waste Housekeeping

The rules proposed and published at *State Register*, Volume 17, Number 41, pages 2437-2453, April 12, 1993 (17 SR 2437), are adopted with the following modifications:

Rules as Adopted

7045.0020 DEFINITIONS.

Subp. 71. **Point source.** "Point source" has the meaning given in *Minnesota Statutes*, section ~~115.03~~ 115.01, subdivision 11, but does not include irrigation return flows.

Subp. 73d. **Record or record keeping.** "Record" or "record keeping" means storing information either in printed form or electronically in a computer storage system or other electronic medium.

Subp. 108. **Wetland.** "Wetland" has the meaning given to "wetlands" in *Minnesota Statutes*, section ~~105.37~~ 103G.005, subdivision ~~49~~ 18.

7045.0120 EXEMPTIONS AND SPECIAL REQUIREMENTS.

Subpart 1. **Exempt types of waste.** The following waste may be stored, labeled, transported, treated, processed, and disposed of without complying with the requirements of this chapter:

A. household waste except as provided for ~~collected household hazardous waste and collected spent or waste household batteries which must meet the requirements of subpart 2 as specified under subpart 2, items A and B;~~

Subp. 2. **Special requirements.** The following waste is exempt from the general requirements of this chapter if managed as specified:

A. ~~collected household hazardous waste~~ collected as a result of a household hazardous waste management program under part 7045.0310;

B. ~~collected spent or waste household batteries~~ collected under part 7045.0686; and

C. ~~collected hazardous waste from~~ collected as a result of a very small quantity generators generator hazardous waste collection program under part 7045.0320.

7045.0206 GENERATOR SIZE DETERMINATION.

Subp. 2. **Large quantity generator.** A large quantity generator is a ~~large quantity~~ generator who, in a calendar month, generates 1,000 kilograms of hazardous waste or more.

Subp. 3. **Small quantity generator.** A small quantity generator is a ~~small quantity~~ generator who, in a calendar month, generates more than 100 kilograms and less than 1,000 kilograms of hazardous waste.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Adopted Rules

Subp. 4. **Very small quantity generator.** A very small quantity generator is a very small quantity generator who, in a calendar month, generates 100 kilograms of hazardous waste or less.

Subp. 4a. **Acute hazardous waste generation and spill cleanup.** A generator of acute hazardous waste is a large quantity generator ~~who if~~, in a calendar month, that person generates:

7045.0275 MANAGEMENT OF HAZARDOUS WASTE SPILLS.

Subp. 2. **Spills; duty to report.** Any person in control of a hazardous waste that spills, leaks, or otherwise escapes from a container, tank, or other containment system, including its associated piping, shall immediately notify the agency if the hazardous waste may cause pollution of the air, land resources, or waters of the state. The person shall use the agency's appropriate Minnesota duty officer's 24-hour telephone number; ~~(612) 296-8100~~;

- A. (612) 649-5451 for Twin Cities' local calling area and outside Minnesota;
- B. (800) 422-0798 for greater Minnesota;
- C. (612) 297-5353 for TDD for Twin Cities' local calling area and outside Minnesota; or
- D. (800) 627-3529 for TDD for greater Minnesota.

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

7045.0292 ACCUMULATION OF HAZARDOUS WASTE.

Subpart 1. **Large quantity generator.** A large quantity generator may accumulate hazardous waste on site without a permit or without having interim status if:

C. tanks and containers are clearly labeled with the waste accumulation start date, which must be visible for inspection; or for tanks or containers that are not used as shipping containers, the generator may maintain a clearly designated and legible log of ~~tank or container, for containers that are never shipped~~; transactions which includes accumulation start dates, clearly identifying identifies each tank ~~and or~~ container, and is maintained and available for inspection;

Subp. 2. **Accumulation start date.** A large quantity or small quantity generator's accumulation start date begins when the generator initiates accumulation in a container or tank. ~~A very small quantity generator's accumulation start date begins on the date the accumulated waste exceeds 1,000 kilograms.~~ The accumulation start date for acute hazardous waste satellite accumulation is provided for in ~~subpart 7, and~~ subpart 8, item C; provides for satellite accumulation D.

Subp. 5. **Small quantity generator.** A small quantity generator may accumulate up to 3,000 kilograms of hazardous waste that is not acute hazardous waste on site without a permit or without having interim status if:

C. tanks and containers are clearly labeled with the waste accumulation start date, which must be visible for inspection; or for tanks or waste containers that are not used as shipping containers, the generator may maintain a clearly designated and legible log of ~~tank or container, for containers that are never shipped~~; transactions which includes accumulation start dates, clearly identifying identifies each tank ~~and or~~ container, and is maintained and available for inspection;

Subp. 6. **Very small quantity generator.** A very small quantity generator may accumulate up to 1,000 kilograms of hazardous waste that is not acute hazardous waste on site without a permit or without having interim status if:

C. tanks and containers are clearly labeled with the waste accumulation start date, which must be visible for inspection; or for tanks or containers that are not used as shipping containers, the generator may maintain a clearly designated and legible log of transactions which includes accumulation start dates, clearly identifies each tank or container, and is available for inspection;

D. outdoor storage areas are protected from unauthorized access and inadvertent damage from vehicles or equipment;

~~D.~~ E. containers that hold free liquids are placed on a containment surface that is impermeable to the waste stored and, if outside, is curbed;

E. ~~F.~~ all waste containers and tanks are labeled with the words "Hazardous Waste" and a description that clearly identifies their contents to employees and emergency personnel;

F. ~~G.~~ the generator meets the requirements of part 7045.0566, relating to preparedness and prevention, and part 7045.0568, relating to the arrangements with local authorities for emergencies; and

~~G.~~ H. if the generator accumulates at any one time more than 1,000 kilograms of hazardous waste, the generator becomes a small quantity generator and is subject to regulation under subpart 5 ~~with the accumulation start date being the date the accumulated waste exceeds 1,000 kilograms.~~ For generators in this circumstance, all accumulated hazardous waste must be treated on site in compliance with part 7045.0211 or shipped off site in compliance with part 7045.0208 within 180 days of the date the 1,000 kilogram limit is reached.

Subp. 7. **Acute hazardous waste accumulation.** A small quantity generator or a very small quantity generator who generates

acute hazardous waste may accumulate that waste on site indefinitely until one kilogram of acute hazardous waste or 100 kilograms of residue, contaminated soil, water, or other debris resulting from the cleanup of a spill of an acute hazardous waste into or on any land or water, is accumulated. From the date the applicable limit is reached (~~accumulation start date~~), the entire quantity of waste must be treated on site in compliance with part 7045.0211 or shipped off site in compliance with part 7045.0208 within 90 days. A generator accumulating wastes under this subpart must meet the requirements in items A and B.

Subp. 8. **Satellite accumulation.** Items A to ~~E~~ D apply to all generators of hazardous waste.

