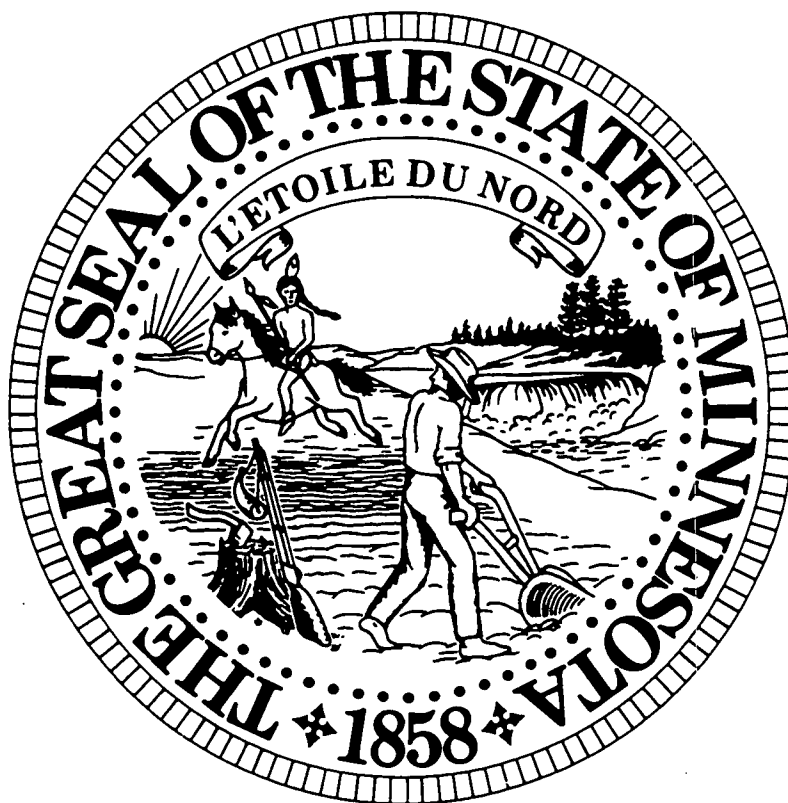


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# State Register

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

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

A *Contracts Supplement* is published Tuesday, Wednesday and Friday and contains bids and proposals for commodities, including printing bids.

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23	Monday 5 December	Friday 18 November	Monday 28 November
24	Monday 12 December	Monday 28 November	Monday 5 December
25	Monday 19 December	Monday 5 December	Monday 12 December

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**Perspectives**—Publication about the Senate.

**Session Review**—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office (612) 296-0504  
Room 231 State Capitol, St. Paul, MN 55155

#### HOUSE

**Session Weekly**—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions.

**This Week**—weekly interim bulletin of the House.

**Session Summary**—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

Contact: House Information Office (612) 296-2146  
Room 175 State Office Building, St. Paul, MN 55155

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For subscription information call 612/296-0931.

"Commodity Contract Awards Reports" are published every two weeks, and "Professional-Technical-Consulting Contract Awards Reports" are published monthly. Both are available through Minnesota's Bookstore, (612) 297-3000 or 1-800-657-3757.

Individual awards can be obtained from the **Materials Management Helpline** 612/296-2600.

# 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 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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## 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.

## Pollution Control Agency

### Proposed Permanent Rules Relating to Financial Assurance for Persons Who Manage Solid Waste in an Environmentally Inferior Manner

#### Notice of Hearing

**Introduction.** Notice is hereby given that the Minnesota Pollution Control Agency (MPCA) will hold hearings on the above-entitled matter according to the following schedule:

Date	Location	Time
January 10, 1995	Rochester Community College Coffman Center Room 206 851 30th Avenue S.E. Rochester, Minnesota	Session beginning at 3:00 p.m. Session beginning at 7:00 p.m.
January 11, 1995	Minnesota Pollution Control Agency MPCA Board Room - Lower Level 520 Lafayette Road North St. Paul, Minnesota	Session beginning at 1:00 p.m.
January 12, 1995	Becker County Courthouse Commissioner's Board Room 913 Lake Avenue Detroit Lakes, Minnesota	Session beginning at 3:00 p.m. Session beginning at 7:00 p.m.

Additional days of hearing will be scheduled if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

**Administrative Law Judge.** The matter will be heard before:

Administrative Law Judge Richard C. Luis  
Office of Administrative Hearings  
Suite 1700  
100 Washington Square  
Minneapolis, Minnesota 55401  
(612) 349-2542

The rule hearing procedure is governed by *Minnesota Statutes* §§ 14.131 to 14.20 (1992) and by the rules of the Office of Administrative Hearings, *Minnesota Rules* Parts 1400.0200 to 1400.1200 (1993). Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge at the address and telephone number stated above.

**Subject of Rule and Statutory Authority.** The subject of the hearing will be the proposed rules relating to financial assurance for persons who manage solid waste in an environmentally inferior manner, *Minnesota Rules* Parts 7038.0010 to 7038.0100. The proposed rules are authorized by *Minnesota Laws 1994*, Chapter 548, § 1, to be codified as *Minnesota Statutes* § 115A.47 (1994). The proposed rules are published immediately after this notice. One free copy of the rules is available on request by contacting:

Cristine Leavitt  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, Minnesota 55155  
Telephone: (612) 296-8439  
TDD: (612) 297-5353 or 1-800-627-3529  
Facsimile: (612) 296-9707

**Statement of Need and Reasonableness.** Notice is hereby given that a statement of need and reasonableness is now available for review at the MPCA offices and at the Office of Administrative Hearings. This statement of need and reasonableness includes a summary of all the evidence and argument which the MPCA anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the statement of need and reasonableness may be reviewed at the MPCA offices or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

**Small Business Considerations.** *Minnesota Statutes* § 14.115, subdivision 4, requires that the notice of rulemaking include a statement of the impact of this proposed rule on small business. The proposed rules will impact small businesses; however, the impact will be minimal and limited to the administrative cost of establishing a trust fund in accordance with the rules. As part of the proposed rules, the MPCA will provide copies of trust agreements for persons who manage waste in an environmentally inferior manner to use to further minimize financial impact of the proposed rules.

**Expenditures of Public Money by Local Public Bodies.** *Minnesota Statutes* § 14.11, subdivision 1, requires the MPCA to include a statement of the rule's estimated costs to local public bodies in this notice if the rule would have a total cost of over \$100,000 to all local public bodies in the state in either of the two years following adoption of the rule. The proposed rules will have minimal impact on public bodies. The financial impact will not exceed \$100,000 to all local public bodies in the state in either of the two years following adoption of the rules.

**Impact on Agricultural Lands.** *Minnesota Statutes* § 14.11, subdivision 2, requires that if the rule would have a direct and substantial adverse impact upon agricultural lands in the state, the MPCA shall comply with specified additional requirements. The proposed rules will not impact agricultural lands in the state.

**Economic Factors.** *Minnesota Statutes*, § 116.07, subdivision 6, requires the MPCA to give due consideration to economic factors in exercising its powers. The law governing the rules, *Minnesota Laws 1994*, Chapter 548, § 1, to be codified as *Minnesota Statutes* § 115A.47 (1994), is very detailed. Therefore, the proposed rules only serve to provide clarification and detail on the administrative requirements. The administrative requirements are limited to adoption of a trust fund as specified in the proposed rules. The economic impact of the proposed rules on persons subject to the rules is limited to the costs of establishing a trust fund, which is a minimal expense. In addition, the MPCA will make trust agreements available to persons who manage waste in an environmentally inferior manner to minimize the financial costs of compliance. For more discussion on the economic impact of the proposed rules, please see the SONAR.

**Farming Operations.** *Minnesota Statutes* § 116.07, subdivision 4 requires the MPCA to hold public meetings in agricultural areas of the state if a proposed rule affects farming operations. The MPCA has determined that the proposed rules do not affect farming operations.

**Transportation.** *Minnesota Statutes* § 174.05 requires the MPCA to notify the Commissioner of Transportation of all rules that concern transportation, and requires the Commissioner of Transportation to prepare a written review of the rules. The proposed rules are not anticipated to affect transportation.

**Hearing Procedure.** You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate in the rulemaking process. You may present your views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should relate to the proposed rules. You may also mail written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed twenty (20) calendar days if ordered by the Administrative Law Judge at the hearing. Comments received during this period will be available for review at the Office of Administrative Hearings. You and the MPCA may respond in writing within five working days after the submission period ends to any new information submitted. All written materials and responses submitted to the Administrative Law Judge

**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

must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. No additional evidence may be submitted during the five-day period.

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

**Modifications.** The proposed rules may be modified as a result of the rule hearing process. Modifications must not result in a substantial change in the proposed rule as printed in the "State Register," and must be supported by data and views presented during the rule hearing process. If the proposed rule affects you in any way, you are encouraged to participate.

**Adoption Procedure After Hearing.** After the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rule.

**Notice:** Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the MPCA may not take any final action on the rules for a period of five (5) working days. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day that the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to Cristine Leavitt at any time prior to the filing of the rule with the Secretary of State.

**Lobbyist Registration.** *Minnesota Statutes* Chapter 10A requires each lobbyist to register with the State Ethical Practices Board. Questions regarding this requirement may be directed to the:

Ethical Practices Board  
First Floor, Centennial Office Building  
658 Cedar Street  
St. Paul, Minnesota 55155  
Telephone: (612) 296-5148.

Charles W. Williams  
Commissioner

### Rules as Proposed (all new material)

#### 7038.0010 SCOPE.

Parts 7038.0010 to 7038.0100 apply to persons who arrange for management of solid waste in an environmentally inferior manner. They do not apply to persons who manage waste at demolition and industrial land disposal facilities.

#### 7038.0020 DEFINITIONS.

Subpart 1. **Scope.** The terms defined in this part apply to parts 7038.0020 to 7038.0100. For terms not defined in this part, the definitions in part 7035.0300, and *Minnesota Statutes*, sections 115A.03, 115A.47, and 115B.02, apply.

Subp. 2. **Defense costs.** "Defense costs" means the costs to defend a generator against an action to recover response costs.

Subp. 3. **Environmentally inferior.** "Environmentally inferior" means:

A. a waste management method that is lower on the list of preferred waste management methods in *Minnesota Statutes*, section 115A.02, than the solid waste management method that is identified in the county plan or county master plan and implemented through either a solid waste ordinance, designation ordinance, contract, or other document, or mandated by any state law, including *Minnesota Statutes*, sections 115A.415, 473.848, and 473.849; or

B. as applied to a facility, a waste management facility that uses a waste management method that is lower on the list of preferred waste management methods than the waste management method chosen by a county. A disposal facility that does not meet the standards for new facilities in *Code of Federal Regulations*, title 40, chapters 257 and 258, is environmentally inferior to a facility that does meet these standards.

Subp. 4. **Person.** "Person" means any human being; municipality or other governmental or political subdivision or other public agency; public or private corporation, limited liability company, partnership, firm, association, or other organization; or trustee, assignee, agent, or other legal representative of any of the foregoing or any other legal entity, not including the Pollution Control Agency, which arranges for management of solid waste in an environmentally inferior manner.

Subp. 5. **Response.** "Response" has the meaning given in *Minnesota Statutes*, section 115B.02, subdivision 18, or *United States Code*, title 42, section 9601(25).

Subp. 6. **Response costs.** "Response costs" means the costs that may be assessed against a generator for response to a release from a facility of a hazardous substance or pollutant or contaminant.

**7038.0030 TRUST FUND.**

A person shall establish a trust fund for response and defense costs that conforms to the requirements of items A to G.

A. The person shall submit to the commissioner an originally signed duplicate of the trust agreement and a certification of acknowledgment within 60 days after arranging for management of solid waste in an environmentally inferior manner. If parts 7038.0010 to 7038.0100 become effective after February 1, 1995, a person who managed waste in an environmentally inferior manner after February 1, 1995, and prior to the effective date of parts 7038.0010 to 7038.0100 shall submit an originally signed duplicate of the trust agreement and a certification of acknowledgment to the commissioner within 60 days after the effective date of those parts.

B. The trustee shall be an entity which has authority to act as trustee and whose trust operations are regulated by a federal or Minnesota state agency.

C. The wording of the trust agreement must be identical to the wording and formal certification of acknowledgment as shown in part 7038.0080.

D. The person must make monthly payments into the trust fund in the amount specified under *Minnesota Statutes*, section 115A.47. Fund payments must be made by the 20th day of each month for the amount of solid waste that the person arranged to have managed in an environmentally inferior manner the prior month. The first payment must cover waste managed in an environmentally inferior manner after February 1, 1995, or after the effective date of parts 7038.0010 to 7038.0100, whichever date is sooner. If parts 7038.0010 to 7038.0100 become effective after February 1, 1995, a person shall within 60 days after the effective date of those parts transfer existing trust fund revenues paid after February 1, 1995, and prior to the effective date of those parts into a trust fund in accordance with the requirements in this part. A person who has not managed waste in an environmentally inferior manner during any month after establishment of the trust fund shall notify the trustee and the commissioner by certified mail within 20 days following that month why the person did not make a payment and when the person intends to make the next payment.

E. The trustee shall notify the person and the commissioner by certified mail within ten days if a payment or notice from the person is not made by the 20th day of each month following the establishment of the trust fund.

F. The person may request reimbursement for expenditures by submitting itemized bills to the commissioner for response and defense costs. Within 90 days after receiving bills for response and defense costs, the commissioner shall determine whether the expenditures are in accordance with applicable law and shall instruct the trustee in writing to reimburse the amount that is in accordance with applicable law.

G. The commissioner shall agree to terminate the trust agreement if the trust fund is depleted or to terminate the portion of the trust fund associated with the inferior or superior disposal facility where the solid waste was managed after the facility has been certified closed for 30 years.

**7038.0040 RULE ENFORCEMENT.**

Persons in violation of parts 7038.0010 to 7038.0100 shall immediately stop arranging for management of waste in an environmentally inferior manner and, within 60 days after a notice from the commissioner, shall satisfy specified rule requirements or face possible enforcement actions as provided for under *Minnesota Statutes*, section 115A.47, subdivision 6.

**7038.0050 USE OF TRUST FUND FOR MULTIPLE FACILITIES.**

The person may use the trust fund to meet the requirements of part 7038.0030 for more than one environmentally inferior facility. Evidence of the trust fund submitted to the commissioner must include a list showing, for each inferior or superior disposal facility, the identification number, name, address, and the amount of funds for response and defense costs assured by the trust fund. The amount of funds available through the trust fund must be no less than the sum of funds that would be available if a separate trust fund had been established and maintained for each inferior or superior disposal facility. In directing funds available through the trust fund for response or defense costs incurred at any of the inferior or superior facilities covered by the trust fund, the commissioner may direct only the amount of funds designated for the specific inferior or superior disposal facility.

**7038.0060 RELEASE OF PERSON FROM TRUST FUND REQUIREMENTS.**

Subpart 1. **Release from response requirements.** Within 90 days after receiving notification from a person that 30 years have elapsed from an inferior or superior disposal facility's certified closure, the commissioner shall notify the person in writing that the person is no longer required to maintain the trust fund for response action for the particular inferior or superior disposal facility,

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## Proposed Rules

unless the commissioner has reason to believe that response action has not been accomplished in accordance with applicable state or federal laws.

Subp. 2. **Release from defense requirements.** Within 90 days after receiving notification from a person that 30 years have elapsed from an inferior or superior disposal facility's certified closure, the commissioner shall notify the person in writing that the person is no longer required to maintain the trust fund for defense for the particular inferior or superior disposal facility.

### 7038.0070 INCAPACITY OF PERSONS, GUARANTORS, OR FINANCIAL INSTITUTIONS.

Subpart 1. **Notification of bankruptcy.** A person shall notify the commissioner by certified mail of commencement of a voluntary or involuntary bankruptcy proceeding naming the person as debtor, within ten days after commencement of the proceeding.

Subp. 2. **Incapacity of financial institutions.** A person who fulfills the requirements of part 7038.0030 by obtaining a trust fund shall be considered to be without the required financial assurance in the event of bankruptcy of the trustee or issuing institution, or a suspension or revocation of the authority of the trustee to act as trustee. The person shall establish another trust fund within 60 days after such an event.

### 7038.0080 TRUST AGREEMENT.

A trust agreement for a trust fund as specified in part 7038.0030 must be worded and an acknowledgment certified as specified in this part, except that instructions in brackets must be replaced with the relevant information and the brackets deleted. The agency shall provide a trust agreement form at a person's request.

#### TRUST AGREEMENT

Trust Agreement, the "Agreement," entered into on [date] by [name of the person], a [name of the state] [insert "corporation," "partnership," "association," "limited liability company," "local government entity," or "proprietorship"], the "Grantor," and [name of trustee], the "Trustee."

The Minnesota Pollution Control Agency, an agency of the state of Minnesota, has established rules applicable to the Grantor, requiring that a person who arranges for management of solid waste in an environmentally inferior manner shall establish and pay into a trust fund for response and defense costs.

The Grantor has established a trust fund to provide the financial capability for the inferior or superior facility(ies) identified herein.

The Grantor, acting through its duly authorized officers, has selected the Trustee to be the trustee under this Agreement, and the Trustee is willing to act as trustee.

