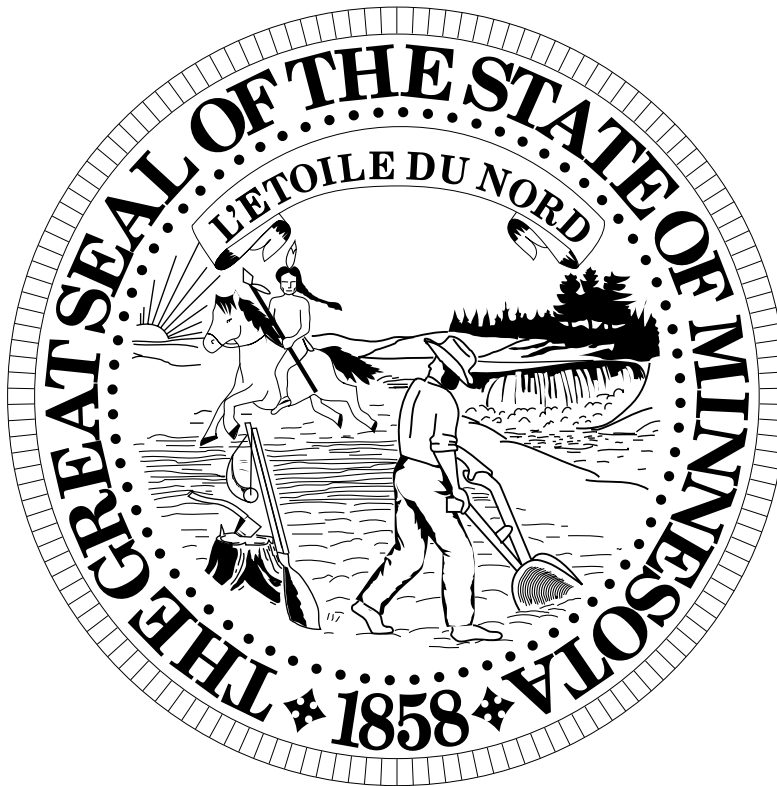


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State Register

Rules and Official Notices Edition



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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, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
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- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
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#11	TUESDAY 4 September	Noon Wednesday 22 August	Noon Tuesday 28 August
#12	Monday 10 September	Noon Wednesday 29 August	Noon Tuesday 4 September
#13	Monday 17 September	Noon Wednesday 5 September	Noon Tuesday 11 September
#14	Monday 24 September	Noon Wednesday 12 September	Noon Tuesday 18 September

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Announcements***. Award results are available from the Materials
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Minnesota Rules: Amendments and Additions

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

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

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

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the 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 most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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Proposed Rules

Comments on Planned Rules or Rule Amendments

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

Rules to be Adopted After a Hearing

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

Rules to be Adopted Without a Hearing

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

Minnesota Housing Finance Agency

Proposed Permanent Rules Relating to Governing the Minnesota Urban and Rural Homesteading Program

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING on Proposed Amendment to Rules Governing the Minnesota Urban and Rural Homesteading Program, *Minnesota Rules*, 4900.2400-4900.2600

Introduction. The Minnesota Housing Finance Agency intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Donna Dimatteo at Minnesota Housing Finance Agency, 400 Sibley St., Suite 300, St. Paul, MN 55101; **phone:** (651) 297-3132; **email:** donna.dimatteo@state.mn.un; and **TTY:** (651) 297-2361.

Subject of Rules and Statutory Authority. The proposed amendment to rules, govern the Minnesota Urban and Rural Homesteading Program. The statutory authority to adopt the rules is *Minnesota Statutes*, section 462A.06. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on October 5, 2001, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

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 October 5, 2001. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

Modifications. The proposed rules may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. Copies of the statement may be obtained at the cost of reproduction from the agency.

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

Dated: 27 July 2001

Katherine G. Hadley, Commissioner

4900.2420 DEFINITIONS.

[For text of subps 1 to 5, see M.R.]

Subp. 6. **Designated area.** “Designated area” means a specific area where the acquisition, rehabilitation, and sale of eligible properties may take place under the program. ~~In the metropolitan area, as defined in *Minnesota Statutes*, section 473.121, subdivision 2, a designated area must be a specific four square block area.~~

[For text of subps 7 to 12, see M.R.]

Subp. 13. [See repealer.]

4900.2440 URBAN AND RURAL HOMESTEADING PROGRAM.

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

Subp. 2. **Uses of grant money.** ~~The agency may award grants to eligible organizations of up to \$300,000.~~ The grants must be used by eligible organizations to buy eligible properties and pay for the cost of acquiring and rehabilitating those properties. The agency may establish an allocation plan for the program to provide for the greater likelihood of awarding such grants among urban and rural properties. The agency may also establish requirements pertaining to maximum allowable administrative costs under the program, but in no instance may the administrative costs exceed \$30,000 ten percent of the amount awarded per eligible organization from funds appropriated for the program during the period of acquisition, rehabilitation, and sale.

4900.2460 APPLICATION BY ELIGIBLE ORGANIZATION.

Subpart 1. **Preliminary eligibility.** The applicant must be a political subdivision, or a nonprofit entity as defined in part 4900.0010, subpart 21, that has as a primary purpose of the provision or development of affordable housing to low- and moderate-income homebuyers.

[For text of subp 2, see M.R.]