A. A generator may, without a permit or interim status and without complying with subparts 1 to 7, ~~as applicable~~, accumulate ~~in a single container at each individual point of generation~~ as much as 55 gallons of hazardous waste or one quart of acute hazardous waste listed in part 7045.0135, subpart 4, item E, ~~located at or near any point of generation where wastes initially accumulate that is under the control of the operator of the process generating the waste, per waste stream per each point of generation~~ provided the generator complies with items B and ~~E~~ D.

B. ~~During satellite accumulation~~, The generator must:

- (1) comply with part 7045.0626, subparts ~~1~~ 2 to 4 ~~and 6~~; and
- (2) clearly label each container with the words "Hazardous Waste" and a description that clearly identifies its contents to employees and emergency personnel;
- (3) ~~comply with parts 7045.0566 and 7045.0568;~~
- (4) provide that outdoor satellite accumulation areas are protected from unauthorized access and inadvertent damage from vehicles or equipment; and
- (5) provide that containers that hold free liquids are placed on a containment surface that is impermeable to the waste stored and, if outside, is curbed.

C. In addition, the generator must:

- (1) for a container or containers located within the immediate working area of the specific process producing the waste, provide direct control and visual inspection of the satellite accumulation area by persons directly responsible for the specific process producing the waste; or
- (2) for a container or containers not located in the immediate working area, inspect the containers and areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors and keep a written record of the dates and findings of these inspections.

D. On the date on which the volume limit prescribed in item A is reached, the generator must:

- (3) during the three-day period for compliance, continue to comply with ~~item~~ items B and C.

7045.0395 HAZARDOUS WASTE DISCHARGES.

[For text of subs 1 and 2, see M.R.]

Subp. 3. **Notification.** An air, rail, highway, or water transporter who has discharged hazardous waste must:

A. Immediately notify the agency if the hazardous waste may cause pollution of the air, land, or waters of the state. The person shall use the ~~agency's~~ appropriate Minnesota duty officer's 24-hour telephone notification service ~~(612) 296-8100;~~

- (1) (612) 649-5451 for Twin Cities' local calling area and outside Minnesota;
- (2) (800) 422-0798 for greater Minnesota;
- (3) (612) 297-5353 for TDD for Twin Cities' local calling area and outside Minnesota; or
- (4) (800) 627-3529 for TDD for greater Minnesota;

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

[For text of subs 4 and 5, see M.R.]

7045.0468 EMERGENCY PROCEDURES.

Subp. 5. **Report on released material.** If the emergency coordinator determines that the effects of an event requiring the con-

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Adopted Rules

tingency plan to be implemented could threaten human health or the environment outside the facility, the findings must be reported as provided in items A and B to C.

B. The ~~agency's~~ Minnesota duty officer must be immediately notified at the appropriate 24-hour telephone number ; ~~(612) 296-8100; and;~~

- (1) (612) 649-5451 for Twin Cities' local calling area and outside Minnesota;
- (2) (800) 422-0798 for greater Minnesota;
- (3) (612) 297-5353 for TDD for Twin Cities' local calling area and outside Minnesota; or
- (4) (800) 627-3529 for TDD for greater Minnesota.

C. Notice must be given to the National Response Center using its 24-hour toll-free telephone number, (800) 424-8802. The report must include:

[For text of subitems (1) to (6), see M.R.]

Subp. 6. **Duty to notify.** The emergency coordinator shall immediately notify the agency Minnesota duty officer if the released hazardous waste may cause pollution of the air, land resources, or waters of the state. The emergency coordinator shall use the ~~agency's~~ appropriate Minnesota duty officer's 24-hour telephone number ~~(612) 296-8100;~~

- A. (612) 649-5451 for Twin Cities' local calling area and outside Minnesota;
- B. (800) 422-0798 for greater Minnesota;
- C. (612) 297-5353 for TDD for Twin Cities' local calling area and outside Minnesota; or
- D. (800) 627-3529 for TDD for greater Minnesota.

7045.0574 EMERGENCY PROCEDURES.

Subp. 5. **Report on released material.** If the emergency coordinator determines that the effects of an event requiring the contingency plan to be implemented could threaten human health or the environment outside the facility, the findings must be reported as provided in items A and B to C:

B. The ~~agency's~~ Minnesota duty officer must be immediately notified at the appropriate 24-hour telephone number ; ~~(612) 296-8100; and;~~

- (1) (612) 649-5451 for Twin Cities' local calling area and outside Minnesota;
- (2) (800) 422-0798 for greater Minnesota;
- (3) (612) 297-5353 for TDD for Twin Cities' local calling area and outside Minnesota; or
- (4) (800) 627-3529 for TDD for greater Minnesota.

C. Notice must be given to the National Response Center using its 24-hour toll-free telephone number, (800) 424-8802. The report must include:

Subp. 6. **Duty to notify.** The emergency coordinator shall immediately notify the agency Minnesota duty officer if the released hazardous waste may cause pollution of the air, land resources, or waters of the state. The emergency coordinator shall use the ~~agency's~~ appropriate Minnesota duty officer's 24-hour telephone number ~~(612) 296-8100;~~

- A. (612) 649-5451 for Twin Cities' local calling area and outside Minnesota;
- B. (800) 422-0798 for greater Minnesota;
- C. (612) 297-5353 for TDD for Twin Cities' local calling area and outside Minnesota; or
- D. (800) 627-3529 for TDD for greater Minnesota.

7045.1010 COUNTY ORDINANCES.

Subpart 1. **Agency approval.** A county that seeks agency approval of a hazardous waste ordinance under *Minnesota Statutes*, section 400.161, or a metropolitan county which seeks agency approval of a hazardous waste ordinance under *Minnesota Statutes*, section 473.811, subdivision 5b, shall submit a copy of the ordinance to the agency. The commissioner shall, within 30 days of receiving the ordinance, advise the county in writing whether the ordinance ~~or any portion of the ordinance~~ is approved or suspended. If the commissioner suspends a county ordinance ~~or any portion of the ordinance~~, the commissioner shall follow the procedure described in subpart 2. The commissioner shall approve a county ordinance that embodies and is consistent with the standards and requirements in this chapter.

Emergency Rules

Proposed Emergency Rules

According to Minn. Stat. of 1984, §§14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

- 1) that a free copy of the proposed emergency rule is available upon request from the agency;
- 2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
- 3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
- 4) that the emergency rule may be modified if the data and views submitted support such modification.

Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. §§14.14-14.28 supercede emergency rules.

Department of Health

Adopted Emergency Amendments to Permanent Rules Relating to Data Reporting and Collection; Aggregate Data; Hospitals

The rules proposed and published at *State Register*, Volume 18, Number 14, pages 958-963, October 4, 1993 (18 SR 958), are adopted with the following modifications:

Rules as Adopted

4650.0102 DEFINITIONS.

Subp. 3. **Admissions or adjusted admissions.** "Admissions" means the number of patients accepted for inpatient services in beds licensed for inpatient hospital care exclusive of normal newborn admissions. "Adjusted admissions" are determined by adding to the number of admissions the number of outpatient visits times the ratio of (outpatient revenue per outpatient visit + inpatient revenue per admission).