The Grantor and the Trustee agree as follows:

Section 1. Definitions. As used in this Agreement:

- a. The term "Grantor" means the person who enters into this Agreement and any successors or assigns of the Grantor.
- b. The term "Trustee" means the Trustee who enters into this Agreement and any successor Trustee.
- c. The term "Beneficiary" means the Minnesota Pollution Control Agency (MPCA) and any successor agency.

Section 2. Identification of Facilities. This Agreement pertains to the facilities identified on the attached Schedule A [on Schedule A, list a contact person's name, address, and telephone number to identify who should receive Agreement notices and reports. Also, for each facility list the identification number, name, address, and classification as inferior or superior disposal facility, for which financial assurance is demonstrated by this Agreement].

Section 3. Establishment of Trust Fund. The Grantor and the Trustee hereby establish a trust fund, for the benefit of the Beneficiary. The Grantor and the Trustee intend that no third party have access to the trust fund except as herein provided. The trust fund is established initially as consisting of the property described in Schedule B attached hereto. This property and any other property subsequently transferred to the Trustee is referred to as the trust fund, together with all earnings, and profits on earnings, less any payments or distributions made by the Trustee under this Agreement. The trust fund shall be held by the Trustee as hereinafter provided. The Trustee shall not be responsible nor shall it undertake any responsibility for the amount or adequacy of, nor any duty to collect from the Grantor, any payments necessary to discharge any liabilities of the Grantor established by the MPCA.

Section 4. Payment for Response and Defense Costs. The Trustee shall make payments from the trust fund as the MPCA Commissioner shall specify, in writing, to provide for the payment of the costs of response and defense costs of the facilities covered by this Agreement. The Trustee shall reimburse the Grantor or other persons as specified by the MPCA Commissioner from the trust fund for response and defense cost expenditures in amounts the MPCA Commissioner shall specify in writing. In addition, the Trustee shall refund to the Grantor the amounts the MPCA Commissioner specifies in writing. Upon refund, these funds shall no longer constitute part of the trust fund as defined herein.

Section 5. Payments Comprising the Trust Fund. Payments made to the Trustee for the trust fund shall consist of cash.

Section 6. Trustee Management. In investing, reinvesting, exchanging, selling, and managing the trust fund, the Trustee shall discharge his or her duties with respect to the trust fund solely in the interest of the Beneficiary and with the care, skill, prudence, and diligence under the circumstances then prevailing which persons of prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of a like character and with like aims; except that:

a. securities or other obligations of the Grantor, or any other person who arranges for the management of solid waste in an environmentally inferior manner, or any affiliates as defined in the Investment Company Act of 1940, *United States Code*, title 15, section 80a-2(a), shall not be acquired or held, unless they are securities or other obligations of the federal or state government;

b. the Trustee is authorized to invest the trust fund in time or demand deposits of the Trustee, to the extent insured by an agency of the federal or state government; and

c. the Trustee is authorized to hold cash awaiting investment or distribution uninvested for a reasonable time and without liability for the payment of interest thereon.

Section 7. Commingling and Investment. The Trustee is expressly authorized in its discretion:

a. to transfer from time to time any or all of the assets of the trust fund to any common, commingled, or collective trust fund created by the Trustee in which the trust fund is eligible to participate, subject to all of the provisions thereof, to be commingled with the assets of others participating therein; and

b. to purchase shares in any investment company registered under the Investment Company Act of 1940, *United States Code*, title 15, sections 80a-1 et seq. including one which may be created, managed, underwritten, or to which investment advice is rendered or the shares of which are sold by the Trustee. The Trustee may vote such shares in its discretion.

Section 8. Express Powers of Trustee. Without in any way limiting the powers and discretions conferred upon the Trustee by the other provisions of this Agreement or by law, the Trustee is expressly authorized and empowered:

a. To sell, exchange, convey, transfer, or otherwise dispose of any property held by it, by public or private sale. No person dealing with the Trustee may be bound to see to the application of the purchase money or to inquire into the validity or expediency of a sale or other disposition.

b. To make, execute, acknowledge, and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted.

c. To register any securities held in the trust fund in its own name or in the name of a nominee and to hold any security in bearer form or in book entry, or to combine certificates representing the securities with certificates of the same issue held by the Trustee in other fiduciary capacities, or to deposit or arrange for the deposit of the securities in a qualified central depository even though, when so deposited, the securities may be merged and held in bulk in the name of the nominee of the depository with other securities deposited therein by another person, or to deposit or arrange for the deposit of any securities issued by the United States Government, or any agency or instrumentality thereof, with a federal reserve bank, but the books and records of the Trustee shall at all times show that all these securities are part of the trust fund.

d. To deposit any cash in the trust fund in interest-bearing accounts maintained or savings certificates issued by the Trustee, in its separate corporate capacity, or in any other banking institution affiliated with the Trustee, to the extent insured by an agency of the federal or state government.

Section 9. Taxes and Expenses. All taxes of any kind that may be assessed or levied against or in respect of the trust fund and all brokerage commissions incurred by the trust fund shall be paid from the trust fund. All other expenses incurred by the Trustee in connection with the administration of this Trust, including fees for legal services rendered to the Trustee, the compensation of the Trustee to the extent not paid directly by the Grantor, and all other proper charges and disbursements of the Trustee shall be paid from the trust fund.

Section 10. Quarterly Valuation. The Trustee shall, no later than the last day of the month following quarters ending on the last days of March, June, September, and December, furnish to the Grantor and to the MPCA Commissioner account statements showing trust fund payments and disbursements for the calendar quarter. Any securities in the trust fund shall be valued at market value. The failure of the Grantor to object in writing to the Trustee within 90 days after the statements have been furnished to the Grantor and the MPCA Commissioner shall constitute a conclusively binding assent by the Grantor, barring the Grantor from asserting any claim or liability against the Trustee with respect to matters disclosed in the statements.

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## Proposed Rules

Section 11. Advice of Counsel. The Trustee may from time to time consult with counsel, with respect to any question arising as to the construction of this Agreement or any action to be taken hereunder. The Trustee shall be fully protected, to the extent permitted by law, in acting upon the advice of counsel.

Section 12. Trustee Compensation. The Trustee shall be entitled to reasonable compensation for its services as agreed upon in writing from time to time with the Grantor.

Section 13. Successor Trustee. The Trustee may resign or the Grantor may replace the Trustee, but the resignation or replacement shall not be effective until the Grantor has appointed a successor trustee and this successor accepts the appointment. The successor trustee shall have the same powers and duties as those conferred upon the Trustee hereunder. Upon the successor trustee's acceptance of the appointment, the Trustee shall assign, transfer, and pay over to the successor trustee the funds and properties then constituting the trust fund. If for any reasons the Grantor cannot or does not act in the event of the resignation of the Trustee, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor trustee or for instructions. The successor trustee shall specify the date on which it assumes administration of the trust in a writing sent to the Grantor, the MPCA Commissioner, and the present Trustee by certified mail ten days before the change becomes effective. Any expenses incurred by the Trustee as a result of any of the acts contemplated by this Section shall be paid as provided in Section 9.

Section 14. Instructions to the Trustee. All orders, requests, and instructions by the MPCA Commissioner to the Trustee shall be in writing, signed by the MPCA Commissioner, and the Trustee shall act and shall be fully protected in acting in accordance with the orders, requests, and instructions. The Trustee shall have the right to assume, in the absence of written notice to the contrary, that no event constituting a change or a termination of the authority of any person to act on behalf of the Grantor or the MPCA hereunder has occurred. The Trustee shall have no duty to act in the absence of orders, requests, and instructions from the MPCA Commissioner, except as provided herein.

Section 15. Notice of Nonpayment. The Trustee shall notify the Grantor and the MPCA Commissioner by certified mail within ten days if no payment or notice from the Grantor is received from the Grantor by the 20th day of the month. After the pay-in period is completed, the Trustee shall not be required to send a notice of nonpayment.

Section 16. Amendment of Agreement. This Agreement may be amended by an instrument in writing executed by the Grantor, the Trustee, and the MPCA Commissioner, or by the Trustee and the MPCA Commissioner if the Grantor ceases to exist.

Section 17. Irrevocability and Termination. Subject to the right of the parties to amend this Agreement as provided in Section 13 and in Section 16, this trust shall be irrevocable and shall continue until terminated at the written agreement of the Grantor, the Trustee, and the MPCA Commissioner, or by the Trustee and the MPCA Commissioner, if the Grantor ceases to exist. Upon termination of the trust, all remaining trust property, less final trust administration expenses, shall be delivered to the Grantor or to any successors or assigns of the Grantor.

Section 18. Immunity and Indemnification. The Trustee shall not incur personal liability of any nature in connection with any act or omission, made in good faith, in the administration of this trust fund, or in carrying out any directions by the MPCA Commissioner issued in accordance with this Agreement. The Trustee shall be indemnified and saved harmless by the Grantor or from the trust fund, or both, from and against any personal liability to which the Trustee may be subjected by reason of any act or conduct in its official capacity, including all expenses reasonably incurred in its defense in the event the Grantor fails to provide a defense.

Section 19. Choice of Law. This Agreement shall be administered, construed, and enforced according to the laws of the state of Minnesota.

Section 20. Interpretation. As used in this Agreement, words in the singular include the plural and words in the plural include the singular. The descriptive headings for each Section of this Agreement shall not affect the interpretation or the legal efficacy of this Agreement.

In Witness Whereof the parties have caused this Agreement to be executed by their respective officers duly authorized and attested as of the date first above written. The parties below certify that the wording of this Agreement is identical to the wording specified in *Minnesota Rules*, part 7038.0080, as such were constituted on the date of signing.

.....  
Signature of [name of Grantor's officer]  
[Title of Grantor's officer]

.....  
Signature of [name of Trustee's officer]  
[Title of Trustee's officer]



**CERTIFICATION OF ACKNOWLEDGMENT**

State of .....

County of .....

Subscribed to and sworn before me this ..... day of ....., 19... On this date, before me personally came [name of Grantor's officer] to me known, who, being by me duly sworn, did depose and say that she/he resides at [address], that she/he is [title] of [name of Grantor] and was duly authorized by Grantor to enter into this Agreement.

.....  
Signature of Notary Public

**7038.0090 ADMINISTRATION FEE.**

Each person shall pay to the commissioner a fee in the amount required by *Minnesota Statutes*, section 115A.47, subdivision 3, paragraph (h), based on the amount of solid waste managed in an environmentally inferior manner during a calendar quarter. The person shall make the fee payable to the state of Minnesota and submit it to: Environmentally Inferior Facility Liaison, Minnesota Pollution Control Agency, 520 Lafayette Road, St. Paul, MN 55155-4194.

Fee payments must be made before the last day of the month following each calendar quarter and be included with the quarterly report required by parts 7038.0010 to 7038.0100. If the effective date of those parts is after February 1, 1995, the first payment must cover waste managed in an environmentally inferior manner after February 1, 1995, and prior to the effective date of those parts. Fees are nonrefundable.

**7038.0100 QUARTERLY REPORT REQUIREMENT.**

A person shall prepare and submit a single copy of a quarterly report to the commissioner no later than the last day of the month following quarters ending on the last days of March, June, September, and December. The quarterly report must include the following information:

- A. the person's name, address, and telephone number;
- B. the months covered by the report;
- C. the names, addresses, and permit numbers of the inferior or superior disposal facilities used for managing solid waste, the classification of the facility as an inferior or superior disposal facility, the amount of waste managed per cubic yard or per ton at each facility, and the amount paid into the trust fund for the quarter;
- D. requests for use of money from the trust fund;
- E. a certification from the person that the information is accurate; and
- F. any other information necessary for the commissioner to monitor and credit the trust fund or need for payment from it.

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## Proposed Rules

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### Department of Transportation

#### Operations Division

#### Proposed Permanent Rules Relating to Minimum Energy Efficiency Standards for Street, Highway, and Parking Lot Lighting

##### DUAL NOTICE:

**Notice of Intent to Adopt Rules without a Public Hearing unless 25 or More Persons Request a Hearing, And**

**Notice of Hearing if 25 or More Requests for Hearing Are Received**

**Introduction.** The Minnesota Department of Transportation intends to adopt permanent rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons request a hearing on the rules within 30 days or by December 29, 1994, a public hearing will be held on January 9, 1995. To find out whether this rule will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after December 29, 1994 and before January 9, 1995.

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

Sue Lodahl, State Lighting Engineer  
Office of Traffic Engineering  
MN Department of Transportation  
1500 W. County Road B2 - Mail Stop 725  
Roseville, MN 55113  
Telephone Number: (612) 582-1095

**Subject of Rule and Statutory Authority.** The proposed rules will govern minimum energy efficiency standards for street, highway and parking lot lighting. The statutory authority to adopt the rules is *Minnesota Statutes*, section 216C.19, subdivision 1. A copy of the proposed rules is published in the "State Register" and attached to this notice as mailed. Persons desiring a copy of the rules may contact Sue Lodahl at the address above.

**Comments.** You have until 4:30 p.m. on December 29, 1994 to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comments must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reasons for the comments and any change proposed.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on December 29, 1994. Your written request for a public hearing must include your name, address and telephone number. You are encouraged to identify the portion of the proposed rules which caused your request, the reason for the request, and any changes you want made to the proposed rules. 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.

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must not result in a substantial change in the proposed rules as attached and printed in the "State Register" and must be supported by the data and views submitted to the Department or presented at the hearing. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for January 9, 1995 will be canceled if the Department does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the Department will notify you before the scheduled hearing whether or not the hearing will be held. You may also call Sue Lodahl at (612) 582-1095 after December 29, 1994 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, section 14.14 to 14.20. The hearing will be held on January 9, 1995 at Water's Edge Building, Conference Rooms A and B, 1500 W. County Road B2, Roseville, Minnesota, beginning at 1:00 p.m. and will continue until all interested persons have been heard. The hearing will continue, if necessary, at additional times and places as determined during the hearing by the Administrative Law Judge. The Administrative Law Judge assigned to conduct the hearing is Judge Allen E. Giles. Judge Allen Giles can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, MN 55401-2138, telephone (612) 349-2543.

## Proposed Rules

**Accessibility.** The hearing room is accessible to persons with disabilities. For special needs or to request an auxiliary aid, you should contact Sue Lodahl at the address and telephone given above at least two weeks before the date of the hearing.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should relate to the proposed rules. You may also mail written materials to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Comments received during this period will be available for review at the Office of Administrative Hearings. You and the Department may respond in writing five business days after the submission period ends to any new information submitted. All written materials and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. No additional evidence may be submitted during the five-day period. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.0200 to 1400.1200 and *Minnesota Statutes*, sections 14.14 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

**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 rules. It also includes a summary of the evidence and argument which the Department anticipates presenting at the hearing if one is held. The statement may also be reviewed and copies obtained at the cost of reproduction at the Office of Administrative Hearings.

**Small Business Considerations.** In preparing the rules, the Department has considered the requirements of *Minnesota Statutes*, section 14.115, in regard to the impact of the proposed rules on small businesses. The adoption of these rules will affect small businesses, but the impact will be minimal. Small businesses who provide parking lots for their customers need to have parking lots that conform with these rules. Please see the Department Statement of Need and Reasonableness for a complete discussion of small business considerations.

**Expenditure of Public Money by Local Public Bodies.** The adoption of the proposed rules will not require a total expenditure of public monies by local public bodies of more than \$100,000 in either of the two years immediately following adoption. Therefore, *Minnesota Statutes*, section 14.11, subdivision 1, is not applicable to this rulemaking proceeding.

**Impact on Agriculture Land.** Adoption of the proposed rules will not have a direct or substantial adverse impact on agriculture land. Therefore, *Minnesota Statutes*, section 14.11, subdivision 2, is not applicable to this rulemaking proceeding.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A requires each lobbyist to register with the Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at First Floor South, Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (612) 296-5148 or 1-800-657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, after the end of the comment period the Department may adopt the rules. The rules and supporting documents will then be submitted to the Attorney General for review as to legality and form to the extent the 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 rules. If you want to be so notified, or wish to receive a copy of the adopted rule, submit your request to Sue Lodahl at the address listed above.

**Adoption Procedure After the Hearing.** If a hearing is held, after the close of the hearing record the Administrative Law Judge will issue a report on the proposed rules. You may request to be notified of the date on which the Administrative Law Judge's report will be available, after which date the Department may not take any final action on the rules for a period of five working days. If you want to be notified about the report, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. You may also request notification of the date on which the rules are adopted and filed with the Secretary of State. The Department's notice of adoption must be mailed on the same day the rule is filed. If you want to be notified of the adoption, you may so indicate at the hearing or send a request in writing to the agency contact person at any time prior to the filing of the rule with Secretary of State.

Dated: 2 November 1994

James N. Denn, Commissioner  
Department of Transportation

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## Proposed Rules

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### Rules as Proposed (all new material)

#### 8885.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 8885.0100 to 8885.0300 have the meanings given them in this part.

Subp. 2. **Existing lighting equipment.** "Existing lighting equipment" means lighting equipment that is in place, or for which construction plans for installing the lighting equipment have been under contract before August 1, 1992.

Subp. 3. **Initial efficiency.** "Initial efficiency" means a measurement of energy performance of a new lamp, and is determined by dividing the initial lumen output of the lamp by its wattage and is expressed in lumens per watt.

Subp. 4. **Lighting equipment.** "Lighting equipment" means a complete lighting fixture including the parts designed to distribute the light, to position and protect the lamp, and to connect the lamp to the power supply but does not include the lamp.