Subp. 3b. **Ambulatory surgical procedures.** "Ambulatory surgical procedures" means all ~~elective~~ surgical services provided to patients on either a hospital outpatient setting or an outpatient surgical center licensed by the Department of Health pursuant to *Minnesota Statutes*, sections 144.50 to 144.58.

Subp. 5a. **Average daily census.** "Average daily census" means the average number of patients receiving care each day during the reporting period.

Subp. 5b. **Average length of stay.** "Average length of stay" means the total number of patient days accumulated at the time of discharge, counting the date of admission but not the date of discharge, during a reporting period, divided by the number of patients discharged.

Subp. 28a. **Out-of-pocket expenses.** "Out-of-pocket expenses" means the ~~charges made to a~~ receipts due from the patient by to the facility for the provision of health services that are not paid or payable if claim were made under any plan of health coverage, Medicare, or other government program, but are the personal liability of the patient. This includes receipts due from patients for deductibles, copayments, and services not covered by insurance.

Subp. 30. **Outpatient visit.** "Outpatient visit" means an acceptance of a patient by a hospital for the purpose of providing outpatient services. Each acceptance of a patient by a hospital for purposes of providing outpatient services for a distinct episode of care counts as one outpatient visit regardless of the number of ~~procedures performed~~ clinics attended during that visit. Outpatient visits include all visits to hospital outpatient and ancillary departments, emergency visits, and outpatient surgeries.

Subp. 30b. **Patient days.** "Patient days" means the total number of days of care for which patients received inpatient hospital services during the reporting period, excluding normal newborn days of care. "Days of care" refers to the total number of patient

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days accumulated by patients at the time of discharge." Adjusted patient days" are determined by adding to the number of patient days the number of outpatient visits times the ratio of (outpatient revenue per outpatient visit + inpatient revenue per patient day).

Subp. 35. **Research program expenses.** "Research program expenses" means costs incurred by a facility due to research programs which directly relate to daily patient care. "Administrative expense of research programs" means all costs associated with the administration of planned research or critical investigation aimed at the discovery of new knowledge that will be useful in developing a new product or process, or in bringing about significant improvement in an existing product or process. Planned research includes basic science and clinical epidemiology as well as direct product development. Research may be conducted with or without the involvement of a patient or patients. This category includes all indirect costs that are associated with the administration of a research project.

Subp. 36. **Revenue or income.** "Revenue" or "income" means the value of a facility's established charges for all facility services rendered to patients less expected or incurred ~~bad debts~~, contracted allowances, and discounts granted to patients or insurers, prepayment plans, and self-insured groups. "Gross revenue" or "gross income" means "revenue" or "income" regardless of the amounts actually paid to or received by the facility. "Net inpatient revenue" means revenue or income for all facility inpatient services. "Net outpatient revenue" means revenue or income for all facility outpatient services.

Subp. 39a. **Taxes and assessments expenses.** "Taxes and assessments expenses" means the direct payments made to government agencies including the MinnesotaCare provider tax under *Minnesota Statutes*, section 295.52, contributions to the Minnesota Comprehensive Health Association under *Minnesota Statutes*, section 62E.10, the provider surcharge under *Minnesota Statutes*, section 256.9657, assessments by the health coverage reinsurance association, assessments by the Minnesota life and health insurance guaranty association, and any new assessments imposed by federal or state law. This category does not include fees or fines paid to government agencies.

4650.0112 RATE REVENUE AND EXPENSE REPORT.

Subp. 3. **Financial information.** Financial information for the rate revenue and expense report must include:

B. A statement of administrative expenses for the facility, and for each of the following functions, as defined in part 4650.0102: admitting; billing and data processing; quality assurance; regulatory and compliance reporting; selling and promotion; general administration; government relations; research program expenses and education program expenses; taxes and assessments; and fees. The statement required by this item may be estimated from existing accounting methods with allocation to specific categories based on a written methodology that is available for review by the commissioner and that is consistent with the methodology described in this part.

REPEALER. *Minnesota Rules*, part 4650.0102, ~~subpart subparts 7 and 16, is are~~ repealed.

Department of Health

Health Systems Development Division

Adopted Emergency Rules Relating to Data Reporting and Collections; Aggregate Data, Health Care Providers

The rules proposed and published at *State Register*, Volume 18, Number 14, pages 949-954, October 4, 1993 (18 SR 949), are adopted with the following modifications:

Rules as Adopted

4651.0100 [Emergency] DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 4651.0100 to ~~4651.0180~~ 4651.0170 [Emergency], the following terms have the meanings given to them.

Subp. 32. **Out-of-pocket expenses.** "Out-of-pocket expenses" means the ~~charges made to a~~ receipts due from the patient by to the health care provider for the provision of health services that are not paid or payable if claim were made under any plan of health coverage, Medicare, or other government program, but are the personal liability of the patient. This includes receipts due from patients for deductibles, copayments, and services not covered by insurance.

Subp. 42. **Taxes and assessments expenses.** "Taxes and assessments expenses" means the direct payments made to government agencies including the MinnesotaCare provider tax under *Minnesota Statutes*, section 295.52, contributions to the Minnesota comprehensive health association under *Minnesota Statutes*, section 62E.10, the provider surcharge under *Minnesota Statutes*, section 256.9657, assessments by the health coverage reinsurance association, assessments by the Minnesota life and health insurance guar-

anty association, and any new assessments imposed by federal or state law. This category does not include fees or fines paid to government agencies.

4651.0120 [Emergency] REPORTING REQUIREMENTS.

Subp. 2. **Financial information.** Financial information for the financial and statistical report must include:

E. A statement of total administrative expenses for the health care provider, and for each of the following functions as defined in part 4651.0100 [Emergency]: admitting; billing and data processing; quality assurance; regulatory and compliance reporting; selling and promotion; general administration; government relations; research program expenses and education program expenses; fees; and taxes and assessments. The statement required by this item may be estimated from existing accounting methods with allocation to specific categories based on a written methodology that is available for review by the commissioner and that is consistent with the methodology described in this part.

Subp. 3. **Statistical information.** Statistical information for the financial and statistical report must include:

A. The number of patients or encounters for the health care provider, broken down by whether the person is a Minnesota residency resident or non-Minnesota resident, and by type of payer, including Medicare, medical assistance and general assistance medical care, MinnesotaCare, children's health plan, other public payers, commercial insurers, nonprofit health plans, health maintenance organizations, and consumer out-of-pocket expenses.

B. The total number of full-time equivalent employees for the health care provider and by type of employee, including physicians, physician assistants, nurse practitioners, nurse-midwife, registered nurses, licensed practical nurses, other nurses, other allied health providers, and administrative staff.

4651.0130 [Emergency] PROVISIONS FOR FILING REPORTS.

Subp. 3. **Record complete.** No report required by this chapter is considered to be filed until the commissioner has determined that the report is complete according to part ~~4651.0180~~ 4651.0170 [Emergency], subpart 1.

4651.0140 [Emergency] FILING OF FINANCIAL AND STATISTICAL REPORT.

Subpart 1. **Filing report.** A health care provider must file with the commissioner a financial and statistical report, as required by part 4651.0120 [Emergency], by February 15, 1994, for the period July 1, 1993 to December 31, 1993, and by ~~April + February 15~~ of each successive year, for the preceding calendar year.