Subp. 5. **Lumen output.** "Lumen output" means the total luminous flux (power) of a lamp in lumens.

Subp. 6. **Motor vehicle sales lot.** "Motor vehicle sales lot" means an improved area having public access for the sale of motor vehicles as defined in *Minnesota Statutes*, section 168.011, subdivision 4.

Subp. 7. **Parking lot.** "Parking lot" means an improved area designated for the purposes of parking, storing, or allowing licensed motor vehicles to remain, but does not include a motor vehicle sales lot or a parking area of a single family residence.

Subp. 8. **Sign lighting.** "Sign lighting" means a type of lighting with the sole purpose of illuminating overhead, mounted, sign panels.

Subp. 9. **Street or highway.** "Street" or "highway" has the meaning given in *Minnesota Statutes*, section 169.01, and includes private roads that are open to public travel and under the jurisdiction of and maintained by a public authority.

Subp. 10. **Worn out.** "Worn out" means a condition when lighting equipment is damaged or broken in such a way that it is no longer able to perform its primary function of distributing light.

#### 8885.0200 PURPOSE AND SCOPE.

Subpart 1. **Purpose.** The purpose of parts 8885.0100 to 8885.0300 is to establish minimum energy efficiency standards for street, highway, and parking lot lighting in Minnesota so that energy consumption can be reduced, while ensuring the overall protection of the public health, safety, and welfare.

Subp. 2. **Scope.** Parts 8885.0100 to 8885.0300 apply to newly installed and existing highway, street, and parking lot lighting equipment. Parts 8885.0100 to 8885.0300 do not apply to roadway sign lighting.

#### 8885.0300 REQUIREMENTS AND PROHIBITIONS.

Subpart 1. **Requirements.** All new installations and replacements of worn out lighting equipment must be installed or replaced with lighting equipment containing lamps with initial efficiencies of at least 70 lumens per watt.

Subp. 2. **Prohibition.** The installation of lighting equipment with lamps having initial efficiencies less than 70 lumens per watt is prohibited.

## 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.

## Department of Health

### Adopted Permanent Rules Relating to Health Risk Limits

The rules proposed and published at *State Register*, Volume 19, Number 6, pages 271-278, August 8, 1994 (19 SR 271), are adopted with the following modifications:

#### Rules as Adopted

#### 4717.7500 TABLE OF HEALTH RISK LIMITS.

Subp. 77b. ~~Styrene. Styrene:~~ 100-42-5— 0.03 10

#### 4717.7650 TOXIC ENDPOINTS.

Subp. 55a. ~~Nitrite. Nitrite, 14797-65-0, hematologic system.~~

Subp. 60b. ~~Styrene. Styrene, 100-42-5, cancer.~~

## Department of Human Services

### Adopted Rules Relating to Diagnostic Related Group Classification

**Notice of Revision of Diagnostic Related Group Classifications for Inpatient Hospital Reimbursement, *Minnesota Rules*, part 9500.1100, subparts 20b to 20f pursuant to *Minnesota Statutes*, section 256.969, subdivision 2**

This notice provides information about revisions of the diagnostic categories for inpatient hospital services under the Medical Assistance (MA), General Assistance Medical Care (GAMC) and MinnesotaCare Programs.

*Minnesota Statutes*, section 256.969, subdivision 2 and *Minnesota Rules*, part 9500.1110, subpart 2 authorize the Commissioner of Human Services to reconfigure the diagnostic categories after notice in the "State Register" and a 30-day comment period.

The diagnostic category revisions are based on a review of 1990 base year claims that will be used to establish the January 1, 1995 rates. The change in base year made it necessary in some cases to combine previously separate diagnostic categories which had either zero or very low claim counts. Categories have been added to reduce the variances in cost within the diagnostic categories and to create diagnostic categories for high-usage diagnoses and procedures.

The diagnostic category revisions are effective for admissions occurring on or after January 1, 1995. Aggregate payments to the industry for inpatient services are not altered by these revisions. A report of the relative values for the diagnostic categories will be sent to each hospital with the rate notice by December 1, 1994.

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## Adopted Rules

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Written comments on the diagnostic category revisions may be sent to:

Department of Human Services  
Inpatient Hospital Unit  
444 Lafayette Road  
Saint Paul, Minnesota 55155-3853

Telephone calls about the diagnostic category changes may be directed to:

Barbara Hahn (612) 297-4108 or Richard Tester (612) 296-5596

### Rules as Adopted

#### 9500.1100 DEFINITIONS.

Subpart 1. **Scope.** As used in parts 9500.1090 to 9500.1140, the terms in subparts 1a to 51 are defined as follows.

Subp. 1a. **Accommodation service.** "Accommodation service" means those inpatient hospital services included by a hospital in a daily room charge. Accommodation services are composed of general routine services and special care units. These routine and special care units include the nursery, coronary, intensive, neonatal, rehabilitation, psychiatric, and chemical dependency care units.

Subp. 2. **Adjusted base year operating cost.** "Adjusted base year operating cost" means a hospital's allowable base year operating cost per admission or per day, adjusted by the hospital cost index.

Subp. 3. **Admission.** "Admission" means the time of birth at a hospital or the act that allows a patient to officially enter a hospital to receive inpatient hospital services under the supervision of a physician who is a member of the medical staff.

Subp. 5. **Allowable base year operating cost.** "Allowable base year operating cost" means a hospital's base year inpatient hospital cost per admission or per day, that is adjusted for case mix and excludes property costs.

Subp. 6. **Ancillary service.** "Ancillary service" means inpatient hospital services that include laboratory and blood, radiology, anesthesiology, pharmacy, delivery and labor room, operating and recovery room, emergency room and outpatient clinic, therapy, medical supplies, renal dialysis, psychiatric, and chemical dependency services customarily charged in addition to an accommodation service charge.

Subp. 9. **Base year.** "Base year" means a hospital's fiscal year that is recognized by Medicare, or a hospital's fiscal year specified by the commissioner if a hospital is not required to file information with Medicare, from which cost and statistical data are used to establish medical assistance and general assistance medical care rates.

Subp. 11. **Case mix.** "Case mix" means a hospital's admissions distribution of relative values among the diagnostic categories.

Subp. 12a. **Charges.** "Charges" means the usual and customary payment requested by the hospital of the general public.

Subp. 14. **Commissioner.** "Commissioner" means the commissioner of the Department of Human Services or an authorized representative of the commissioner.

Subp. 16. **Cost to charge ratio.** "Cost to charge ratio" means a ratio of a hospital's inpatient hospital costs to its charges.

Subp. 18. **Day outlier.** "Day outlier" means an admission whose length of stay exceeds the mean length of stay for neonate and burn diagnostic categories by one standard deviation, and in the case of all other diagnostic categories by two standard deviations.

Subp. 19. **Department.** "Department" means the Minnesota Department of Human Services.

Subp. 20a. **Diagnostic categories.** "Diagnostic categories" means the diagnostic classifications containing one or more diagnosis related groups (DRGs) used by the Medicare program and identified in parts 9500.1090 to 9500.1140. The DRG classifications must be assigned according to the base year program and specialty groups with modifications as specified in subparts 20b to 20g.

Subp. 20b. **Diagnostic categories eligible under the medical assistance program.** The following diagnostic categories are for persons eligible under the medical assistance program except as provided in subpart 20c, 20d, 20e, or 20f:

## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
A. Nervous System Conditions		
(1) <del>Treated with Major</del> <u>Surgical Procedure</u>	001-005, 007	
(2) <del>Other Nervous</del> <u>System Conditions</u>	006, 008-035	
(1) <del>Reserved for future use</del>		
(2) <del>Reserved for future use</del>		
(3) <u>Treated with Craniotomy</u>	001-003	
(4) <u>Treated with Spinal</u> <u>Procedure</u>	004	
(5) <u>Treated with Other</u> <u>Surgical Procedure</u>	005-008	
(6) <u>Nervous System Neoplasms</u>	010-011	
(7) <u>Cranial and Peripheral</u> <u>Nerve Disorders</u>	018-019	
(8) <u>Nervous System Infection</u> <u>except Viral Meningitis</u>	020	
(9) <u>Viral Meningitis</u>	021	
(10) <u>Seizure and Headache</u> <u>Age ≥ 17</u>	024-025	
(11) <u>Seizure and Headache</u> <u>Age 0-17</u>	026	
(12) <u>Traumatic Stupor with</u> <u>Coma ≥ 1 hour</u>	027	
(13) <u>Traumatic Stupor with</u> <u>Coma &lt; 1 hour, Age 0-17</u>	030	
(14) <u>Concussion</u>	031-033	
(15) <u>Other Nervous System</u> <u>Conditions</u>	009, 012-017, 022-023, 028-029, 034-035	
B. Eye Diseases and Disorders	036-048	
C. <del>Ear, Nose, Mouth, And</del> <del>Throat Diseases</del>	049-074, 168 169, 185-187	
C. <u>Ear, Nose, Throat, and</u> <u>Mouth Diseases and Disorders</u>		
(1) <u>Treated with</u> <u>Tonsillectomy/</u> <u>Adenoidectomy Only</u>	059-060	
(2) <u>Treated with</u> <u>Myringotomy with Tube</u> <u>Insertion, Age 0-17</u>	062	

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# Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
(3) <u>Otitis Media and URI</u>	<u>068-070</u>	
(4) <u>Dental and Oral</u>		
<u>Disorders</u>	<u>185-187</u>	
(5) <u>Other Ear, Nose,</u>		
<u>Throat, and Mouth</u>		
<u>Conditions</u>	<u>049-058, 061,</u> <u>063-067,</u> <u>071-074,</u> <u>168-169</u>	
D. <u>Respiratory System Conditions</u>		
(1) <u>Treated with Surgical</u> <u>Procedure</u>	<u>075-077, 482,</u> <u>483</u>	
(1) <u>[Reserved for future use]</u>		
(2) <u>Treated with Ventilator</u> <u>Support</u>	<u>475</u>	
(3) <u>Other Respiratory</u> <u>System Conditions</u>	<u>078-097,</u> <u>099-102</u>	
(3) <u>[Reserved for future use]</u>		
(4) <u>Treated with</u> <u>Tracheostomy except</u> <u>for Face, Mouth,</u> <u>and Neck Diagnoses</u>	<u>483</u>	
(5) <u>Treated with Other</u> <u>Surgical Procedure</u>	<u>075-077, 482</u>	
(6) <u>Respiratory Neoplasms</u>	<u>082</u>	
(7) <u>Simple Pneumonia and</u> <u>Pleurisy, Age ≥ 17</u>	<u>089-090</u>	
(8) <u>Simple Pneumonia and</u> <u>Pleurisy, Age 0-17</u>	<u>091</u>	
(9) <u>Other Respiratory</u> <u>System Conditions</u>	<u>078-081,</u> <u>083-088,</u> <u>092-097,</u> <u>099-102</u>	
E. <u>Circulatory System</u> <u>Conditions</u>		
(1) <u>Conditions Treated with</u> <u>Surgical Procedure</u>	<u>104-108,</u> <u>110-120,</u> <u>478, 479</u>	
(2) <u>Other Circulatory</u> <u>System Conditions</u>	<u>121-145</u>	
(1) <u>[Reserved for future use]</u>		
(2) <u>[Reserved for future use]</u>		
(3) <u>[Reserved for future use]</u>		
(4) <u>Treated with Vein</u> <u>Ligation and Stripping</u>	<u>119</u>	
(5) <u>Treated with Other</u>		



## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER-NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
<u>Surgical Procedure</u>	<u>104-108,</u> <u>110-118,</u> <u>120, 478, 479</u>	
(6) <u>Deep Vein Thrombophlebitis</u>	<u>128</u>	
(7) <u>Circulatory Disorders/ Endocarditis</u>	<u>121-126</u>	
(8) <u>Cardiac Congenital and Valvular Disorders</u>		
<u>Age 0-17</u>	<u>137</u>	
(9) <u>Other Circulatory System Conditions</u>	<u>127, 129-136,</u> <u>138-145</u>	
F. Digestive System Diseases and Disorders	<u>146-167,</u> <u>170-183,</u> <u>188-190</u>	
(1) <u>Treated with Anal and Stomal Procedures</u>	<u>157-158</u>	
(2) <u>Treated with Hernia Procedures</u>	<u>159-163</u>	
(3) <u>Treated with Appendectomy with Compl. Pm Dx or CC</u>	<u>164-166</u>	
(4) <u>Treated with Appendectomy Without Compl. Pm Dx or CC</u>	<u>167</u>	
(5) <u>Treated with Other Surgical Procedure</u>	<u>146-156,</u> <u>170-171</u>	
(6) <u>Esophagitis, Gastroent. or Misc. Digestive Disorders, Age ≥ 17</u>	<u>182-183</u>	
(7) <u>Other Digestive System Condition</u>	<u>172-181,</u> <u>188-190</u>	
G. Hepatobiliary System Conditions		
(1) <u>Conditions Treated with Surgical Procedure</u>	<u>191-201,</u> <u>493-494</u>	
(2) <u>Other Hepatobiliary System Conditions</u>	<u>202-208</u>	
(2) <u>[Reserved for future use]</u>		
(3) <u>Cirrhosis and Alcoholic</u>		

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# Adopted Rules

	DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
	<u>Hepatitis</u>	<u>202</u>	
	(4) <u>Malignancy of</u> <u>Hepatobiliary System</u> <u>or Pancreas</u>	<u>203</u>	
	(5) <u>Disorders of Pancreas</u> <u>Except Malignancy</u>	<u>204</u>	
	(6) <u>Other Disorders of</u> <u>the Liver</u>	<u>205-206</u>	
	(7) <u>Disorders of the</u> <u>Biliary Tract</u>	<u>207-208</u>	
H.	Diseases and Disorders of the Musculoskeletal System and Connective Tissues	<u>209-256, 471</u>	
	(1) <u>Treated with Major Joint</u> <u>and Limb Reattachment</u> <u>Procedures</u>	<u>209, 471, 491</u>	
	(2) <u>Treated with Hip and</u> <u>Femur Procedures or</u> <u>Amputation</u>	<u>210-213</u>	
	(3) <u>Treated with Back and</u> <u>Neck Procedures</u>	<u>214-215</u>	
	(4) <u>Treated with Biopsy of</u> <u>Musculoskeletal System</u> <u>and Connective Tissue</u>	<u>216</u>	
	(5) <u>Treated with Wound</u> <u>Debrid or Skin Graft</u> <u>except Hand</u>	<u>217</u>	
	(6) <u>Treated with Lower</u> <u>Extremity and Humer</u> <u>Procedure Except Hip, Foot,</u> <u>Femur</u>	<u>218-220</u>	
	(7) <u>Treated with Knee</u> <u>Procedure</u>	<u>221-222</u>	
	(8) <u>Treated with Upper</u> <u>Extremity Procedure</u>	<u>223-224</u>	
	(9) <u>Treated with Foot</u> <u>Procedure</u>	<u>225</u>	
	(10) <u>Treated with Soft</u> <u>Tissue Procedure</u>	<u>226-227</u>	
	(11) <u>Treated with Hand or</u> <u>Wrist Procedure</u>	<u>228-229</u>	
	(12) <u>Treated with Local</u> <u>Excision and Removal</u> <u>of Interior Fix Devices</u> <u>of Hip and Femur</u>	<u>230</u>	
	(13) <u>Treated with Local</u> <u>Excision and Removal</u> <u>of Interior Fix Devices</u> <u>except Hip and Femur</u>	<u>231</u>	
	(14) <u>Treated with Other</u>		

## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
I. <u>Surgical Procedures</u> <u>(15) Other Musculoskeletal</u> <u>System and Connective</u> <u>Tissues Conditions</u>	232-234	
Diseases and Disorders of the Skin, Subcutaneous Tissue, and Breast	235-256	
<u>(1) Treated with Mastectomy</u>	257-284	
<u>for Malignancy</u>	257-260	
<u>(2) Treated with Skin Graft</u>	263-266	
<u>or Debridement</u>	271	
<u>(3) Skin Ulcers</u>	261-262	
<u>(4) Other Skin, Subcutaneous</u>	267-270	
<u>Tissue, and Breast</u>	272-284	
<u>Conditions</u>		
J. Endocrine, Nutritional, and Metabolic Diseases and Disorders	285-301	
<u>(1) Treated with Major</u>	285-288	
<u>Surgical Procedures</u>	294	
<u>(2) Diabetes Age ≥ 35</u>	295	
<u>(3) Diabetes Age 0-35</u>	296-299	
<u>(4) Nutritional and</u>		
<u>Metabolic Disorders</u>	289-293	
<u>(5) Other Endocrine,</u>	300-301	
<u>Nutritional, and</u>		
<u>Metabolic Conditions</u>		
K. Kidney and Urinary Tract Conditions	303-333	
<u>(1) Treated with Kidney,</u>	303-305	
<u>Ureter, or Major</u>		
<u>Bladder Procedure</u>	306-314	
<u>(2) Treated with</u>		
<u>Prostatectomy, Minor</u>	315	
<u>Bladder, or Urethral</u>	316	
<u>Procedure</u>		
<u>(3) Treated with Other</u>		
<u>Surgical Procedure</u>		
<u>(4) Renal Failure</u>		
<u>(5) Other Kidney and</u>		
<u>Urinary Tract</u>		

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# Adopted Rules

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	<u>Conditions</u>	<u>317-333</u>	
L.	Male Reproductive System Conditions	334-352	
M.	Female Reproductive System Conditions	<del>353-369</del>	
	(1) <u>Treated with Tubal Interuption Procedure</u>	<u>361-362</u>	
	(2) <u>Treated with D &amp; C. Conization, or Radio-implant</u>	<u>363-364</u>	
	(3) <u>Female Reproductive System Infection</u>	<u>368</u>	
	(4) <u>Menstrual and Other Female Reproductive System Disorders</u>	<u>369</u>	
	(5) <u>Other Female Reproductive System Conditions</u>	<u>353-360</u> <u>365-367</u>	
N.	Pregnancy Related Conditions		
	(1) <del>Postpartum Complications</del> <del>Treated with Surgical Procedure and Ectopic Pregnancy</del>	<u>377, 378</u>	
	(2) <del>Other Pregnancy Related Conditions</del>	<u>376, 379-384</u>	
	(1) <del>[Reserved for future use]</del>		
	(2) <del>[Reserved for future use]</del>		
	(3) <del>Postpartum and Post Abortion Conditions Treated without Surgical Procedure</del>	<u>376</u>	
	(4) <del>Postpartum and Post Abortion Conditions Treated with Surgical Procedure</del>	<u>377</u>	
	(5) <del>Ectopic Pregnancy</del>	<u>378</u>	
	(6) <del>Threatened Abortion</del>	<u>379</u>	
	(7) <del>Abortion without D &amp; C</del>	<u>380</u>	
	(8) <del>Abortion with D &amp; C, Aspiration Curettage or Hysterotomy</del>	<u>381</u> <u>382</u>	
	(9) <del>False Labor</del>		
	(10) <del>Other Antepartum Conditions</del>	<u>383-384</u>	
O.	[Reserved for future use]		
P.	Blood and Immunity Disorders		
	(1) <u>Treated with Surgical Procedure of the Blood</u>		

## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER-NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
<u>and Blood Forming Organs</u>	392-394	
(2) <del>Other Blood and Immunity Disorders</del>	395-399	
(2) <u>[Reserved for future use]</u>		
(3) <u>Red Blood Cell Disorders</u>		
<u>Age ≥ 17</u>	395	
(4) <u>Red Blood Cell Disorders</u>		
<u>Age 0-17</u>	396	
(5) <u>Coagulation Disorders</u>	397	
(6) <u>Reticuloendothelial and Immunity Disorders</u>	398-399	
Q. Myeloproliferative Diseases and Disorders, Poorly Differentiated Malignancy and other Neoplasms Not Elsewhere Classified	400-414, 473	
(1) <u>Treated with Chemotherapy without Acute Leukemia as Secondary Diagnosis</u>	410	
(2) <u>Treated with Chemotherapy with Acute Leukemia as Secondary Diagnosis</u>	492	
(3) <u>Other Treatments for Myeloproliferative Diseases and Disorders</u>	400-409, 411-414, 473	
R. Infections and Parasitic Diseases		
(1) <u>Treated with Surgical Procedure</u>	415	
(2) <u>Other Infections and Parasitic Diseases</u>	416-423	
(2) <u>[Reserved for future use]</u>		
(3) <u>Septecemia Age ≥ 17</u>	416	
(4) <u>Septecemia Age 0-17</u>	417	
(5) <u>Viral Illness Age ≥ 17</u>	421	
(6) <u>Viral Illness and Fever of Unknown Origin Age 0-17</u>	422	
(7) <u>Other Infections and Parasitic Diseases</u>	418-420, 423	

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# Adopted Rules

	DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
S.	Mental Diseases and Disorders		
	(1) Treated with Surgical Procedure (Ages 0+)	424	
	(2) (Ages 0-17)	425, 427-429, 432	
	(3) (Ages > 17)	425, 427-429, 432	
T.	Substance Use and Substance Induced Organic Mental Disorder		
	(1) (Ages 0-20)	434, 435	
	(2) (Ages > 20)	434, 435	
U.	[Reserved for future use]		
V.	<u>Injuries, Poisonings, and Toxic Effects of Drugs</u>		
	(1) Treated with Surgical Procedure	439-443	
	<del>(2) Other Treatment of Toxic Effects of Drugs</del>	444-455	
	(2) <u>[Reserved for future use]</u>		
	(3) <u>Traumatic Injury</u>	444-446	
	(4) <u>Allergic Reactions</u>	447-448	
	(5) <u>Poisoning and Toxic Effects of Drugs</u>		
	Age ≥ 17 with CC	449	
	(6) <u>Poisoning and Toxic Effects of Drugs</u>		
	Age ≥ 17 without CC	450	
	(7) <u>Poisoning and Toxic Effects of Drugs</u>		
	Age 0-17	451	
	(8) <u>Other Injuries, Poisoning, and Toxic Effects</u>	452-455	
W.	Burns		
	(1) Extensive Burns or Burns Treated with Surgical Procedure	457-459, 472	
	(2) Nonextensive Burns Without Surgery	460	
X.	Factors Influencing Health Status	461-467	
Y.	Bronchitis and Asthma		
	(1) (Ages 0-1)	098	
	(2) (Ages 2-17)	098	
Z.	[Reserved for future use]		
AA.	Esophagitis, Gastroenteritis, Miscellaneous Digestive Disorders		

## Adopted Rules

DIAGNOSTIC CATEGORIES		DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER-NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
	(1) (Ages 0-1)	184	
	(2) (Ages 2-17)	184	
BB.	[Reserved for future use]		
CC.	Caesarean Sections		
	(1) with Complicating Diagnosis	370	
	(2) without Complicating Diagnosis	371	
DD.	Vaginal Delivery		
	<del>(+) With Complicating Diagnosis or Operating Room Procedures</del>	<del>372, 374, 375</del>	
	(1) <u>[Reserved for future use]</u>		
	(2) Without Complicating Diagnosis or Operating Room Procedures	373	
	(3) <u>With Operating Room Procedure</u>	<u>374-375</u>	
	(4) <u>With Complicating Diagnosis</u>	<u>372</u>	
EE.	[Reserved for future use]		
FF.	Depressive Neurosis		
	(1) (Ages 0-17)	426	
	(2) (Ages > 17)	426	
GG.	Psychosis		
	(1) (Ages 0-17)	430	
	(2) (Ages > 17)	430	
HH.	Childhood Mental Disorders	431	
II.	Unrelated Operating Room Procedures		
	(1) Extensive	468	
	(2) Nonextensive	476, 477	
JJ.	[Reserved for future use]		
KK.	Extreme Immaturity		
	(1) (< 750 Grams)	386	76501, 76502
	(2) [Reserved for future use]		
	(3) [Reserved for future use]		
	(4) (750 to 1499 Grams)	386	76503, 76504, 76505
		387	76500
	(5) Neonate Respiratory Distress Syndrome	386	CODES FOR DRG 386 Except

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## Adopted Rules

DIAGNOSTIC CATEGORIES		DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER-NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
			76501 to 76505
LL.	Prematurity with Major Problems		
	(1) (< 1249 Grams)	387	76511, 76512, 76513, 76514
	(2) (1250 to 1749 Grams)	387	76506, 76510
	(3) (> 1749 Grams)	387	76515, 76516
			Codes for DRG 387 Except 76500, 76506, 76510 to 76516
MM.	Prematurity without Major Problems	388	
NN.	Full Term Neonates with		
	(1) Major Problems (Age 0)	389	
	(2) Other Problems	390	
OO.	Multiple Significant Trauma	484-487	
PP.	[Reserved for future use]		
QQ.	Normal Newborns	391	
RR.	[Reserved for future use]		
SS.	[Reserved for future use]		
TT.	[Reserved for future use]		
UU.	Organ Transplants	<del>103, 302</del> <del>480, 481</del>	
	(1) <u>Kidney Transplant</u>	<u>302</u>	
	(2) <u>Other Transplants</u>	<u>103, 480-481</u>	
VV.	Conditions Originating in Perinatal Period (Age > 0)	389	
WW.	Human Immunodeficiency Virus	488-490	
	(1) <u>Treated with Extensive Operating Room Procedure</u>	<u>488</u>	
	(2) <u>With Major Related Condition</u>	<u>489</u>	
	(3) <u>With or Without Other Related Condition</u>	<u>490</u>	



## Adopted Rules

Subp. 20c. Medical assistance covered diagnostic categories under the aid to families with dependent children program. The following diagnostic categories are for persons eligible for medical assistance under the aid to families with dependent children program, except as provided in subpart 20d, 20e, or 20f:

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
A. Nervous System Conditions		
(1) <del>Treated with Major</del> <u>Surgical Procedure</u>	001-005, 007	
(2) <del>Other Nervous</del> <u>System Conditions</u>	006, 008-035	
(1) <u>[Reserved for future use]</u>		
(2) <u>[Reserved for future use]</u>		
(3) <u>Treated with Craniotomy</u>	001-003	
(4) <u>Treated with Spinal</u> <u>Procedure</u>	004	
(5) <u>Treated with Other</u> <u>Surgical Procedure</u>	005-008	
(6) <u>Nervous System Neoplasms</u>	010-011	
(7) <u>Cranial and Peripheral</u> <u>Nerve Disorders</u>	018-019	
(8) <u>Nervous System Infection</u> <u>except Viral Meningitis</u>	020	
(9) <u>Viral Meningitis</u>	021	
(10) <u>Seizure and Headache</u> <u>Age ≥ 17</u>	024-025	
(11) <u>Seizure and Headache</u> <u>Age 0-17</u>	026	
(12) <u>Traumatic Stupor with</u> <u>Coma ≥ One hour</u>	027	
(13) <u>Traumatic Stupor with</u> <u>Coma &lt; One hour,</u> <u>Age 0-17</u>	030	
(14) <u>Concussion</u>	031-033	
(15) <u>Other Nervous System</u> <u>Conditions</u>	009, 012-017, 022-023, 028-029, 034-035	
B. Eye Diseases and Disorders	036-048	
C. <del>Ear, Nose, Mouth, And</del> <del>Throat Diseases</del>	049-074, 168 169, 185-187	
C. <u>Ear, Nose, Throat, and</u> <u>Mouth Diseases and Disorders</u>		
(1) <u>Treated with</u> <u>Tonsillectomy/</u>		

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## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
<u>Adenoidectomy Only</u> (2) <u>Treated with</u> <u>Myringotomy with Tube</u> <u>Insertion, Age 0-17</u> (3) <u>Otitis Media and URI</u> (4) <u>Dental and Oral</u> <u>Disorders</u> (5) <u>Other Ear, Nose,</u> <u>Throat, and Mouth</u> <u>Conditions</u>	<u>059-060</u>  <u>062</u> <u>068-070</u>  <u>185-187</u>  <u>049-058, 061,</u> <u>063-067,</u> <u>071-074,</u> <u>168-169</u>	
D. Respiratory System Conditions		
(1) <u>Treated with Surgical</u> <u>Procedure</u>	<u>075-077, 482</u> <u>483</u>	
(1) <u>[Reserved for future use]</u>		
(2) <u>Treated with Ventilator</u> <u>Support</u>	475	
(3) <u>Other Respiratory</u> <u>System Conditions</u>	<u>078-097,</u> <u>099-102</u>	
(3) <u>[Reserved for future use]</u>		
(4) <u>Treated with Tracheostomy</u> <u>except for Face, Mouth,</u> <u>and Neck Diagnoses</u>	483	
(5) <u>Treated with Other</u> <u>Surgical Procedure</u>	<u>075-077, 482</u>	
(6) <u>Respiratory Neoplasms</u>	082	
(7) <u>Simple Pneumonia and</u> <u>Pleurisy, Age ≥ 17</u>	<u>089-090</u>	
(8) <u>Simple Pneumonia and</u> <u>Pleurisy, Age 0-17</u>	091	
(9) <u>Other Respiratory</u> <u>System Conditions</u>	<u>078-081,</u> <u>083-088,</u> <u>092-097,</u> <u>099-102</u>	
E. Circulatory System Conditions		
(1) <u>Conditions Treated with</u> <u>Surgical Procedure</u>	<u>104-108,</u> <u>110-120,</u> <u>478, 479</u>	
(2) <u>Other Circulatory</u> <u>System Conditions</u>	121-145	
(1) <u>[Reserved for future use]</u>		
(2) <u>[Reserved for future use]</u>		
(3) <u>[Reserved for future use]</u>		
(4) <u>Treated with</u>		

## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER-NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
<u>Vein Ligation and Stripping</u>	<u>119</u>	
(5) <u>[Reserved for future use]</u>		
(6) <u>Deep Vein Thrombophlebitis</u>	<u>128</u>	
(7) <u>Circulatory Disorders/ Endocarditis</u>	<u>121-126</u>	
(8) <u>Cardiac Congenital and Valvular Disorders Age 0-17</u>	<u>137</u>	
(9) <u>Other Circulatory System Conditions</u>	<u>127, 129-136, 138-145</u>	
(10) <u>[Reserved for future use]</u>		
(11) <u>Treated with Other Surgical Procedure</u>	<u>103-108, 110-118, 120, 478, 479</u>	
F. Digestive System Diseases and Disorders	<u>146-167, 170-183, 188-190</u>	
(1) <u>Treated with Anal and Stomal Procedures</u>	<u>157-158</u>	
(2) <u>Treated with Hernia Procedures</u>	<u>159-163</u>	
(3) <u>Treated with Appendectomy with Compl. Pm Dx or CC</u>	<u>164-166</u>	
(4) <u>Treated with Appendectomy Without Compl. Pm Dx or CC</u>	<u>167</u>	
(5) <u>Treated with Other Surgical Procedure</u>	<u>146-156, 170-171</u>	
(6) <u>Esophagitis, Gastroent. or Misc Digestive Disorders, Age ≥ 17</u>	<u>182-183</u>	
(7) <u>Other Digestive System Condition</u>	<u>172-181, 188-190</u>	
G. Hepatobiliary System Conditions		
(+) <u>Conditions Treated with Surgical Procedure</u>	<u>191-201</u>	

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# Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER-NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
(2) <u>Other Hepatobiliary System Conditions</u>	202-208	
(1) <u>[Reserved for future use]</u>		
(2) <u>[Reserved for future use]</u>		
(3) <u>Cirrhosis and Alcoholic Hepatitis</u>	202	
(4) <u>Malignancy of Hepatobiliary System or Pancreas</u>	203	
(5) <u>Disorders of Pancreas Except Malignancy</u>	204	
(6) <u>Other Disorders of the Liver</u>	205-206	
(7) <u>Disorders of the Biliary Tract</u>	207-208	
(8) <u>Treated with Surgical Procedure</u>	191-201, 480, 493-494	
H. Diseases and Disorders of the Musculoskeletal System and Connective Tissues	209-256, 471	
(1) <u>Treated with Major Joint and Limb Reattachment Procedures</u>	209, 471, 491	
(2) <u>Treated with Hip and Femur Procedures or Amputation</u>	210-213	
(3) <u>Treated with Back and Neck Procedures</u>	214-215	
(4) <u>[Reserved for future use]</u>		
(5) <u>Treated with Wound Debrid or Skin Graft except Hand</u>	217	
(6) <u>Treated with Lower Extremity and Humer Procedures Except Hip, Foot, Femur</u>	218-220	
(7) <u>Treated with Knee Procedure</u>	221-222	
(8) <u>Treated with Upper Extremity Procedure</u>	223-224	
(9) <u>Treated with Foot Procedure</u>	225	
(10) <u>Treated with Soft Tissue Procedure</u>	226-227	
(11) <u>Treated with Hand or Wrist Procedure</u>	228-229	
(12) <u>Treated with Local Excision and Removal of Int Fix Devices</u>		

## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
of Hip and Femur	230	
(13) <u>Treated with Local</u> <u>Excision and Removal</u> <u>of Int Fix Devices</u> <u>except Hip and Femur</u>	231	
(14) <u>[Reserved for future use]</u>		
(15) <u>Other Musculoskeletal</u> <u>System and Connective</u> <u>Tissues Conditions</u>	235-256	
(16) <u>Treated with Other</u> <u>Surgical Procedures</u>	216, 232-234	
I. Diseases and Disorders of the Skin, Subcutaneous Tissue, and Breast	257-284	
(1) <u>Treated with Mastectomy</u> <u>for Malignancy</u>	257-260	
(2) <u>Treated with Skin Graft</u> <u>or Debridement</u>	263-266	
(3) <u>Skin Ulcers</u>	271	
(4) <u>Other Skin, Subcutaneous</u> <u>Tissue, and Breast</u> <u>Conditions</u>	261-262, 267-270, 272-284	
J. Endocrine, Nutritional, and Metabolic Diseases and Disorders	285-301	
(1) <u>Treated with Major</u> <u>Surgical Procedure</u>	285-288	
(2) <u>Diabetes Age ≥ 35</u>	294	
(3) <u>Diabetes Age 0-35</u>	295	
(4) <u>Nutritional and</u> <u>Metabolic Disorders</u>	296-299	
(5) <u>Other Endocrine,</u> <u>Nutritional, and</u> <u>Metabolic Conditions</u>	289-293, 300-301	
K. Kidney and Urinary Tract Conditions	303-333	
(1) <u>[Reserved for future use]</u>		
(2) <u>Treated with</u> <u>Prostatectomy, Minor</u> <u>Bladder, or Urethral</u> <u>Procedure</u>	306-314	