Subp. 2. **Failure to file.** A health care provider that fails to file a financial and statistical report, and that has not requested an extension of time under part ~~4651.0170~~ 4651.0160 [Emergency] to file that report, is in violation of parts 4651.0120 to ~~4651.0180~~ 4651.0170 [Emergency].

B. The health care provider shall not amend or modify its rates until after it files a report with the commissioner, and the report is considered to be complete as specified in part ~~4651.0180~~ 4651.0170 [Emergency], subpart 1.

4651.0150 [Emergency] FILING OF REPORT BY A CLINIC.

Health care providers organized as a clinic, as defined by part 4651.0100 [Emergency], subpart 9, must file the report required under part 4651.0120 [Emergency] for the clinic ~~or facility~~.

4651.0160 [Emergency] FILING OF REPORT IN MULTIFACILITY CORPORATIONS AND OTHER ORGANIZATIONS OPERATING MORE THAN ONE CLINIC.

~~Each individual clinic must file a report as required by part 4651.0120 [Emergency]. A multifacility corporation or organization operating more than one facility clinic may act as the organization that reports for the facility clinic to the commissioner. This organization must provide all information separately for each clinic it operates.~~

~~4651.0170~~ 4651.0160 [Emergency] FILING OF REPORTS; EXTENSIONS.

~~4651.0180~~ 4651.0170 [Emergency] REVIEW OF REPORTS.

Subpart 1. **Completeness.** The commissioner shall review each report required by part 4651.0120 [Emergency] in order to ascertain that the report is complete. ~~A If the report is filed when found to be complete or if the commissioner has ascertained not notified the health care provider within 30 days of receiving the report that the report is complete incomplete, then the report is deemed to be filed as of the day it was received.~~ "Complete" means that the report contains adequate date data for the commissioner to begin the review and is in a form determined to be acceptable by the commissioner according to parts 4651.0120 to 4651.0140 [Emergency].

Subp. 2. **Incomplete report.** A report determined by the commissioner to be incomplete must be returned to the health care provider with a statement describing the report's deficiencies. The health care provider must resubmit an amended report to the commissioner. If the report is resubmitted report within 14 days and is determined to be complete by the commissioner, then it shall be deemed to be filed ~~on the date the resubmitted report is as of the day it was first~~ received by the commissioner.

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Subp. 5. **Timely.** "Timely" means that the report has been submitted within the time prescribed by part 4651.0140 [Emergency]; that an extension of this reporting time, as permitted by part ~~4651.0170~~ 4651.0160 [Emergency], has not been necessary; and that the report has been determined to be complete under subpart 1.

~~4651.0190~~ 4651.0180 [Emergency] OFFICIAL OFFICES.

For purposes of parts 4651.0100 to ~~4651.0180~~ 4651.0170 [Emergency], the official office of the commissioner of health is: Minnesota Department of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota ~~55440~~ 55414.

Department of Health

Health Systems Development Division

Adopted Emergency Rules Relating to Data Reporting and Collections; Aggregate Data; Commercial Insurance Companies; Others

The rules proposed and published at *State Register*, Volume 18, Number 14, pages 945-949, October 4, 1993 (18 SR 945), are adopted with the following modifications:

Rules as Adopted

4652.0100 [Emergency] DEFINITIONS.

Subp. 9. **Earned and unearned premium.** "Earned premium" has the meaning given in Minnesota Statutes, section 60A.02, subdivision 10. "Unearned premium" has the meaning given in Minnesota Statutes, section 60A.02, subdivision 11.

Subp. 10. **Education program expenses.** "Education program expenses" has the meaning given in part 4650.0102, subpart 13.

~~Subp. 40~~ 11. **Emergency services.** "Emergency services" has the meaning given in part 4650.0102, subpart 14.

~~Subp. 44~~ 12. **Fees expenses.** "Fees expenses" means all costs associated with the organization's new or renewal certification with state or federal regulatory agencies and examination costs related to regulation, including any fines levied against the organization.

~~Subp. 42~~ 13. **General administration expenses.** "General administrations expenses" means all costs associated with the overall management and administration of the organization, such as costs of governing boards, executive wages and benefits, including stock options, legal staff functions that primarily concern the overall management and operation of the organization and excluding legal staff already allocated to other functions, auxiliary and other volunteer groups, public relations not included in selling and promotion or government relations, purchasing, communications, printing and duplicating, receiving and storing, and personnel management. It also includes all costs related to fiscal services, such as general accounting, budgeting and costs, payroll accounting, accounts payable, plant and equipment, and inventory accounting.

~~Subp. 43~~ 14. **Government relations expenses.** "Government relations expenses" means all wages and benefits, donations, and financial and other support, for the purpose of lobbying and influencing policymakers and legislators, including membership in trade organizations, and all expenses associated with public policy development, such as response to rulemaking and interaction with government agency personnel. Membership in trade association projects that are directly related to research and education are excluded.

~~Subp. 44~~ 15. **Group purchaser.** "Group purchaser" has the meaning given in *Minnesota Statutes*, section 62J.03, subdivision 6.

~~Subp. 45~~ 16. **Health carrier.** "Health carrier" has the meaning given in *Minnesota Statutes*, section 62A.011, subdivision 2.

~~Subp. 46~~ 17. **Health plan.** "Health plan" has the meaning given in *Minnesota Statutes*, section 62A.011, subdivision 3.

~~Subp. 47~~ 18. **Inpatient hospital services.** "Inpatient hospital services" has the meaning given in part 4650.0102, subpart 21.

~~Subp. 48~~ 19. **Insurance company.** "Insurance company" means an organization licensed under *Minnesota Statutes*, chapter 60A, to offer, sell, or issue a policy of accident and sickness insurance as defined in *Minnesota Statutes*, section 62A.01.

~~Subp. 49~~ 20. **Insurer.** "Insurer" has the meaning given in *Minnesota Statutes*, section 72A.491, subdivision 14.

Subp. 21. **Loss reserves.** "Loss reserves" has the meaning given in Minnesota Statutes, section 60A.12, subdivision 5.

~~Subp. 20~~ 22. **Medical assistance.** "Medical assistance" means the program established under title XIX of the Social Security Act, United States Code, title 42, section 1396, and *Minnesota Statutes*, chapter 256B. Medical assistance includes general assistance medical care or GAMC, as defined in part 9505.0500, subpart 12, unless otherwise specified.

Subp. ~~21~~ **23. Medicare.** "Medicare" means the health insurance program for the aged and disabled under title XVIII of the Social Security Act, United States Code, title 42, section 1395.

Subp. ~~22~~ **24. Member.** "Member" means a person who has been enrolled as a subscriber or an eligible dependent of a subscriber and for whom the insurer has accepted the responsibility for the provision of basic health services as may be contracted for.

Subp. ~~23~~ **25. Member month.** "Member month" means the equivalent to one member for whom the insurer has recognized premium revenue on a prepaid basis for one month.

Subp. ~~24~~ **26. Mental health services.** "Mental health services" has the meaning given in *Minnesota Statutes*, section 245.462, subdivision 19.