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## Adopted Rules

	DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
	(3) <u>Treated with Other Surgical Procedure</u>	315	
	(4) <u>Renal Failure</u>	316	
	(5) <u>Other Kidney and Urinary Tract Conditions</u>	317-333	
	(6) <u>Treated with Kidney, Ureter, or Major Bladder Procedure</u>	302-305	
L.	Male Reproductive System Conditions	334-352	
M.	Female Reproductive System Conditions	353-369	
	(1) <u>Treated with Tubal Interruption Procedure</u>	361-362	
	(2) <u>Treated with D &amp; C, Conization, or Radio-implant</u>	363-364	
	(3) <u>Female Reproductive System Infection</u>	368	
	(4) <u>Menstrual and Other Female Reproductive System Disorders</u>	369	
	(5) <u>Other Female Reproductive System Conditions</u>	353-360, 365-367	
N.	Pregnancy Related Conditions		
	(1) <u>Postpartum Complications Treated with Surgical Procedure and Ectopic Pregnancy</u>	377, 378	
	(2) <u>Other Pregnancy Related Conditions</u>	376, 379-384	
	(1) <u>[Reserved for future use]</u>		
	(2) <u>[Reserved for future use]</u>		
	(3) <u>Postpartum and Post Abortion Conditions Treated without Surgical Procedure</u>	376	
	(4) <u>Postpartum and Post Abortion Conditions Treated with Surgical Procedure</u>	377	
	(5) <u>Ectopic Pregnancy</u>	378	
	(6) <u>Threatened Abortion</u>	379	
	(7) <u>Abortion without D &amp; C</u>	380	
	(8) <u>Abortion with D &amp; C, Aspiration</u>		

## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
<u>Curettage or Hysterotomy</u>	<u>381</u>	
(9) <u>False Labor</u>	<u>382</u>	
(10) <u>Other Antepartum</u>		
<u>Conditions</u>	<u>383-384</u>	
O. [Reserved for future use]		
P. Blood and Immunity Disorders		
(1) Treated with Surgical		
<u>Procedure of the Blood</u> <u>and Blood Forming Organs</u>	392-394	
(2) <u>Other Blood and Immunity</u> <u>Disorders</u>	<u>395-399</u>	
(2) [Reserved for future use]		
(3) <u>Red Blood Cell Disorders</u>		
<u>Age ≥ 17</u>	<u>395</u>	
(4) <u>Red Blood Cell Disorders</u>		
<u>Age 0-17</u>	<u>396</u>	
(5) <u>Coagulation Disorders</u>	<u>397</u>	
(6) <u>Reticuloendothelial and</u> <u>Immunity Disorders</u>	<u>398-399</u>	
Q. Myeloproliferative Diseases and Disorders, Poorly Differentiated Malignancy and other Neoplasms Not Elsewhere Classified	400-414, 473	
(1) <u>Treated with</u>		
<u>Chemotherapy without</u> <u>Acute Leukemia as</u> <u>Secondary Diagnosis</u>	<u>410</u>	
(2) <u>Treated with</u>		
<u>Chemotherapy with Acute</u> <u>Leukemia as Secondary</u> <u>Diagnosis</u>	<u>492</u>	
(3) [Reserved for future use]		
(4) [Reserved for future use]		
(5) <u>Other Treatments for</u>		
<u>Myeloproliferative</u> <u>Diseases and Disorders</u>	<u>400-409,</u> <u>411-414,</u> <u>473, 481</u>	
R. Infections and Parasitic Diseases		
(1) Treated with Surgical Procedure	415	

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# Adopted Rules

	DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
	(2) <del>Other Infections and</del> <del>Parasitic Diseases</del>	416-423	
	(2) <u>[Reserved for future use]</u>		
	(3) <u>Septecemia Age ≥ 17</u>	416	
	(4) <u>Septecemia Age 0-17</u>	417	
	(5) <u>Viral Illness Age ≥ 17</u>	421	
	(6) <u>Viral Illness and Fever</u> <u>of Unknown Origin</u> <u>Age 0-17</u>	422	
	(7) <u>Other Infections and</u> <u>Parasitic Diseases</u>	418-420, 423	
S.	Mental Diseases and Disorders		
	(1) Treated with Surgical Procedure (Ages 0+)	424	
	(2) (Ages 0-17)	425, 427-429, 432	
	(3) (Ages > 17)	425, 427-429, 432	
T.	Substance Use and Substance Induced Organic Mental Disorder		
	(1) (Ages 0-20)	434, 435	
	(2) (Ages > 20)	434, 435	
U.	<u>[Reserved for future use]</u>		
V.	<u>Injuries, Poisonings, and</u> <u>Toxic Effects of Drugs</u>		
	(1) Treated with Surgical Procedure	439-443	
	(2) <del>Other Treatment of</del> <del>Toxic Effects of Drugs</del>	444-455	
	(2) <u>[Reserved for future use]</u>		
	(3) <u>Traumatic Injury</u>	444-446	
	(4) <u>Allergic Reactions</u>	447-448	
	(5) <u>Poisoning and Toxic</u> <u>Effects of Drugs</u> <u>Age ≥ 17 with CC</u>	449	
	(6) <u>Poisoning and Toxic</u> <u>Effects of Drugs</u> <u>Age ≥ 17 without CC</u>	450	
	(7) <u>Poisoning and Toxic</u> <u>Effects of Drugs</u> <u>Age 0-17</u>	451	
	(8) <u>Other Injuries,</u> <u>Poisoning, and Toxic</u> <u>Effects</u>	452-455	
W.	Burns		
	(1) Extensive Burns or Burns Treated with Surgical Procedure	457-459, 472	
	(2) Nonextensive Burns		



# Adopted Rules

DIAGNOSTIC CATEGORIES		DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER-NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
	Without Surgery	460	
X.	Factors Influencing Health Status	461-467	
Y.	Bronchitis and Asthma		
	(1) (Ages 0-1)	098	
	(2) (Ages 2-17)	098	
Z.	[Reserved for future use]		
AA.	Esophagitis, Gastroenteritis, Miscellaneous Digestive Disorders		
	(1) (Ages 0-1)	184	
	(2) (Ages 2-17)	184	
BB.	[Reserved for future use]		
CC.	Caesarean Sections		
	(1) with Complicating Diagnosis	370	
	(2) without Complicating Diagnosis	371	
DD.	Vaginal Delivery		
	<del>(1) With Complicating Diagnosis or Operating Room Procedures</del>	<del>372, 374, 375</del>	
	<u>(1) [Reserved for future use]</u>		
	(2) Without Complicating Diagnosis or Operating Room Procedures	373	
	<u>(3) With Operating Room Procedure</u>	<u>374-375</u>	
	<u>(4) With Complicating Diagnosis</u>	<u>372</u>	
EE.	[Reserved for future use]		
FF.	Depressive Neurosis		
	(1) (Ages 0-17)	426	
	(2) (Ages > 17)	426	
GG.	Psychosis		
	(1) (Ages 0-17)	430	
	(2) (Ages > 17)	430	
HH.	Childhood Mental Disorders	431	
II.	Unrelated Operating Room Procedure		
	(1) Extensive	468	

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# Adopted Rules

DIAGNOSTIC CATEGORIES		DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER-NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
JJ.	(2) Nonextensive [Reserved for future use]	476, 477	
KK.	Extreme Immaturity		
	(1) (< 750 Grams)	386	76501, 76502
	(2) [Reserved for future use]		
	(3) [Reserved for future use]		
	(4) (750 to 1499 Grams)	386	76503, 76504, 76505
		387	76500
	(5) Neonate Respiratory Distress Syndrome	386	Codes for DRG 386 Except 76501 to 76505
LL.	Prematurity with Major Problems		
	(1) (< 1249 Grams)	387	76511, 76512, 76513, 76514
	(2) (1250 to 1749 Grams)	387	76506, 76510 76515, 76516
	(3) (> 1749 Grams)	387	Codes for DRG 387 Except 76500, 76506, 76510 to 76516
MM.	Prematurity without Major Problems	388	
NN.	Full Term Neonates with		
	(1) Major Problems	389	
	(2) Other Problems	390	
OO.	Multiple Significant Trauma	484-487	
PP.	[Reserved for future use]		
QQ.	Normal Newborns	391	
RR.	[Reserved for future use]		
SS.	[Reserved for future use]		
TT.	[Reserved for future use]		
UU.	<del>Organ Transplants</del>	<del>103, 302, 480, 481</del>	
UU.	[Reserved for future use]		
VV.	[Reserved for future use]		
WW.	Human Immunodeficiency Virus	488-490	

## Adopted Rules

Subp. 20d. **Diagnostic categories for persons eligible under the general assistance medical care program.** The following diagnostic categories are for persons eligible under the general assistance medical care program except as provided in subpart 20e or 20f:

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
A. Nervous System Conditions		
(1) <del>Treated with Major</del> Surgical Procedure	001-005, 007	
(2) <del>Other Nervous</del> System Conditions	006, 008-035	
(1) <u>[Reserved for future use]</u>		
(2) <u>[Reserved for future use]</u>		
(3) <u>Treated with Craniotomy</u>	001-003	
(4) <u>Treated with Spinal</u> Procedure	004	
(5) <u>Treated with Other</u> Surgical Procedure	005-008	
(6) <u>Nervous System Neoplasms</u>	010-011	
(7) <u>Cranial and Peripheral</u> Nerve Disorders	018-019	
(8) <u>Nervous System Infection</u> <u>except Viral Meningitis</u>	020	
(9) <u>Viral Meningitis</u>	021	
(10) <u>[Reserved for future use]</u>		
(11) <u>[Reserved for future use]</u>		
(12) <u>Traumatic Stupor with</u> Coma ≥ One Hour	027	
(13) <u>[Reserved for future use]</u>		
(14) <u>Concussion</u>	031-033	
(15) <u>[Reserved for future use]</u>		
(16) <u>Seizure and Headache</u>	024-026	
(17) <u>Other Nervous System</u> Conditions	009, 012-017, 022-023, 028-030, 034-035	
B. Eye Diseases and Disorders	036-048	
C. <del>Ear, Nose, Mouth, And</del> Throat Diseases	049-074, 168 169, 185-187	
C. <u>Ear, Nose, Throat, and</u> <u>Mouth Diseases and Disorders</u>		
(1) <u>Treated with</u> Tonsillectomy/ Adenoidectomy Only	059-060	
(2) <u>[Reserved for future use]</u>		

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## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
(3) <u>Otitis Media and URI</u>	068-070	
(4) <u>Dental and Oral</u>		
<u>Disorders</u>	185-187	
(5) <u>[Reserved for future use]</u>		
(6) <u>Other Ear, Nose,</u>		
<u>Throat, and Mouth</u>		
<u>Conditions</u>	049-058,	
	061-067,	
	071-074,	
	168-169	
D. <u>Respiratory System Conditions</u>		
(1) <u>Treated with Surgical</u> <u>Procedure</u>	075-077, 482, 483	
(1) <u>[Reserved for future use]</u>		
(2) <u>Treated with Ventilator</u> <u>Support</u>	475	
(3) <u>Other Respiratory</u> <u>System Conditions</u>	078-102,	
(3) <u>[Reserved for future use]</u>		
(4) <u>Treated with Tracheostomy</u> <u>except for Face, Mouth,</u> <u>and Neck Diagnoses</u>	483	
(5) <u>Treated with Other</u> <u>Surgical Procedure</u>	075-077, 482	
(6) <u>Respiratory Neoplasms</u>	082	
(7) <u>[Reserved for future use]</u>		
(8) <u>[Reserved for future use]</u>		
(9) <u>[Reserved for future use]</u>		
(10) <u>Other Respiratory</u> <u>System Conditions</u>	078-081, 083-088, 092-102	
(11) <u>Simple Pneumonia and</u> <u>Pleurisy</u>	089-091	
E. <u>Circulatory System Conditions</u>		
(1) <u>Conditions Treated with</u> <u>Surgical Procedure</u>	103-108, 110-120, 478, 479	
(2) <u>Other Circulatory</u> <u>System Conditions</u>	121-125 127-145	
(1) <u>[Reserved for future use]</u>		
(2) <u>[Reserved for future use]</u>		
(3) <u>Acute and Subacute</u> <u>Endocarditis</u>	126	
(4) <u>Treated with Vein</u> <u>Ligation and Stripping</u>	119	
(5) <u>[Reserved for future use]</u>		

## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
(6) <u>Deep Vein</u> <u>Thrombophlebitis</u>	<u>128</u>	
(7) <u>[Reserved for future use]</u>		
(8) <u>[Reserved for future use]</u>		
(9) <u>[Reserved for future use]</u>		
(10) <u>Circulatory Disorders</u>	<u>121-125</u>	
(11) <u>Treated with Other</u> <u>Surgical Procedure</u>	<u>103-108,</u> <u>110-118, 120,</u> <u>478-479</u>	
(12) <u>Other Circulatory</u> <u>System Conditions</u>	<u>127, 129-145</u>	
F. Digestive System Diseases and Disorders	<u>146-167,</u> <u>170-184,</u> <u>188-190</u>	
(1) <u>Treated with Anal and</u> <u>Stomal Procedures</u>	<u>157-158</u>	
(2) <u>Treated with Hernia</u> <u>Procedures</u>	<u>159-163</u>	
(3) <u>Treated with Appendectomy</u> <u>with Compl. Pm Dx or CC</u>	<u>164-166</u>	
(4) <u>Treated with Appendectomy</u> <u>without Compl. Pm Dx or</u> <u>CC</u>	<u>167</u>	
(5) <u>Treated with Other</u> <u>Surgical Procedure</u>	<u>146-156,</u> <u>170-171</u>	
(6) <u>[Reserved for future use]</u>		
(7) <u>Other Digestive</u> <u>System Condition</u>	<u>172-181,</u> <u>188-190</u>	
(8) <u>Esophagitis, Gastroent.</u> <u>or Misc Digestive</u> <u>Disorders</u>	<u>182-184</u>	
G. Hepatobiliary System Conditions		
(+) <u>Treated with Surgical</u> <u>Procedure</u>	<u>191-201, 480</u>	
(2) <u>Other Hepatobiliary</u> <u>System Conditions</u>	<u>202-208</u>	
(1) <u>[Reserved for future use]</u>		
(2) <u>[Reserved for future use]</u>		
(3) <u>Cirrhosis and Alcoholic</u>		

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## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
Hepatitis	202	
(4) <u>Malignancy of</u> <u>Hepatobiliary System</u> <u>or Pancreas</u>	203	
(5) <u>Disorders of Pancreas</u> <u>Except Malignancy</u>	204	
(6) <u>Other Disorders of</u> <u>the Liver</u>	205-206	
(7) <u>Disorders of the Biliary</u> <u>Tract</u>	207-208	
(8) <u>Treated with</u> <u>Surgical Procedure</u>	191-201, 480, 493-494	
H. Diseases and Disorders of the Musculoskeletal System and Connective Tissues	209-256, 471	
(1) <u>Treated with Major Joint</u> <u>and Limb Reattachment</u> <u>Procedures</u>	209, 471, 491	
(2) <u>Treated with Hip and</u> <u>Femur Procedures or</u> <u>Amputation</u>	210-213	
(3) <u>Treated with Back and</u> <u>Neck Procedures</u>	214-215	
(4) <u>Treated with Biopsy of</u> <u>Musculoskeletal System</u> <u>and Connective Tissue</u>	216	
(5) <u>Treated with Wound</u> <u>Debrid or Skin Graft</u> <u>except Hand</u>	217	
(6) <u>Treated with Lower</u> <u>Extrem and Humer Proc</u> <u>except Hip, Foot, Femur</u>	218-220	
(7) <u>Treated with Knee</u> <u>Procedure</u>	221-222	
(8) <u>Treated with Upper</u> <u>Extremity Procedure</u>	223-224	
(9) <u>Treated with Foot</u> <u>Procedure</u>	225	
(10) <u>Treated with Soft</u> <u>Tissue Procedure</u>	226-227	
(11) <u>Treated with Hand or</u> <u>Wrist Procedure</u>	228-229	
(12) <u>Treated with Local</u> <u>Excision and Removal</u> <u>of Int Fix Devices</u> <u>of Hip and Femur</u>	230	
(13) <u>Treated with Local</u> <u>Excision and Removal</u> <u>of Int Fix Devices</u>		

## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
<u>Except Hip and Femur</u>	<u>231</u>	
(14) <u>Treated with Other</u> <u>Surgical Procedures</u>	<u>232-234</u>	
(15) <u>Other Musculoskeletal</u> <u>System and Connective</u> <u>Tissues Conditions</u>	<u>235-256</u>	
I. Diseases and Disorders of the Skin, Subcutaneous Tissue, and Breast	<u>257-284</u>	
(1) <u>Treated with Mastectomy</u> <u>for Malignancy</u>	<u>257-260</u>	
(2) <u>Treated with Skin Graft</u> <u>or Debridement</u>	<u>263-266</u>	
(3) <u>[Reserved for future use]</u>		
(4) <u>[Reserved for future use]</u>		
(5) <u>Other Skin, Subcutaneous</u> <u>Tissue, and Breast</u> <u>Conditions</u>	<u>261-262</u> <u>267-284</u>	
J. Endocrine, Nutritional, and Metabolic Diseases and Disorders	<u>285-301</u>	
(1) <u>Treated with Major</u> <u>Surgical Procedure</u>	<u>285-288</u>	
(2) <u>Diabetes Age ≥ 35</u>	<u>294</u>	
(3) <u>Diabetes Age 0-35</u>	<u>295</u>	
(4) <u>Nutritional and</u> <u>Metabolic Disorders</u>	<u>296-299</u>	
(5) <u>Other Endocrine,</u> <u>Nutritional, and</u> <u>Metabolic Conditions</u>	<u>289-293</u> <u>300-301</u>	
K. <u>Kidney and Urinary Diseases</u> <u>and Disorders</u>	<u>302-333</u>	
K. <u>Kidney and Urinary Tract</u> <u>Conditions</u>		
(1) <u>[Reserved for future use]</u>		
(2) <u>Treated with</u> <u>Prostatectomy, Minor</u> <u>Bladder, or Urethral</u> <u>Procedure</u>	<u>306-314</u>	
(3) <u>Treated with Other</u> <u>Surgical Procedure</u>	<u>315</u>	
(4) <u>Renal Failure</u>	<u>316</u>	

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# Adopted Rules

	DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
	(5) <u>Other Kidney and Urinary Tract Conditions</u>	<u>317-333</u>	
	(6) <u>Treated with Kidney, Ureter, or Major Bladder Procedure</u>	<u>302-305</u>	
L.	Male Reproductive System Conditions	334-352	
M.	Female Reproductive System Conditions	<del>353-369</del>	
	(1) <u>Treated with Tubal Interruption Procedure</u>	<u>361-362</u>	
	(2) <u>Treated with D &amp; C, Conization, or Radio-implant</u>	<u>363-364</u>	
	(3) <u>Female Reproductive System Infection</u>	<u>368</u>	
	(4) <u>Menstrual and Other Female Reproductive System Disorders</u>	<u>369</u>	
	(5) <u>Other Female Reproductive System Conditions</u>	<u><del>353-360</del> 365-367</u>	
N.	Pregnancy Related Conditions		
	(1) Postpartum Complications Treated with Surgical Procedure and Ectopic Pregnancy	377, 378	
	(2) Other Pregnancy Related Conditions	376, 379-384	
Q.	Neonate - <del>Premature or with Problems</del>	<del>386-390</del>	
Q.	<u>[Reserved for future use]</u>		
P.	Blood and Immunity Disorders		
	(1) Treated with Surgical Procedure of the <u>Blood and Blood Forming Organs</u>	392-394	
	(2) <del>Other Blood and Immunity Disorders</del>	<del>395-399</del>	
	(2) <u>[Reserved for future use]</u>		
	(3) <u>[Reserved for future use]</u>		
	(4) <u>[Reserved for future use]</u>		
	(5) <u>Coagulation Disorders</u>	<u>397</u>	
	(6) <u>Reticuloendothelial and Immunity Disorders</u>	<u>398-399</u>	
	(7) <u>Red Blood Cell Disorders</u>	<u>395-396</u>	
Q.	Myeloproliferative Diseases and Disorders, Poorly Differentiated		



## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER-NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
Malignancy and other Neoplasms Not Elsewhere Classified	400-414, 473 481	
(1) <u>[Reserved for future use]</u>		
(2) <u>[Reserved for future use]</u>		
(3) <u>[Reserved for future use]</u>		
(4) <u>Treated with Chemotherapy</u>	410, 492	
(5) <u>Other Treatments for Myeloproliferative Diseases and Disorders</u>	400-409, 411-414, 473, 481	
R. Infections and Parasitic Diseases		
(1) Treated with Surgical Procedure	415	
(2) <del>Other Infections and Parasitic Diseases</del>	416-423	
(2) <u>[Reserved for future use]</u>		
(3) <u>[Reserved for future use]</u>		
(4) <u>[Reserved for future use]</u>		
(5) <u>Viral Illness Age ≥ 17</u>	421	
(6) <u>[Reserved for future use]</u>		
(7) <u>[Reserved for future use]</u>		
(8) <u>Septecemia</u>	416-417	
(9) <u>Other Infections and Parasitic Diseases</u>	418-420, 422-423	
S. Mental Diseases and Disorders		
(1) Treated with Surgical Procedure	424	
(2) <u>[Reserved for future use]</u>		
(3) <u>[Reserved for future use]</u>		
(4) Not Treated with Surgical Procedure	425, 427-429, 431-432	
T. Substance Use and Substance Induced Organic Mental Disorder		
(1) <u>[Reserved for future use]</u>		
(2) <u>[Reserved for future use]</u>		
(3) <u>(Ages 0+)</u>	434, 435	
U. <u>[Reserved for future use]</u>		

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## Adopted Rules

	DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
V.	<u>Injuries, Poisonings, and Toxic Effects of Drugs</u>		
	(1) Treated with Surgical Procedure	439-443	
	<del>(2) Other Treatment of Toxic Effects of Drugs</del>	444-455	
	(2) <u>[Reserved for future use]</u>		
	(3) <u>Traumatic Injury</u>	444-446	
	(4) <u>Allergic Reactions</u>	447-448	
	(5) <u>Poisoning and Toxic Effects of Drugs</u>		
	Age ≥ 17 with CC	449	
	(6) <u>Poisoning and Toxic Effects of Drugs</u>		
	Age ≥ 17 without CC	450	
	(7) <u>Poisoning and Toxic Effects of Drugs</u>		
	Age 0-17	451	
	(8) <u>Other Injuries, Poisoning, and Toxic Effects</u>	452-455	
W.	Burns		
	(1) Extensive Burns or Burns Treated with Surgical Procedure	457-459, 472	
	(2) Nonextensive Burns Without Surgery	460	
X.	Factors Influencing Health Status	461-467	
Y.	[Reserved for future use]		
Z.	[Reserved for future use]		
AA.	[Reserved for future use]		
BB.	[Reserved for future use]		
CC.	Caesarean Sections		
	(1) with Complicating Diagnosis	370	
	(2) without Complicating Diagnosis	371	
DD.	Vaginal Delivery		
	<del>(1) With Complicating Diagnosis or Operating Room Procedures</del>	372, 374, 375	
	(1) <u>[Reserved for future use]</u>		
	(2) Without Complicating Diagnosis or Operating Room Procedures	373	
	(3) <u>With Operating Room Procedure</u>	374-375	
	(4) <u>With Complicating</u>		

## Adopted Rules

DIAGNOSTIC CATEGORIES		DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER-NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
	<u>Diagnosis</u>	<u>372</u>	
EE.	[Reserved for future use]		
FF.	Depressive Neurosis	426	
GG.	Psychosis	430	
HH.	[Reserved for future use]		
II.	Unrelated Operating Room Procedure		
	(1) Extensive	468	
	(2) Nonextensive	476, 477	
JJ.	[Reserved for future use]		
KK.	[Reserved for future use]		
LL.	[Reserved for future use]		
MM.	[Reserved for future use]		
NN.	[Reserved for future use]		
OO.	Multiple Significant Trauma	484-487	
PP.	[Reserved for future use]		
<del>QQ.</del>	<del>Normal Newborns</del>	<del>391</del>	
<u>OO.</u>	<u>[Reserved for future use]</u>		
RR.	[Reserved for future use]		
SS.	[Reserved for future use]		
TT.	[Reserved for future use]		
UU.	[Reserved for future use]		
VV.	[Reserved for future use]		
WW.	Human Immunodeficiency Virus	488-490	
<u>XX.</u>	<u>Newborns</u>	<u>386-391</u>	

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## Adopted Rules

Subp. 20e. **Diagnostic categories relating to a rehabilitation hospital or a rehabilitation distinct part.** The following diagnostic categories are for services provided within a rehabilitation hospital or a rehabilitation distinct part regardless of program eligibility:

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
A. Nervous System Diseases and Disorders	001-035	
B. [Reserved for future use]		
C. [Reserved for future use]		
D. [Reserved for future use]		
E. [Reserved for future use]		
F. [Reserved for future use]		
G. [Reserved for future use]		
H. Diseases and Disorders of the Musculoskeletal System and Connective Tissues	209-256, 471, 491	
I. [Reserved for future use]		
J. [Reserved for future use]		
K. [Reserved for future use]		
L. [Reserved for future use]		
M. [Reserved for future use]		
N. [Reserved for future use]		
O. [Reserved for future use]		
P. [Reserved for future use]		
Q. [Reserved for future use]		
R. [Reserved for future use]		
S. [Reserved for future use]		
T. [Reserved for future use]		
U. [Reserved for future use]		
V. [Reserved for future use]		
W. [Reserved for future use]		
X. [Reserved for future use]		
Y. [Reserved for future use]		
Z. [Reserved for future use]		
AA. [Reserved for future use]		
BB. [Reserved for future use]		
CC. [Reserved for future use]		
DD. [Reserved for future use]		
EE. [Reserved for future use]		
FF. [Reserved for future use]		
GG. [Reserved for future use]		
HH. [Reserved for future use]		
II. [Reserved for future use]		
JJ. [Reserved for future use]		
KK. [Reserved for future use]		
LL. [Reserved for future use]		
MM. [Reserved for future use]		
NN. [Reserved for future use]		
OO. [Reserved for future use]		
PP. <del>Burns and Skin Diseases</del> and Disorders	263-273,	

## Adopted Rules

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
PP. [Reserved for future use] QQ. [Reserved for future use] RR. Mental Diseases and Disorders/Substance Use and Substance Induced Organic Mental Disorders	<del>277-284,</del> <del>457-460, 472</del>	
SS. Multiple Significant Trauma/Unrelated Operating Room Procedures	424-432, 434, 435	
TT. Other Conditions Requiring Rehabilitation Services	468, 476-477, 484-487  036-108, 110-208, <del>257-262,</del> <del>274-276,</del> <del>285-423,</del> <del>257-423,</del> 439-455, <del>461-467,</del> <del>457-467, 472,</del> 473, 475 478-483, 488-490, <del>492-494</del>	
UU. [Reserved for future use]		
VV. [Reserved for future use]		
WW. [Reserved for future use]		

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## Adopted Rules

Subp. 20f. **Diagnostic categories for neonatal transfers.** The following diagnostic categories are for services provided to neonatal transfers at receiving hospitals with neonatal intensive care units regardless of program eligibility:

DIAGNOSTIC CATEGORIES	DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER- NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
A. [Reserved for future use]		
B. [Reserved for future use]		
C. [Reserved for future use]		
D. [Reserved for future use]		
E. [Reserved for future use]		
F. [Reserved for future use]		
G. [Reserved for future use]		
H. [Reserved for future use]		
I. [Reserved for future use]		
J. [Reserved for future use]		
K. [Reserved for future use]		
L. [Reserved for future use]		
M. [Reserved for future use]		
N. [Reserved for future use]		
O. [Reserved for future use]		
P. [Reserved for future use]		
Q. [Reserved for future use]		
R. [Reserved for future use]		
S. [Reserved for future use]		
T. [Reserved for future use]		
U. [Reserved for future use]		
V. [Reserved for future use]		
W. [Reserved for future use]		
X. [Reserved for future use]		
Y. [Reserved for future use]		
Z. [Reserved for future use]		
AA. [Reserved for future use]		
BB. [Reserved for future use]		
CC. [Reserved for future use]		
DD. [Reserved for future use]		
EE. [Reserved for future use]		
FF. [Reserved for future use]		
GG. [Reserved for future use]		
HH. [Reserved for future use]		
II. [Reserved for future use]		
JJ. [Reserved for future use]		
KK. Extreme Immaturity		
(1) (< 750 Grams)	386	76501, 76502
(2) (750 to 999 Grams)	386	76503
(3) (1000 to 1499 Grams)	386	76504, 76505
	387	76500
(4) [Reserved for future use]		
(5) Neonate Respiratory Distress Syndrome	386	Codes for DRG 386 Except 76501 to 76505
LL. Prematurity with Major		

## Adopted Rules

DIAGNOSTIC CATEGORIES		DRG NUMBERS WITHIN DIAGNOSTIC CATEGORIES	INTER-NATIONAL CLINICAL DIAGNOSIS CODES (9th Ed.)
	Problems		
	(1) (< 1249 Grams)	387	76511, 76512, 76513, 76514
	(2) (1250 to 1749 Grams)	387	76506, 76510, 76515, 76516
	(3) (1250 to 1749 Grams)	387	Codes for DRG 387 Except 76500, 76506, 76510 to 76516
MM.	Prematurity without Major Problems (> 1749 Grams)	388	
NN.	Full Term Neonates (1) with Major Problems (age 0)	389	
	(2) with Other Problems	390	
OO.	[Reserved for future use]		
PP.	[Reserved for future use]		
QQ.	[Reserved for future use]		
RR.	[Reserved for future use]		
SS.	[Reserved for future use]		
TT.	[Reserved for future use]		
UU.	[Reserved for future use]		
VV.	[Reserved for future use]		
WW.	[Reserved for future use]		

### Subp. 20g. Additional DRG requirements.

A. The version of the Medicare grouper and DRG assignment to the diagnostic category must be used uniformly for all determinations of rates and payments.

B. The discharge status will be changed to "discharge to home" for DRG 385, 433, and 456.

C. A diagnosis with the prefix "v57" will be excluded when grouping under subpart 20e.

Subp. 22. **General assistance medical care.** "General assistance medical care" means the program established by *Minnesota Statutes*, section 256D.03.

Subp. 25. **Hospital.** "Hospital" means a facility defined in *Minnesota Statutes*, section 144.696, subdivision 3, and licensed under *Minnesota Statutes*, sections 144.50 to 144.58, or an out-of-state facility licensed to provide acute care under the requirements of the state in which it is located, or an Indian health service facility designated by the federal government to provide acute care.

Subp. 26. **Hospital cost index.** "Hospital cost index" means the factor annually multiplied by the allowable base year operating cost to adjust for cost changes.

Subp. 26a. **Inpatient hospital costs.** "Inpatient hospital costs" means a hospital's base year inpatient hospital service costs determined allowable under the cost finding methods of Medicare without regard to adjustments in payments imposed by Medicare.

**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. 27. **Inpatient hospital service.** "Inpatient hospital service" means a service provided by or under the supervision of a physician after admission to a hospital and furnished in the hospital, including outpatient services provided by the same hospital that directly precede the admission.

Subp. 28a. **Local trade area hospital.** "Local trade area hospital" means a hospital that is located in a state other than Minnesota but in a county of the other state in which the county is contiguous to Minnesota.

Subp. 29. **Medical assistance.** "Medical assistance" means the program established under Title XIX of the Social Security Act and *Minnesota Statutes*, sections 256.9685 to 256.9695 and chapter 256B. For purposes of parts 9500.1090 to 9500.1140, "medical assistance" includes general assistance medical care unless otherwise specifically stated.

Subp. 31. **Medicare.** "Medicare" means the federal health insurance program established under Title XVIII of the Social Security Act.

Subp. 32. **Medicare crossover.** "Medicare crossover" means a claim submitted by a hospital to request payment for Medicare Part A covered inpatient hospital services provided to a patient who is also eligible for medical assistance.

Subp. 33. **Metropolitan statistical area hospital.** "Metropolitan statistical area hospital" means a hospital located in a metropolitan statistical area as determined by Medicare for the October 1 prior to the most current rebased rate year.

Subp. 34. **Nonmetropolitan statistical area hospital.** "Nonmetropolitan statistical area hospital" means a hospital not located in a metropolitan statistical area as determined by Medicare for the October 1 prior to the most current rebased rate year.

Subp. 35. **Operating costs.** "Operating costs" means inpatient hospital costs excluding property costs.

Subp. 36. **Outlier.** "Outlier" means a day outlier or a cost outlier.

Subp. 37. **Out-of-area hospital.** "Out-of-area hospital" means any hospital located outside of Minnesota excluding local trade area hospitals.

Subp. 38. **Property costs.** "Property costs" means inpatient hospital costs not subject to the hospital cost index, including depreciation, interest, rents and leases, property taxes, and property insurance.

Subp. 41a. **Rate year.** "Rate year" means a calendar year from January 1 to December 31.

Subp. 44a. **Rehabilitation distinct part.** "Rehabilitation distinct part" means inpatient hospital services that are provided by a hospital in a unit designated by Medicare as a rehabilitation distinct part.

Subp. 45. **Relative value.** "Relative value" means the mean operating cost within a diagnostic category divided by the mean operating cost in all diagnostic categories within a program at subpart 20b, 20c, or 20d or specialty group at subpart 20e or 20f.

Subp. 50. **Transfer.** "Transfer" means the movement of a patient after admission from one hospital directly to another hospital with a different provider number or to or from a rehabilitation distinct part.

Subp. 51. **Trim point.** "Trim point" means that number of inpatient days beyond which an admission is a day outlier.

## Information for Health Care Services

### *Health Care Facilities Directory*

Lists of all Minnesota licensed and certified health care facilities. Statistical data tables and listings organized alphabetically by county, town and facility. Features hospitals, nursing homes, boarding homes, outpatient care, hospice and more. 213 pp. plus index. **1-89 SR \$18.95**

### *Minnesota Health Statistics -- 1990*

Minnesota Center for Health Statistics, published August 1992. Tables, diagrams outlining vital statistics for live births, induced abortions, fertility, infant and general mortality, marriage, divorce and population. 142 pp. **10-16SR \$15.00**

Available through Minnesota's Bookstore. Use the handy order form on the back of the *State Register* to order.  
Visit Minnesota's Bookstore to view a variety of health care publications.