Subp. ~~25~~ **27. Minnesota comprehensive health association.** "Minnesota comprehensive health association" means the association created by *Minnesota Statutes*, section 62E.10.

Subp. ~~26~~ **28. MinnesotaCare.** "MinnesotaCare" means the program established in *Minnesota Statutes*, section 256.9352, subdivision 1.

Subp. ~~27~~ **29. Nondurable medical goods.** "Nondurable medical goods" means a nonreusable supply or piece of equipment that is used to treat a health condition, including drugs.

Subp. ~~28~~ **30. Outpatient services.** "Outpatient services" has the meaning given in part 4650.0102, subpart 29.

Subp. ~~29~~ **31. Other health professional services.** "Other health professional services" means a medically necessary health service provided by health professionals other than physicians and dentists, for services other than mental health and chemical dependency.

Subp. ~~30~~ **32. Physician.** "Physician" means a person who is licensed to provide health services within the scope of the person's profession under *Minnesota Statutes*, chapter 147.

Subp. ~~31~~ **33. Physician services.** "Physician services" means a medically necessary health service provided by or under the supervision of a physician.

Subp. ~~32~~ **34. Premium.** "Premium" has the meaning given in part 2765.0100, subpart 16.

Subp. ~~33~~ **35. Quality assurance expenses.** "Quality assurance expenses" means all direct costs associated with any activity or program established for the purpose of quality of care evaluation and utilization management. Direct costs include wages and benefits for personnel time devoted to, or in direct support of, such activities as quality assurance, development of practice protocols, utilization review, peer review, provider credentialing, and all other medical care evaluation activities, including the communication of information regarding these activities. Direct costs also include all professional fees, supplies, purchased services, and any other resource used in accomplishing these activities, and the implementation of programs of wellness education, patient education or health promotion, including the cost of professional staff and materials, participant's notification of services, and mail costs.

Subp. ~~34~~ **36. Regulatory and compliance reporting expenses.** "Regulatory and compliance reporting expenses" means all direct costs associated with, or directly incurred in, the preparation and filing of financial, statistical, or other utilization, satisfaction, or quality reports, or summary plan descriptions that are required by federal, state, and local agencies or other third parties. Direct costs include wages and benefits for personnel time, professional fees, supplies, purchased services, and the cost of any other resource used to fulfill these requirements.

Subp. ~~35~~ **37. Research program expenses.** "Research program expenses" has the meaning given in part 4650.0102, subpart 35.

Subp. ~~36~~ **38. Selling and promotion expenses.** "Selling and promotion expenses" means all direct costs related to marketing activities such as advertising, printing, marketing representative wages and fringe benefits, commissions, broker fees, travel, occupancy, and other expenses allocated to the marketing activity. All costs associated with health promotion, wellness education, and patient education programs are excluded. Costs associated with health promotion and education should be distinguished from costs incurred while educating enrollees and patients about the services available from the organization.

Subp. ~~37~~ **39. Service plan corporations.** "Service plan corporations" has the meaning given in *Minnesota Statutes*, section 62C.02, subdivision 6.

Subp. ~~38~~ **40. Taxes and assessments expenses.** "Taxes and assessments expenses" means the direct payments made to government agencies including the MinnesotaCare tax under *Minnesota Statutes*, section 295.52, contributions to the Minnesota Comprehensive Health Association under *Minnesota Statutes*, section 62E.10, the medical assistance provider surcharge under *Minnesota Statutes*, section 256.9657, assessments by the health coverage reinsurance association, assessments by the Minnesota life and health insurance guaranty association, and any new assessments imposed by federal or state law. This category does not include fees or fines paid to government agencies.

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Subp. 40. **Unearned premium reserve.** "Unearned premium reserve" has the meaning given in Minnesota Statutes, section 60A.12, subdivision 4.

4652.0110 [Emergency] SCOPE.

The following group purchasers, as defined under part 4652.0100 [Emergency], subpart 14, are subject to the reporting requirements established by part 4652.0120 [Emergency]: all insurance companies, as defined in part 4652.0100 [Emergency], subpart ~~18~~ 19, that reported \$10,000 or more in total health premiums to the Department of Commerce in 1991; and all health service plan corporations as defined in part 4652.0100 [Emergency], subpart ~~37~~ 38. Employee health plans offered by self-insured employers will be encouraged to comply with these reporting requirements.

4652.0120 [Emergency] REPORTING REQUIREMENTS.

Subp. 2. **Financial information.** Financial information for the financial and statistical report must include the following items for health and medical related claims, excluding any disability and accidental death and dismember claims, short-term disability claims, long-term disability claims, long-term care, or personal accident claims:

A. a statement of total earned and unearned premium revenues for the group purchaser, by type of policy, including group policies and individual policies;

B. a detailed statement of other revenues for the group purchaser, including investment and reserve revenues unearned premium reserves and loss reserves;

C. a statement of total ~~direct losses for~~ expenses incurred by the group purchaser, by type of policy, including group policies and individual policies;

D. a statement of ~~direct losses paid~~ expenses incurred by the group purchaser by service category, including physician services, other health professional services, hospital inpatient services, hospital outpatient services, emergency services, drugs and other medical nondurable goods, vision and other medical durable goods, chemical dependency services, mental health services, and dental services;

E. a statement of total subscriber liability or copayment, or its actuarial estimate, for all members covered by the group purchaser; and

F. a statement of total administrative expenses for the group purchaser and for each of the following functions, as defined in part 4652.0100 [Emergency]; billing and data processing; quality assurance; regulatory and compliance reporting; selling and promotion; general administration; government relations; and research program expenses and education program expenses; fees; and taxes and assessments. The statement required by this item may be estimated from existing accounting methods with allocation to specific categories based on a written methodology that is available for review by the commissioner and that is consistent with the methodology described in this part.

Subp. 3. **Statistical information.** Statistical information for the financial and statistical report must include the total number of members, as defined in part 4652.0100 [Emergency], subpart ~~21~~ 23, for the health carrier, and by type of policy, including group policies and individual policies. Group purchasers that do not maintain enrollee dependent information may submit actuarial estimates of total number of members covered under all health policies.

4652.0150 [Emergency] FILING OF REPORTS IN MULTIFACILITY BY CORPORATIONS AND OR OTHER ORGANIZATIONS OPERATING MORE THAN ONE ORGANIZATION GROUP PURCHASER.

Each individual group purchaser ~~organization~~ must file a report, as required by part 4652.0120 [Emergency]. A ~~multifacility~~ corporation or organization operating more than one group purchaser ~~organization~~ may act as the ~~organization that reports report~~ for the ~~facility~~ each group purchaser to the commissioner. The corporation or organization must provide all information separately for each ~~organization~~ group purchaser it operates.

4652.0170 [Emergency] REVIEW OF REPORTS.