## **Department of Human Services**

### **Adopted Permanent Rules Relating to Permitting Extended Therapeutic Leave Days**

The rules proposed and published at State Register, Volume 19, Number 13, pages 687-688, September 26, 1994 (19 SR 687), are adopted as proposed.

## **Department of Public Safety**

### **Adopted Permanent Rules Relating to Uniform Tag for Dangerous Dogs**

The rules proposed and published at State Register, Volume 19, Number 10, pages 548-549, September 6, 1994 (19 SR 548), are adopted as proposed.

## **Department of Trade and Economic Development**

### **Adopted Permanent Rules Relating to Once-Through Cooling Conversion Loan Program**

The rules proposed and published at State Register, Volume 19, Number 3, pages 153-156, July 18, 1994 (19 SR 153), are adopted with the following modifications:

#### **Rules as Adopted**

#### **7380.0810 PROCEDURES FOR FINANCIAL ASSISTANCE APPLICATION.**

Subpart 1. **In general.** To apply for financial assistance from the authority, an applicant shall obtain an application form from the authority and submit a completed form to the authority by ~~July~~ June 1 of each calendar year. The application form must be signed by a financial institution expressing interest in providing a loan for the purpose of converting the applicant's once-through cooling system to an environmentally sound cooling system. Applications shall be sent to the authority which shall forward the applications to the department for its review and certification of eligible projects.

Those applications certified by the department, based on the information provided by the applicants in the applications, shall be assigned rankings by the authority for funding in a given year as provided in subpart 2, item C, and *Minnesota Statutes*, section 446A.21. The authority shall provide the balance of the application forms by August 1 of a given year to those applicants which have been certified. Applicants shall submit the rest of the applications as provided in subpart 3 to the executive director of the authority postmarked no later than October 1 or the first business day of October of each year. The full applications must include a letter from the participating financial institution committing the financial institution to provide project funding conditioned upon the authority approval of the loan. The authority shall fund certified projects in order of their rankings, as provided in subpart 2, item C, and *Minnesota Statutes*, section 446A.21, and award loans by December 31 of each year. The authority shall change the application submission due dates and award dates only by public notice in the State Register.

**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.

# 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 Natural Resources

## Adopted Expedited Emergency Game and Fish Rules; Taking Ruffed Grouse, Spruce Grouse, and Pheasants

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 14.29, subdivision 4(b). The statutory authority for the contents of these rules is *Minnesota Statutes*, sections 97B.711.

Dated: 18 November 1994

Rodney W. Sando  
Commissioner of Natural Resources

By Gail Lewellan,  
Assistant Commissioner of  
Human Resources and Legal Affairs

## Rules as Adopted

### 6234.0200 TAKING RUFFED GROUSE AND SPRUCE GROUSE.

**Subpart 1. Open season.** Ruffed grouse and spruce grouse may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to December 31.

**Subp. 2. Bag limit.** A person may not take more than an aggregate of five ruffed grouse and spruce grouse per day or possess an aggregate of more than ten ruffed grouse and spruce grouse at a time.

### 6234.0400 TAKING PHEASANTS.

**Subpart 1. Open season.** Only cock (male) pheasants may be taken by firearm or bow and arrow from the Saturday on or nearest October 13 to the Sunday on or nearest December 16 from 9:00 a.m. to sunset each day.

**Subp. 2. Bag limit.** A person may not take more than two cock pheasants per day or possess more than six cock pheasants at a time.

**Subp. 3. Firearm restriction.** A person may not take pheasants with a rifle or handgun other than a .22 caliber rimfire using short, long, or long rifle ammunition.

The Department of Revenue began issuing revenue notices in July of 1991. Revenue notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue revenue notices is found in *Minnesota Statutes* §270.0604.

## Department of Revenue

### Revocation of Revenue Notice

Revenue Notice #94-25 regarding sales tax on motor vehicle rebates, as published in the "State Register" on November 21, 1994, page 1164 (19 S.R. 1164), is hereby revoked.

Dated: 28 November 1994

Patricia A. Lien  
Assistant Commissioner for Tax Policy

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.

## Administration Department

### Print Communications Division

#### "State Register" Index Available for Volume 18

An index to rules, and official notices soliciting outside information relating to rules, for volume 18, July 1993-June 1994, is now available. The index also includes, Executive Orders of the Governor, Commissioner's Orders and Revenue Notices.

Subscribers who wish to receive a copy of the index need to contact Minnesota's Bookstore, ask for a copy, and leave your name and address. There will be no charge to subscribers. Call (612) 297-3000, or toll-free: 1-800-657-3757, or FAX to (612) 297-8260, or write to Minnesota's Bookstore, 117 University Ave., St. Paul, MN 55155.

Copies of the index will be mailed to "State Register" subscribers who are designated as "State Depository Libraries," or who are designated in *Minnesota Statutes*, Sec. 14.46 subd. 4 as a recipient of a subscription at no charge.

Those wishing to purchase a copy will be charged the same rate applied to an issue of the "State Register," \$3.50, with a shipping charge of \$3.00 if processed for mailing.

## Minnesota Comprehensive Health Association

### Notice of Meeting of the Executive Committee

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association (MCHA), Executive Committee will be held at 7:30 a.m., on Tuesday, November 29, 1994 at HealthPartners, 8100 34th Avenue South, Bloomington, Minnesota. The meeting will be in room "10 South."

For additional information please call Lynn Gruber at (612) 593-9609.

## **Minnesota Historical Society**

### **Notice of Application Deadline for the Minnesota Historical Society's Fiscal Year 1995 Federal Certified Local Government Matching Grants Program**

The application deadline for the Minnesota Historical Society's F.Y. 1995 federal Certified Local Government matching grants program is 4:30 p.m., Friday, January 27, 1995. Cities with local historic preservation ordinances, commissions, and programs certified by the State Historic Preservation Office are eligible applicants. It is anticipated that at least \$60,300 will be awarded.

Projects that will receive special priority are those that: promote surveys in areas of know development activity in order to reduce project delays; promote continuing development of data for planning use; result in local designations; and involve properties associated with the history of heretofore under-documented groups or communities (ethnic or racial minorities for example, but also other groups defining themselves as communities). Instructions regarding the full range of eligible activities and information on the project selection process and selection criteria are found the F.Y. 1995 CLG Grants Manual. To request a complete application package or for further information contact Beverly Gorgos at (612) 296-5451.

This program receives Federal funds from the National Park Service. Regulations of the U. S. Department of the Interior strictly prohibit unlawful discrimination in departmental Federally assisted Programs on the basis of race, color, national origin, age or disability. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of Federal assistance should write to: Director, Equal Opportunity Program, U. S. Department of the Interior, National Park Service, P. O. Box 37127, Washington, D.C. 20013-7127.

## **Department of Labor and Industry**

### **Labor Standards Division**

### **Notice of Prevailing Wage Certifications for Commercial Construction Projects**

Effective November 28, 1994 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

**Anoka:** Anoka County Medium Security Facility-Lino Lakes; Anoka County Adult Correctional Facility-Anoka.

**Becker:** Mn/DOT Headquarters Building District 4A Elevator-Detroit Lakes.

**Cottonwood:** Mn/DOT Headquarters Building District 7B Elevator & Fire Sprinkler-Windom.

**Dakota:** Rosemount High School Life Safety Upgrades, Rosemount Home Repair (14600 Blaine Ave.)-Rosemount; Mn Veterans Home Buildings 20, 23, 24, & 25 Fire Alarm Upgrade-Hastings.

**Hennepin:** U of M Kolthoff Hall Rooms 170 & 268 Fume Hoods Installation-Minneapolis; Robbinsdale Area Schools 1995 Reroofing-Brooklyn Park, Golden Valley, Brooklyn Center, Plymouth & New Hope; Golden Valley Unheated Storage-Golden Valley.

**Itasca:** Indoor Riding Arena, Petting Farm & Playground-North of Nashwauk.

**Ramsey:** U of M Biological Science Building Elevator Upgrade, Christensen Laboratory Elevator & ADA Upgrade-Falcon Heights; Transportation Building (CAES) Facility, U of M VDL Air Conditioning of Building 385-St. Paul.

**St. Louis:** Holiday Inn Sunspree Resort-Ely; U of M Medical School Addition-Duluth; Mn/DOT Virginia Headquarters Fire Sprinkler-Virginia.

**Steele:** Mn/DOT Owatonna Headquarters Fire Sprinkler-Owatonna Building #91327.

Copies of the certified wage rate 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

## Pollution Control Agency

### Notice of Intent to Adopt Modified Fee Schedule for Hazardous Waste Facilities and Generators

The Minnesota Pollution Control Agency (agency) intends to modify the fee schedule for hazardous waste generators and facilities as required by *Minnesota Rules*, pts. 7046.0060 and 7046.0065. *Minnesota Rules* pt. 7046.0065 reads as follows:

*"The agency must approve and adopt fee adjustments under part 7046.0060. Beginning July 1, 1994, the commissioner will annually apply the fee formula in part 7046.0060 to determine if the fee revenues will equal or nearly equal the legislative appropriation for the new fiscal year. The fees must be adjusted if the fee revenues will not equal or nearly equal the legislative appropriation. If an adjustment to fees is necessary, the commissioner will prepare a fee modification schedule. The fee modification proposal will include the proposed new rates for facilities and generators and will be published in the "State Register" at least 20 days before the proposal is presented to the agency board for approval. Procedural rules for agency meetings are in chapter 7000."*

The fee schedule established for fiscal year 1994 does not generate revenues required to equal or nearly equal the legislative appropriation, provided to cover the generator and facility portions of the hazardous waste program, for fiscal year 1995. Therefore, the commissioner is required to modify the fee schedule to generate such revenues. Proposed fee modifications are published below, and are scheduled for agency board consideration on December 20, 1994:

1. In *Minnesota Rules*, pt. 7046.0031, "Nonmetropolitan area generator fees," subpart 4, "Annual fees," item A, "Minimum fee," the fee schedule reads and is modified as follows:

**"A. Minimum fee.** The minimum fee for fiscal year 1994 is \$66. Beginning July 1, 1994, the minimum fee will be examined annually and adjusted, if necessary, under part 7046.0060, step 16." Applying step 16 of *Minnesota Rules*, pt. 7046.0060, the minimum fee of \$66, is adjusted to \$77 as required.

2. In *Minnesota Rules*, pt. 7046.0031, "Nonmetropolitan area generator fees," subpart 4, "Annual fees," item B, "Quantity fee," subitem (1), "Quantity rate table," the fee schedule reads and is modified as follows:

**"B. Quantity fee.** The quantity fee is assessed for each waste stream according to the quantity rate table and management method factors. To determine the quantity fee, the waste stream quantity, and the result multiplied by the applicable management factor in subitem (2) for that waste stream. The quantity fee for a sewerage waste stream is determined under item C.

**(1) Quantity rate table.** A generator may report quantities in pounds or gallons. For the purposes of this part, one gallon of hazardous waste equals ten pounds of hazardous waste.

	POUNDS / GALLONS	POUNDS	GALLONS
STEP 1	\$0.52 / \$0.52	0 - 4,000	0 - 400
STEP 2	(one-fourth of step 1 rate)	4,001 - 26,400	401 - 2,640
STEP 3	(one-half of step 2 rate)	26,401 - 100,000	2,641 - 10,000
STEP 4	(one tenth of step 3 rate)	100,001 - 500,000	10,001 - 50,000
STEP 5	\$0.00 / \$0.00	> 500,000	> 50,000

Beginning July 1, 1994, the quantity rate table will be examined annually and step 1 [of the above table] will be adjusted, if necessary, under part 7046.0060, step 18 [of the formula]."

Applying step 18 of *Minnesota Rules*, pt. 7046.0060, the quantity rate of \$0.52 per pound and \$0.52 per gallon in step 1 of the quantity rate table, is adjusted to \$0.66 per pound and 0.66 per gallon as required.

3. In *Minnesota Rules*, pt. 7046.0040, "Generator statewide program fee," subpart 1, "In general," the fee schedule is modified as follows:

**"Subpart 1. In general.** All generators in Minnesota are subject to an annual statewide program fee equal to a percentage of the hazardous waste fee paid annually to the agency under part 7046.0031 or to the metropolitan counties under their respective hazardous waste ordinances. Payment must be made as provided in subparts 2 and 3. The statewide program fee [rate] for fiscal year 1994 is 51 percent. Beginning July 1, 1994, the statewide program fee will be examined annually and adjusted, if necessary, under part 7046.0060, step 10."

Applying step 10 of *Minnesota Rules*, pt. 7046.0060, the statewide program fee has been adjusted from the fiscal year 1994 value of 51 percent to 48 percent as required.

## Official Notices

4. In *Minnesota Rules*, pt. 7046.0020, "Hazardous waste facility fees," subpart 1, "Fee schedule for five-year permits," item A, "Storage," and item B "Disposal and treatment," the fee schedule is modified as follows:

**"Subpart 1. Fee schedule for five-year permits.** A person applying for issuance, reissuance, or major modification under part 7001.0190, subpart 1, of a five-year permit for a hazardous waste facility shall remit the applicable fee given in items A to D.

A person who owns or operates a hazardous waste facility shall remit an annual facility fee for the fiscal year beginning on July 1 and ending on June 30, if during that year the facility was treating, storing, or disposing of hazardous waste, had not obtained closure approval, or had closed as a land disposal facility with hazardous waste remaining in place. A facility that meets the annual facility fee payment criteria for less than a full year shall be assessed a prorated facility fee.

A facility in which hazardous waste remains after closure continues to be subject to the annual facility fee until the owner or operator is exempted under subpart 8.

Facility fees for fiscal year 1994 are as provided in items A to D. Beginning July 1, 1994, fees will be examined annually and adjusted, as necessary, under part 7046.0060, steps 1 to 6."

Applying steps 1 to 6, in *Minnesota Rules*, pt. 7046.0060, facility fees have been adjusted from their fiscal year 1994 values as required. Following is a facsimile of the tables in items A and B above which shows original (stricken) and adjusted (underlined) fee values:

	PERMIT APPLI- CATION FEE	ANNUAL FACILITY FEE
<b>A. STORAGE</b>		
<b>TANKS AND CONTAINERS INDOORS</b>		
<b>TOTAL CAPACITY &gt; 550 GALLONS</b>	\$ <del>2,410</del> <u>2,550</u>	\$ <del>3,540</del> <u>3,750</u>
<b>TOTAL CAPACITY = OR &lt; 550 GALLONS</b>	<del>1,610</del> <u>1,700</u>	<del>1,560</del> <u>1,650</u>
<b>TANKS AND CONTAINERS OUTDOORS</b>		
<b>TOTAL CAPACITY &gt; 550 GALLONS</b>	\$ <del>4,820</del> <u>5,100</u>	\$ <del>7,080</del> <u>7,500</u>
<b>TOTAL CAPACITY = OR &lt; 550 GALLONS</b>	<del>3,220</del> <u>3,410</u>	<del>2,820</del> <u>2,990</u>
<b>PILES</b>	<del>14,480</del> <u>15,330</u>	<del>20,280</del> <u>21,480</u>
<b>SURFACE IMPOUNDMENT</b>	<del>24,120</del> <u>25,540</u>	<del>20,280</del> <u>21,480</u>

	PERMIT APPLI- CATION FEE	ANNUAL FACILITY FEE
<b>B. DISPOSAL AND TREATMENT</b>		
<b>SURFACE IMPOUNDMENT</b>	\$ <del>28,950</del> <u>30,660</u>	\$ <del>27,990</del> <u>29,640</u>
<b>TREATMENT (NOT OTHERWISE SPECIFIED INCLUDING OPEN BURNING)</b>	<del>28,950</del> <u>30,660</u>	<del>14,150</del> <u>14,980</u>
<b>THERMAL TREATMENT (NOT INCLUDING OPEN BURNING)</b>	<del>72,390</del> <u>76,660</u>	<del>49,230</del> <u>52,130</u>
<b>LAND TREATMENT</b>	<del>72,390</del> <u>76,660</u>	<del>49,230</del> <u>52,130</u>
<b>LAND DISPOSAL</b>		
<b>ACTIVE FACILITIES</b>	<del>72,390</del> <u>76,660</u>	<del>49,230</del> <u>52,130</u>
<b>CLOSED FACILITIES (INCLUDES ALL FACILITIES IN WHICH WASTE REMAINS AFTER CLOSURE)</b>	<del>36,190</del> <u>38,320</u>	<del>32,820</del> <u>34,750</u>

Comments regarding proposed fee modifications may be directed to Jim Brist, Minnesota Pollution Control Agency, Hazardous Waste Division, Program Development Section, Generator Technical Assistance/Rules Unit, 520 Lafayette Road, St. Paul, Minnesota 55155 or telephone 612/297-8331.

## **Teachers Retirement Association**

### **Notice of Regular Meeting**

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Thursday, December 15, 1994, at 9:30 a.m., in Suite 500, Gallery Building, 17 W. Exchange St., St. Paul, MN to consider matters which may properly come before the Board.

## **Department of Trade and Economic Development**

### **Request for Applications for Community Development Corporation Certification 1994-1995**

#### **Introduction**

The Minnesota Legislature, during the 1993 session, amended the statutes governing community development corporations. *Minnesota Statutes* 116J.982 includes specific standards and procedures for a CDC to become "certified" and therefore eligible to receive grants and enter into contracts with the state.