Subpart 1. **Completeness.** The commissioner shall review each report required by part 4652.0120 [Emergency] in order to ascertain that the report is complete. ~~A report is filed when the commissioner has ascertained that the report is complete. If the report is found to be complete or if the commissioner has not notified the group purchaser within 30 days of receiving the report that the report is incomplete, then the report is deemed to be filed as of the day it was received.~~ "Complete" means that the report contains adequate and appropriate data for the commissioner to begin the review and is in a form determined to be acceptable by the commissioner according to parts 4652.0120 to 4652.0140 [Emergency].

Subp. 2. **Incomplete report.** A report determined by the commissioner to be incomplete must be returned to the group purchaser with a statement describing the report's deficiencies. The group purchaser must resubmit an amended report to the commissioner. If the report is resubmitted report within 14 days and is determined to be complete by the commissioner, then it shall be deemed to be filed ~~on the date the resubmitted report is~~ as of the day it was first received by the commissioner.

4652.0180 [Emergency] OFFICIAL OFFICES.

For purposes of parts 4652.0100 to 4652.0170 [Emergency], the official office of the commissioner of health is: Minnesota Department of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440 55414.

Department of Health

Adopted Emergency Rules Relating to Data Reporting; Encounter Level

The rules proposed and published at *State Register*, Volume 18, Number 14, pages 954-957, October 4, 1993 (18 SR 954), are adopted with the following modifications:

Rules as Adopted

4653.0120 [Emergency] ENCOUNTER LEVEL DATA TO BE SUBMITTED.

Subp. 2. **Demographic data elements.** The following demographic data elements are required for each hospital discharge:

A. ~~patient's~~ the unique identification number used by the group purchaser to identify the patient as enrolled with the group purchaser;

B. patient's age;

C. patient's sex;

D. patient's zip code; ~~and~~

~~E. out-of-state residence.~~

Subp. 3. **Clinical data elements.** The following clinical data elements are required for each hospital discharge:

A. source of admission, which is the source referring or transferring this patient to inpatient status in the hospital;

B. type of admission, which indicates the priority status of the admission;

C. date of admission;

D. code for principal diagnosis and codes for other diagnoses;

E. procedure code for principal procedure and date;

F. procedure codes for other procedures and dates;

G. date of discharge; and

H. discharge status, which indicates the patient status upon discharge and, if applicable, the destination to which the patient was referred or transferred upon discharge.

Subp. 4. **Charge, payment, and coverage data elements.** The following charge, payment, and coverage data elements are required for each hospital discharge:

A. total charges and components of those charges;

B. total payments ~~and components of those payments;~~ ~~and~~

C. for noncapitated paid claims, components of payments reported under item B; and

~~D. type of coverage, which indicates the source or sources of payment.~~

Subp. 5. **Other data elements.** The following other data elements are required for each hospital discharge:

A. ~~attending physician~~ the unique identification number used by the group purchaser to identify the attending physician; and

B. ~~hospital~~ the unique identification number used by the group purchaser to identify the hospital.

4653.0130 [Emergency] GENERAL PROVISIONS FOR FILING DATA.

Subpart 1. **Schedule for data submission.** Effective January 1, 1994, each group purchaser must submit the data elements required under part 4653.0120 [Emergency] on a quarterly basis, 45 days after the end of the calendar quarter. The data must be reported for all hospital discharges ~~occurring during the preceding quarter period~~ for which the group purchaser paid or made a final adjudication during the preceding quarter period.

Subp. 3. **Data record per discharge.** ~~If a patient has multiple discharges during a reporting period, The group purchaser must~~

Official Notices

shall not submit a single data record per hospital discharge. If multiple billings from a single hospital discharge occur, the group purchaser shall compile the data required to be submitted and submit multiple discharges on a single record per patient discharge.

4653.0170 [Emergency] OFFICIAL OFFICE.

For purposes of parts 4653.0100 to 4653.0170 [Emergency], the official office of the commissioner of health is: Minnesota Department of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota ~~55440~~ 55414.

Official Notices

Pursuant to the provisions of Minnesota Statutes §14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

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

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C

NOTICE IS HEREBY GIVEN that a public hearing will be held on January 14, 1994, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, 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 approximately 160 acres of farmland located in Section 7, Township 121, R36 Kandiyohi County, Minnesota on behalf of Bruce & Barbara Standfuss, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$100,000. 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: 8 December 1993

LaVonne Nicolai
RFA Executive Director

Minnesota Board of Chiropractic Examiners

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing Experimental Procedures

NOTICE IS HEREBY GIVEN that the Minnesota Board of Chiropractic Examiners is seeking information or opinions from sources outside the agency in preparing to propose the adoption of the rule governing experimental procedures. Draft language follows. The adoption of this rule is authorized by *Minnesota Statutes*, section 148.08, which permits the agency to promulgate rules in order to administer sections 148.01 to 148.105.

The Minnesota Board of Chiropractic Examiners requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

Larry A. Spicer, DC
Executive Director
Minnesota Board of Chiropractic Examiners
2700 University Avenue West, Suite 20
St. Paul, MN 55114

Oral statements will be received during regular business hours over the telephone at (612) 642-0591 and in person at the above address.

All statements of information and opinions shall be accepted until January 28, 1994. Any written material received by the Minnesota Board of Chiropractic Examiners shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 17 December 1993

Larry A. Spicer, DC
Executive Director

Department of Commerce

Notice Regarding Actuarial Equivalence - Values and Factors for Comprehensive Health Insurance

The historical values and factors to be published by the Commissioner of Commerce in December of each year pursuant to *Minnesota Rules* Part 2740.9914 are as follows:

<u>Year</u>	<u>Surgical Value</u>	<u>Surgical Factor</u>	<u>ASP Value</u>	<u>ASP Factor</u>	<u>Comp Factor</u>
1984	4,000	1.000	170	1.000	1.000
1985	4,303	1.076	191	1.124	1.102
1986	4,510	1.128	204	1.200	1.167
1987	4,776	1.194	225	1.324	1.264
1988	5,052	1.263	237	1.394	1.334
1989	5,374	1.344	263	1.547	1.454
1990	5,627	1.407	281	1.653	1.540
1991	5,925	1.481	322	1.894	1.704
1992	6,151	1.538	355	2.088	1.835
1993	6,197	1.549	374	2.200	1.901
1994	6,263	1.566	401	2.359	1.994

Pursuant to *Minnesota Rules* Part 2740.9949, the minimum number of points required to meet the actuarial equivalence test for qualified plans is as follows:

<u>Year</u>	<u>Qualified Plan 1</u>	<u>Qualified Plan 2</u>	<u>Qualified Plan 3</u>
1984	767	911	1,192
1985	805	951	1,213
1986	815	963	1,219
1987	849	1,006	1,238
1988	872	1,034	1,257
1989	889	1,056	1,267
1990	905	1,078	1,280
1991	929	1,108	1,298
1992	944	1,129	1,311
1993	951	1,137	1,318
1994	960	1,150	1,324

Dated: 16 December 1993

James E. Ulland
Commissioner

Official Notices

Labor and Industry Department

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective December 27, 1993 prevailing wage rates were determined and certified for commercial construction projects in: Clay county; Neumaier Hall Elevator Modernization/MSU-Moorhead. Goodhue county: Correction Facility Food Preparation Building Reroofing. Hennepin county: Cedar Island Elementary 1994 Reroofing-Maple Grove, ISD #281 Robbinsdale area Schools/Armstrong Sr. High, RHS Resource Center, Robbinsdale area Community Education Center 1994 Reroofing, Metropolitan Mosquito Control District Remodeling-Plymouth. Ottertail county: Battle Lake School Energy Conservation Measures-Battle Lake. Ramsey county: Mound View Public Schools Computer Networking-New Brighton, North Oaks, Shoreview & Roseville. Rice county: Greenvale Park Elementary School 1994 Reroofing-Northfield. St. Louis county: Giants Ridge ADA Revisions - Biwabik. Wabasha county: Lincoln Senior High 1994 Reroofing-Lake City. Washington county: Forest Lake Sr. High 1994 Reroofing-Forest Lake.

Copies of the certified wage rates for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are \$1.36 per project. Make check or money order payable to the State of Minnesota.

John B. Lennes, Jr.
Commissioner

Department of Natural Resources

Bureau of Real Estate Management

Notice of proposed conveyance for the purpose of correcting errors in legal descriptions affecting the ownership interests of the state and adjacent landowners.

NOTICE IS HEREBY GIVEN that the Minnesota Department of Natural Resources intends to correct a boundary discrepancy which affects land presently owned by the State and land owned by Tracy Enstad (*Minn. Stat.* 84.0273, 1993). The State originally acquired its property by warranty deed recorded in the office of the County Recorder February 24, 1982 as Document Number 51143. The State will exchange quit claim deeds with the adjacent landowner in order to resolve the boundary discrepancy. The deed from the State to Tracy Enstad will contain the following legal description:

Lot 11, Block 2, CARLOS VIEW TERRACE, according to the recorded plat on file and of record in the office of the County Recorder, Douglas County, Minnesota.

For further information contact the Bureau of Real Estate Management, DNR, 500 Lafayette Road, St. Paul, MN 55155, (612) 296-0636.

Public Safety Department

Emergency Response Commission Notice of 1994 Meeting Dates

The Emergency Response Commission meetings are held on the second Thursday of the month. Business normally includes issues concerning Community Right-To Know, Emergency Planning, and Hazardous Materials.

1994 meeting dates at a site to be determined are:

February 10, 1994
March 10, 1994
April 14, 1994
May 12, 1994
June 9, 1994
July 14, 1994
August 11, 1994
September 8, 1994
October 13, 1994
November 10, 1994
December 8, 1994

All meetings will be held at 9:30 a.m. For additional information, you may contact the Commission at (612) 643-3000.

Regional Transit Board

Public Hearing on Ada Draft Paratransit Plan Update

The Regional Transit Board will hold a public hearing on its Americans with Disabilities Act (ADA) Draft Paratransit Plan update Tuesday, January 18, 1994 at 5:00 p.m. in Room 1A on the first floor of Mears Park Centre, 230 East 5th Street, downtown St. Paul. This hearing is mandated by the ADA. The plan was developed in accordance with the U.S. Department of Transportation's final rules on implementing the transportation provision of the ADA, and must be updated annually. Interested persons are encouraged to attend this hearing and offer public comment. Sign language interpreters will be provided. Please call Mary Fitzgerald, board secretary, at 229-2700 (or 229-2715 TTY) if you wish to speak at the public hearing. People may also sign up at the hearing. Copies of the ADA Draft Paratransit Plan update may be obtained or examined by contacting the Regional Transit Board offices, 7th floor, Mears Park Centre, 230 East 5th Street, St. Paul, MN 55101, telephone 292-8789.

Ruth Franklin
Vice-chair

Trade and Economic Development Agency

Urban Initiative Board

Notice Of Solicitation Of Outside Information Or Opinions Regarding Development Of Rules Governing the Urban Challenge Grant Program

NOTICE IS HEREBY GIVEN that the Urban Initiative Board is seeking information or opinions in preparing to propose the adoption of rules governing the Urban Challenge Grant Program. The adoption of the rules is authorized by *Minnesota Statutes*, section 116M.18 which states: "The Board shall adopt rules to establish criteria for determining loan eligibility" and "The Board shall adopt rules to implement this section."

The Urban Initiative Board requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views in writing or orally. Written statements should be addressed to:

Mark Lofthus
Department of Trade and Economic Development
500 Metro Square Building
121 E. 7th Place
St. Paul MN 55101

Oral statements will be received during regular business hours over the telephone at [(612) 296-9090] and in person at the above address.

All statements of information and opinions will be accepted until further notice is published in the *State Register* that the Urban Initiative Board intends to adopt or to withdraw the rules. Any written material received by the Urban Initiative Board will become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rules are adopted.

Dated: 16 December 1993

Mark Lofthus
Department of Trade and Economic Development

Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

In accordance with *Minnesota Rules Part 1230.1910*, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612)296-2600 or [TDD (612)297-5353 and ask for 296-2600].

Department of Corrections

Juvenile Detention Services Unit Request for Proposals

Correctional Services:

NOTICE IS HEREBY GIVEN to request proposals to provide professional correctional services in collaboration with staff from the departments of Human Services, Health and Education to fulfill statutory responsibilities in relation to assisting in the implementation of the Children's Mental Health Integrated Fund legislation passed by the 1993 Legislature. The Department of Corrections' responsibilities as defined in *Minnesota Statutes 245.4873 and 245.491 to 245.496*.

Proposals are to be proposed simply, providing a straight forward, concise description of the vendor's capabilities to satisfy the requirements of this proposal. Your proposal should respond completely to the requirements indicated in this Request for Proposal.

Services contract will be for approximately 17 months, ending June 30, 1995. Proposal budget should not exceed \$37,500.00.

Proposals must be received by 4:30 p.m. Friday, January 14, 1994. For additional information, contact:

David A. Johnson, Director
MN Department of Corrections
Juvenile Detention Services Unit **or**
300 Bigelow Building
450 N. Syndicate Street
St. Paul, Minnesota 55104
Phone: (612) 642-0334

Richard Quick, Juvenile
Release Officer

Same Address

Phone: (612) 642-0274

Department of Human Services

Health Care Administration

Notice of Request for Proposal for Prepaid Health Plans

The department of Human Services (Department) is seeking proposals from prepaid health plans to provide health care services to the Medical Assistance (MA) and General Assistance Medical Care (GAMC) populations in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties eligible for enrollment in the Department's managed care program. The MA/GAMC populations required to enroll in the managed care program include the Aid to Families with Dependent Children (AFDC), AFDC-related, needy children, aged, and General Assistance (GA) eligibility groups. The managed care program has been operational in Hennepin, Dakota, and Itasca counties for over seven years, and Ramsey county for almost one year.

The Department is expanding the managed care program into other counties including Anoka, Carver, Scott, and Washington as directed by the Minnesota State legislature. The Anoka county enrollment process will begin on June 1, 1994. For Carver, Scott, and Washington counties the enrollment process will begin July 1, 1994. The enrollment process will occur gradually over a one year period, with full enrollment expected to be completed by July 1, 1995. The contract period covered by this RFP are from May 1, 1994 through June 30, 1996, for Anoka county and June 1, 1994 through June 30, 1996, for Carver, Scott, and Washington counties. For Dakota, Hennepin, and Ramsey counties the contract period will be July 1, 1994 through June 30, 1996.