To become certified, a CDC must fulfill all basic eligibility standards and provide documentation indicated on the application form which is available by contacting the Department of Trade and Economic Development (DTED) at the address and telephone number indicated below.

#### **Benefits of Certification**

Only certified CDCs will be able to apply for grant funds provided by the legislature and available through DTED. During FY95 a total of \$50,000 is available to CDCs.

Grant funds will be available for several purposes: (1) specific economic development projects within the designated area. (2) dissemination of information about, or taking applications for, programs operated by the Commissioner, or (3) developing the internal organizational capacity to engage in economic development activities. Whichever the purpose for which funds are sought, the organization would be required to show how the proposed activity meets or could meet the goals of the state's "Economic Blueprint," published in November 1992, and in each region's "Regional Blueprint" which was prepared during the fall of 1993 by citizens, businesses and organizations (copies available upon request).

Organizations designated as certified CDCs will receive regular updates of information from DTED on departmental programs and initiatives, so that the CDC can be an effective intermediary for providing information in its service area.

At the discretion of the Commissioner of the Minnesota Housing Finance Agency, certified CDCs may enter into contracts with MHFA for purposes of housing activities associated with the economic development activities of the corporation.

A certified CDC is also exempt from the real estate licensure requirements of *Minnesota Statutes* 82.20 (Call DTED to receive a copy of this section of the statutes.)

#### **Deadline for Certification Applications**

To be eligible for the FY95 grant funds, applications for certification must be received by the Department of Trade and Economic Development by 2:30 p.m., January 3, 1995. CDCs whom the commissioner determines meet the certification criteria will be notified that they are certified, and will be provided with information about the grant program for FY95. Applications for grant funds will then be due February 28, 1995.

#### **Summary of the Amended Legislation**

*Minnesota Statutes* 116J.982 sets forth a number of requirements and qualifications for certification. These are summarized below.

#### **Incorporation**

A community development corporation must be a non profit corporation under *Minnesota Statutes* 317A, the "Minnesota Non-Profit Corporation Act." It stipulates the requirements of an incorporation as a non-profit organization; evidence from the Secretary of State's Office that the CDC has met those requirements will be required as part of the certification process. The CDC must also be tax exempt under section 501(c)(3) of the Internal Revenue Code Service (I.R.S.), and be able to document that status.

If a corporation is a non profit but has not yet received its notification from the I.R.S. that it is a 501(c)(3), it may still apply to become a state certified CDC; on the application the corporation will be asked to explain whether it has applied to the I.R.S. and when it plans to attain that status.

#### **Purpose of the Corporation**

The major purpose of the corporation must be economic development, redevelopment, or housing in its designated area. Articles of incorporation or bylaws will be required to document the organization's purpose.

## Official Notices

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### Designated Area

The CDC must designate a low-income area as the geographic community in which it will operate. Within cities of the first class (Minneapolis, St. Paul, and Duluth), a designated community must be an identifiable neighborhood or combination of neighborhoods, but it may not be the entire city. In other parts of Minnesota, a designated community may be one of the following: an identifiable neighborhood or neighborhoods; or a home rule charter or statutory cities, townships, unincorporated areas, or combination of areas. A designated community cannot include an entire economic development region or cross regional boundaries. Those regions are the twelve regions established under *Minnesota Statutes* 462; contact DTED if you have questions about geographic areas covered by those regions.

### Low Income Requirements

For purposes of the Community Development Corporation certification and grants program, "low income" means gross income below the federal poverty level. "Low income area" means an area in which 10% of the population have low incomes, or there are one or more recognized areas such as a census tract, city township, or county in which 15% of the population have low incomes.

Federal poverty guideline applicable in 1994 are as follows, according to gross annual income and the size of the family; 1 person, \$7,360; 2 persons, \$9,840; 3 persons, \$12,320; 4 persons, \$14,800; 5 persons, \$17,280; 6 persons, \$19,760; 7 persons, \$22,240; 8 persons, \$24,720; 9 persons and over, an additional \$2,480 for each additional family member. These guidelines will be helpful in determining whether the non profit corporation's board of directors meets the low income requirements (see "board membership," below.)

To determine whether an area served by the non profit corporation is a low income area, the corporation should consult census information, which can be obtained from several sources:

- 1) Minnesota State Demographer Census Hot-line: 612/296-2557. Census information is available on the entire state.
- 2) The Census Project: 612/647-4606 or 612/348-8550. A joint project of the Wilder Research Center and the Urban Coalition, this source can provide information on neighborhoods in Minneapolis and St. Paul.
- 3) Metropolitan Data Center: 612/296-8141. Twin Cities area information can be obtained from this source.

### BOARD MEMBERSHIP

A CDC's board membership can fulfill the requirements of certification in either of two ways:

- 1) The corporation's membership and board of directors must be representative of the designated area. At least 20% of the directors must have low income, or reside in a low income area. At least 60% of the directors must be residents of the designated area. Other directors must be business, financial, or civic leaders or representatives at-large of the designated area.
- 2) A corporation which meets board structure requirements for a community housing development organization (CHDO) under the *United States 24 CFR* part 92.2, can meet the board membership requirements for CDC certification under the Minnesota statute. (The CHDO certification was developed to establish organizations eligible to receive funds under the HOME program.) Information on the community development housing corporation program requirements can be obtained by calling Denise Rogers at the Minnesota Housing Finance Agency, 612/296-8206.

Whichever route the CDC selects, it will be required to provide documentation of how it meets these criteria.

In addition, the corporation is advised that it must not discriminate against any person(s) on the basis of a statute protected under *Minnesota Statutes* 363, the Minnesota Human Rights Act. For more information on the provisions of that act, contact the Department of Human Rights, 612/296-5663.

### TECHNICAL QUALIFICATIONS

The corporation must be skilled in the analysis and packaging of economic development, redevelopment, or housing projects and that it is familiar with available public and private funding sources. During the past three years, the corporation must have completed two or more economic development, redevelopment, or housing projects within the designated area. For these projects to qualify, the organization must have had primary responsibility for coordinating the execution and completion of the activity.

If the corporation does not presently have these skills within the organization, it must be able to describe how it will obtain these skills during the certification period, with its precise plan and schedule for acquiring the training or skills.

### CERTIFICATION PERIOD

Certification is for two years from the date of certification, and can be renewed. DTED will provide re-certification materials to those organizations seeking renewal of their status.

### FOR MORE INFORMATION

Contact Gerald Wenner at DTED (612-297-1844) if you have additional questions or would like to receive an application.



# **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 Administration**

### **Materials Management Division**

#### **Notice of Request for Proposals for Information Technology Solutions Contract**

The State is soliciting proposals for the Information Technology Solutions Contract. Proposals include Personal Computers, Peripherals, Software & Hardware Maintenance. Vendors may offer proposals for only Maintenance. Two contracts are expected to be awarded (one prime for Personal Computers, Peripherals, Software & Maintenance and one additional contract for Maintenance). Proposals can be obtained in disk format by faxing a request to 297-3996 or 297-7681 or calling 296-2600. Vendors may pick-up the disk at the Department of Administration, Materials Management Division, Room 112, 50 Sherburne Avenue, St. Paul, MN 55155. Proposals must be time stamped no later than 3:00 PM at the above address on December 29, 1994. Late proposals will be rejected. The Request for Proposal does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered in its' best interest.

## **Department of Administration**

### **Print Communication Division**

#### **"Contract Awards Reports" Available**

Individual copies of "Contract Awards Reports" are available, as well as six-month trial subscriptions, as part of an improved service to subscribers tracking commodity and service contracts and bids, as well as professional, technical and consulting contracts.

This information is especially useful in the competitive bidding process used by the state's purchasing office, the Materials Management Division.

- **"Commodity Contract Awards Reports,"** — lists awards of contracts and bids published in the Tuesday-Wednesday-Friday **"Contracts Supplement"** — published every two weeks, \$5.00 per individual report, plus \$3.00 shipping if applicable. Order stock # 99-42. Six-month subscriptions cost \$75.00 — a savings of about \$38.00 over the cost of purchasing them individually. Appears every two weeks. Order stock # 90-14. Available in hard copy format only.

- **"Professional-Technical-Consulting Award Reports,"** — published each month listing the previous month's awards of contracts and RFPs that appeared in the Monday edition of the *"State Register."* Individual copies are \$7.00 per report, plus \$3.00 shipping if applicable. Order stock # 99-43. Six-month subscriptions cost \$50.00, a savings of about \$15.00 over the cost of purchasing them individually. Appear monthly. Order stock # 90-15. Available in hard copy format only.

To order the appropriate "Awards Reports" for your business or organization, contact Minnesota's Bookstore at (612) 297-3000, or toll-free nationwide: 1-800-657-3757. Credit card orders can be taken over the phone, mailed in, or FAXED to (612) 297-8260.

## Professional, Technical & Consulting Contracts

### Department of Human Services

#### Health Care Operations Division

#### Notice of Request for Proposals for OCR and Scanner

The Department of Human Services, Health Care Operations Division is seeking proposals to acquire imaging technology that streamlines handling of paper claims and provides base technology that can be used to handle other imaging applications as paper claims volume declines.

Details are contained in a request for proposals which may be obtained by calling or writing:

Larry Woods  
Director, Health Care Operations  
Department of Human Services  
444 Lafayette Road  
St. Paul, Minnesota 55155-3851  
(612) 296-2719 - voice  
(612) 282-6755 - fax

**Please Note:** Other Department personnel are not allowed to discuss the project with responders before the submittal of proposal deadline.

A pre-submission proposers' conference will be held on Friday, December 9, 1994 from 1:30 until 3:30 PM in the 3E & F Conference Rooms at the Minnesota Department of Human Services Building located at 444 Lafayette Road, St. Paul, MN 55155. The purpose of this meeting is to allow all proposers to ask questions regarding this Request for Proposal prior to submission of responses.

Any requests for interpretation are required to be submitted by December 12, 1994. Any addenda resulting from requests for interpretation will be issued to all vendors on the mailing list by no later than the close of business, 4:30 PM, December 15, 1994.

Proposals must be delivered by 4:00 PM on Monday, December 19, 1994, to the receptionist, first floor, 444 Lafayette Road, St. Paul, MN.

### — Volunteer Services of Minnesota Publications —

#### **NEW!**

#### ***The Power & Potential of Youth in Service to Communities***

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Partnership issues: leadership, research 10-31SR \$5.00

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#### ***Basic Volunteer Program Management***

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#### ***Planning it Safe: How to Control Liability & Risk in Volunteer Programs***

Legal risk and liability concerns. 10-45SR \$17.95

**Available through Minnesota's Bookstore. Use the handy order form on the back of the *State Register* to order. Visit Minnesota's Bookstore to view a variety of Volunteer Services publications.**

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## **Minnesota House of Representatives**

### **Public Information Office**

#### **Public Notice of Request for Bid for Printing the 1995-96 Session Weekly**

**NOTICE IS HEREBY GIVEN** that the Minnesota House of Representatives Public Information Office is seeking proposals from qualified printers to provide printing services for the *Session Weekly* newsmagazine.

The *Session Weekly* is a non-partisan newsmagazine published by the Minnesota House of Representatives Public Information Office once a week while the Legislature is in session. About 20 issues will be published in 1995 (beginning January 5) and about 12 issues will be published in 1996.

The circulation averages about 15,000, with an average page count of about 32. The minimum page count is 24.

Electronic copy is often delivered to the printer as late as 2 a.m. or 3 a.m. Friday morning for partial delivery to the House by 10 a.m. Friday with the balance due to the mailhouse by noon Friday.

All bids must be submitted on the forms accompanying the specifications in a sealed envelope, delivered to Room 175, State Office Building, no later than 2 p.m. Friday, December 9, 1994. Bid submittals will be opened publicly on that date and time.

A copy of the request for proposal package can be obtained by calling:

Grant Moos  
175 State Office Building  
St. Paul, Minnesota 55155-1298  
(612) 296-8905.

### ***Attention Builders, Architects, Designers, Property Owners...***

#### ***Accessible and Usable Buildings and Facilities CABO/ANSI, A117.1***

Just released by the Council of American Building Officials, this 2 publication set includes UBC Chapter 31 and appendix. Specifications in this standard (ANSI - American National Standards Institute) are to make buildings and facilities accessible to individuals with disabilities -- both new buildings and existing structures. These standards are applicable to doorways, routes, seating and other elements of building design. Includes diagrams and floor plans. The two books (total of 96 pp) are bound and three-hole drilled for ease of use. **19-2 SR \$35.00**



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## Professional, Technical & Consulting Contracts

### Department of Transportation

#### Office of Aeronautics

#### Request for Qualifications for Supplemental Airport Study

The Minnesota Department of Transportation is seeking statements of interest and qualifications from consulting firms with expertise in aviation planning to study the use of a supplemental airport(s) to relieve congestion at Minneapolis - St. Paul International Airport (MSP). This study will provide input into the Dual Track option which retains the existing Minneapolis - St. Paul International Airport (MSP). Study cost is not to exceed \$50,000.

#### PROJECT PURPOSE

The purpose of the study is to evaluate the alternative of using a supplemental airport(s) to accommodate the year 2020 aviation demand at MSP in lieu of, or in addition to, capacity enhancement projects identified in the MSP long term comprehensive plan.

**Phase I:** a) To define the concept of a "Supplemental Airport" and how such an airport might operate in conjunction with MSP and b) To establish performance criteria against which to evaluate study results.

**Phase II:** a) To determine the degree to which the use of a supplemental airport could alleviate congestion at MSP and b) To identify factors that would make use of existing airports, linked to MSP, successful. There must be agreement between Mn/DOT and the MAC on the necessity to proceed before the start of Phase II.

Respondents are asked to give a brief synopsis, not to exceed five (5) pages, on how they might approach this study.

#### AFFIRMATIVE ACTION

Due to the fact that the total amount of the contract will be limited to \$50,000 or less, no certificate of compliance from the Minnesota Department of Human Rights is required.

#### CONSULTANT SELECTION

Consultant selection will be based on ratings given to firms on the basis of their submittals by a selection committee. If two or more firms have comparable ratings, they will be interviewed to make a final determination. A Pre-award audit of the selected firm may be required to ensure that the accounting system employed by the firm can properly segregate costs which are to be allocated to the project.

The project will begin when a consultant has been selected and a contract executed, subject to the availability of funds. The Minnesota Department of Transportation assumes no obligation for expenses incurred by respondents to this solicitation.

Four copies of the statements of interest and qualifications should be submitted to the Minnesota Department of Transportation, Office of Aeronautics, 222 East Plato Boulevard, St. Paul, MN 55107; Attention Richard Theisen. Questions in reference to this notice should be directed to Richard Theisen of the Office of Aeronautics; phone: (612) 296-2552. The closing date for submitting qualifications is December 23, 1994.

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**Instructor's Guide--** Stock No. 5-12 \$35.00

Looseleaf, 342pp. Includes guide, curriculum & skill sheets.

**Student Skill Sheets--** Stock No. 5-13 \$6.95

Looseleaf, 123pp.

#### Nurse Aide/Home Health Aide Course:

Curriculum developed to meet the 75 hour training requirement under state and federal regulations for aides providing home health care or nursing assistant facility. Comprehensive skill development. (Health 1993)

**Instructor's Guide--** Stock No. 10-53 \$35.00

Looseleaf, 124pp. Binder and tabs included.

**Student Handbook--** Stock No. 10-52 \$39.00

Looseleaf, 267pp. Binder and tabs included.

**Student Skills Sheets--** Stock No. 10-54 \$9.95

Looseleaf, 108pp. (no binder)

### ---Laws & Rules---

#### Home Health Care/Hospice Rules

MN Statutes Chapter 144A and MN Rules Chapters 4668 and 4669. 61pp. Stock No. 3-82 \$6.95

#### Nursing & Boarding Care Home Rules

Chapters 4620.1200, 4638, 4655, and 4660 (1993). Licensing requirements for facilities where nursing, personal or custodial care is provided. 215pp. Stock No. 3-12 \$14.00

### ---Patient & Family Education---

#### A Guide to Home Care & Hospice Services

Handy "flip chart" booklet provides an overview of home care and hospice services in Minnesota. Topics covered include regulation of providers, agency licensing, services available, patient bill of rights, reporting abuse and neglect, and more. 8-1/2" x 11" (Health, 1993)

Stock No. 10-47 \$6.95/pkg. of 5



#### Bridging the Gap: A Training Manual for Respite Care Volunteers

Program assistance for the project director, coordinator of volunteers, or anyone associated with the training of volunteers in a respite care program for caregivers of chronically ill, frail, and elderly individuals. The manual offers ideas, plans, and resources to recruit, train, place and retain volunteers in a respite care program. Provides flexibility/options that enable the trainer to pick and choose training activities that are appropriate for the participants, the time available, and the trainer's skills.

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- \* Guidelines for trainers
- \* Ice breaker activities
- \* Resources
- \* Communications skills

Looseleaf, 237pp. (MN Dept. of Human Services, 1993)  
Stock No. 10-50 \$35.00

#### A Time for Choices

A compact booklet offering assistance in making decisions about death arrangements. Reviews burial, cremation, entombment, and ceremony options PLUS an itemization of costs and consumer protection services. 24pp., 15 copies/pkg. (Health, 1992)

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## Print Communications Division

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