ESTIMATED NUMBER OF ELIGIBLE ENROLLEES BY COUNTY (as of July, 1993)

COUNTIES	MEDICAL ASSISTANCE	GA/GAMC	TOTAL
ANOKA	12,775	1,209	13,984
CARVER	1,325	114	1,439
DAKOTA	11,155	888	12,043
HENNEPIN	77,570	14,376	91,946

Professional, Technical & Consulting Contracts

COUNTIES	MEDICAL ASSISTANCE	GA/GAMC	TOTAL
RAMSEY	47,548	4,829	52,377
SCOTT	1,984	194	1,178
WASHINGTON	4,934	453	5,387
TOTAL	157,291	22,063	179,354

Prepaid health plans must be able to provide all MA/GAMC covered services and must be able to accept financial risk. Capitation rates will be set by the Department in consultation with an independent actuary. Contracts will be awarded based on: (1) capacity and geographic accessibility of service delivery sites; (2) ability to comply with service delivery standards appropriate to the demographic characteristics of the population to be enrolled; (3) financial and risk capability; and (4) ability to meet quality assurance, complaint and appeal and reporting requirements. The Commissioner reserves the right to reject any proposal.

Health plans currently participating in the managed care program in Dakota, Hennepin, and Ramsey counties will be required to submit proposals. The formal request for proposal which contains detailed specifications may be obtained by writing or contacting:

Karen Peed
Minnesota Department of Human Services
444 Lafayette Road
St. Paul MN 55155-3854
Phone: (612) 297-7793

The deadline for submitting a proposal is 4:30 p.m., February 14, 1994.

Pollution Control Agency

The Minnesota Pollution Control Agency is seeking proposals for professional services to conduct infiltration and inflow studies for various cities in the 1993 Presidentially declared disaster counties.

A list of potential cities is included in the request. Details are contained in a Request for Proposals which may be obtained by calling or writing:

Connie Minetor, P.E.
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155-4194
Telephone:(612) 296-7765
Telephone Device for Deaf (TDD): (612) 297-5353

Proposals will be accepted by the Minnesota Pollution Control Agency until 4:00 p.m. on January 20, 1994.

Three (3) copies of your proposal should be submitted to Connie Minetor at the address listed above.

The estimated cost of the contract is \$130,000. Possible additional grant funds may increase the cost of the contract(s) to \$970,000. The Minnesota Pollution Control Agency reserves the right to issue multiple contracts as a result of this Request for Proposals.

The Minnesota Pollution Control Agency reserves the right to reject any or all proposals.

Department of Transportation

Research & Strategic Initiatives Division

Notice of Availability of Contract for "Market Research"

The Department of Transportation is requesting proposals for the purpose of conducting market research. The objective of this

Professional, Technical & Consulting Contracts

project is to explore and document road user perceptions of Mn/DOT snow and ice removal activities on a specified portion of Highway 169.

The research will entail conducting six focus groups involving matched samples of eight to ten participants from three road user segments. These participants must have recently used the designated stretch of road.

The entire list of tasks and products required for this study are included in the complete Request for Proposal.

It is anticipated that the contract period will begin on January 24, 1994, and end by March 25, 1994.

For further information, or to obtain a copy of the Request for Proposal, contact:

Karla Stacey
Minnesota Department of Transportation
Office of Strategic Initiatives
117 University Ave., Room 228
St. Paul, MN 55155
(612) 296-9308

Proposals must be received at the above address no later than 4:00 P.M. on January 17, 1994.

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

Department of Transportation

Research and Strategic Initiatives Division

Notice of Availability of Contract for "Research Implementation".

The Department of Transportation is requesting proposals for the purpose of conducting research implementation. The objective of this project is to conduct a research implementation study to bring research findings and current technologies, as applied throughout Minnesota and the rest of the country, to local county and city levels of use.

The study will entail literature searches, lectures, conduct of workshops, report writing, publication preparation, information dissemination, media (slide/tape or video) production, and working closely with state and local officials to coordinate the aforementioned activities.

The entire list of tasks required for this study are included in the complete Request for Proposal.

It is anticipated that the contract period will begin in April 1994 and continue through April 1996.

For further information, or to obtain a copy of the completed Request for Proposal, contact:

Steve Hay
Minnesota Department of Transportation
Office of Research Administration
117 University Ave, Room 208
St. Paul, MN 55155
(612) 282-2270

Proposals must be received at the above address no later than 3:00 P.M. on January 31, 1993.

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



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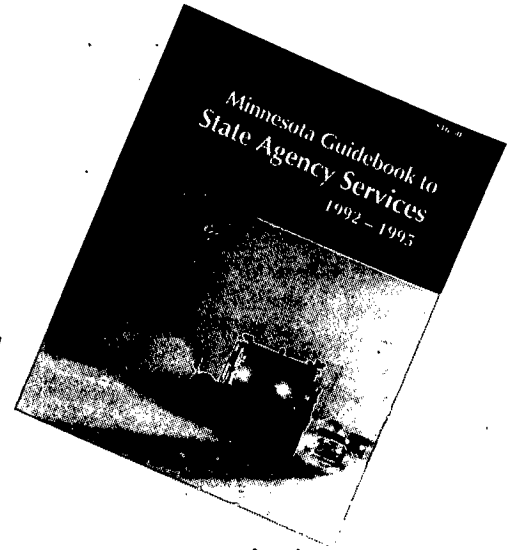
Business & Professional Directories -----

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Lists companies alphabetically, by community, and by type of product manufactured. Includes name, address, phone number, sales volume, market products, area sales, marketing and purchasing. Also FAX numbers, data processing managers and chief engineers, when available. 742 pp. **Stock No. 40-2 SR \$95.00**

Healing Arts (Physician's) Directory 1991

Names and addresses in alphabetical order for licensed physicians, chiropractors, osteopaths, optometrists, podiatrists and registered physical therapists. 426 pp. **Stock No. 1-1 SR \$19.95**

State Agency Telephone Directory

Orders are now being taken for the 1994 Directory. This directory lists all State of Minnesota government agencies. Features a greatly expanded FAX section with over 250 numbers, alphabetical employee listings, a classified section, organized by department, and "yellow pages" listing state offices in Greater Minnesota. 264pp. **Stock No. 1-87 SR \$12.95**

Airport Directory 1993

List of airports throughout the state. Approaches, rivers, all detailed markings, and much more. 178 pp. (pocket-size) **Stock No. 1-8 SR \$5.95**

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Directory of state law enforcement agencies, sheriffs and police departments 51pp. **Stock No. 1-6 SR \$ 7.00**

Directory of Chemical Dependency Programs '92-93

Comprehensive listing of chemical dependency treatment programs in Minnesota. Information on services provided, funding and staff, and a map are also included. 282 pp. **Stock No. 1-12 SR \$17.00**

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