4900.2480 SELECTION OF ELIGIBLE ORGANIZATION.

Subpart 1. **Criteria.** The agency shall take the following criteria into consideration when determining whether an applicant will receive a grant under the program.

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

D. The ~~reasonableness~~ feasibility of the program as developed by the applicant.

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

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> 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 — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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Proposed Rules

F. The ~~reasonableness~~ feasibility of the proposed budget in meeting the objectives of the program.

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

[For text of subp 2, see M.R.]

4900.2500 LOCAL NEIGHBORHOOD ADVISORY BOARD.

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

Subp. 2. **Racial composition.** Wherever possible, residents selected to serve on the advisory board must reflect the racial composition of the designated area. ~~Within the metropolitan area as defined in *Minnesota Statutes*, section 473.121, subdivision 2, at least 20 percent of the advisory board must be minority residents.~~ The eligible organization must undertake adequate outreach within each designated area to achieve such racial composition. If, despite such outreach, the eligible organization is unable to obtain such racial composition, the eligible organization must demonstrate to the satisfaction of the agency that a reasonable effort was made to do so.

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

4900.2520 ELIGIBLE PROPERTIES.

Subpart 1. **General.** Eligible properties are to be acquired by the eligible organization for rehabilitation and sale to at-risk homebuyers with the ~~consent~~ input of the local neighborhood advisory board for the designated area. The eligible organization may initially acquire up to five properties in a designated area with funds appropriated for the program or may acquire more than five properties if funds other than appropriated funds are used. Mobile homes, townhomes in planned unit developments, and condominium units are not eligible under the program. Upon sale of the property, clear and marketable title subject to the contract for deed described in part 4900.2560 must be provided to the homebuyer.

[For text of subps 2 to 4, see M.R.]

4900.2560 CONTRACT FOR DEED.

The agency shall establish the terms and conditions for the contract for deed to be used to convey the rehabilitated property from the eligible organization to the at-risk homebuyer. The terms and conditions shall reflect state law pertaining to such documents, the requirements of *Minnesota Statutes*, section 462A.07, and parts 4900.2400 to 4900.2600 pertaining to the program, specific requirements of the program as implemented by the eligible organization, ~~and provisions pertaining to the right of first refusal by the eligible organization or the agency upon property resale as prescribed in *Minnesota Statutes*, section 462A.07.~~

REPEALER. *Minnesota Rules*, part 4900.2420, subpart 13, is repealed.

Department of Human Services

Proposed Permanent Rules Relating to Hospital Medical Assistance Payment

NOTICE OF HEARING

Proposed Amendments to Rules Governing Payment of InPatient Hospital Services Provided Under the Medical Assistance [MA] and General Assistance Medical Care Programs [GAMC], *Minnesota Rules*, Parts 9500.1090 to 9500.1140

Public Hearing. The Department of Human Services intends to adopt rules after a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The agency will hold a public hearing on the above-entitled rules in rooms 1A and 1B, Minnesota Department of Human Services building, 444 Lafayette Road, St. Paul, Minnesota 55155-3816, starting at 9:30 a.m. on Friday, October 12, 2001, and continuing until the hearing is completed. 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 may be submitted without appearing at the hearing.

Administrative Law Judge. The hearing will be conducted by Administrative Law Judge Steve M. Mihalchick, who can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **phone:** (612) 349-2544, and **fax:** (612) 349-2665. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge.

Subject of Rules, Statutory Authority, and Agency Contact Person. The proposed rules establish a prospective payment system for inpatient hospital services under the MA and GAMC programs. The prospective payment system and rules governing the payments system were first put in place according to *Laws of Minnesota 1983*, Chapter 312, article 5, sections 9 and 39. The amendments to rules parts 9500.1090 to 9500.1140 are intended to bring the rules into conformance with statutory changes that have been made since the rules were last revised in 1993. The proposed rules are authorized by *Minnesota Statutes*, section 256.9685, subdivision 1. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person. The agency contact person is: Robert Klukas at the Minnesota Department of Human Services, 444 Lafayette Road, St. Paul, MN, 55155-3816. You may reach Mr. Klukas by **phone** at: (651) 296-2794 and by **fax** at: (651) 297-3173. **TTY** users may call the Department of Human Services at (651) 296-5705.

Statement of Need and Reasonableness. A Statement of Need and Reasonableness is now available for review at the agency offices and at the Office of Administrative Hearings. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may be reviewed and copies obtained at the cost of reproduction from the agency.

Public Comment. You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. 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. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day rebuttal period. All comments 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. All comments or responses received will be available for review at the Office of Administrative Hearings.

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

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

Modifications. The proposed rules may be modified as a result of the rule hearing process. Modifications must be supported by data and views presented during the rule hearing process, and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate.

Adoption Procedure After The Hearing. After the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, or ask to register with the agency to receive notice of future rule proceedings, and can make these requests at the hearing or in writing to the agency contact person stated above.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **phone**: (651) 296-5148 or (800) 657-3889.

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

MINNESOTA DEPARTMENT OF HUMAN SERVICES
Michael O'Keefe
Commissioner

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Proposed Rules

9500.1090 PURPOSE AND SCOPE.

Parts 9500.1090 to 9500.1140 establish a prospective payment system for inpatient hospital services provided under the medical assistance and general assistance medical care programs.

Parts 9500.1090 to 9500.1140 are not applicable to inpatient hospital services provided by state-owned hospitals or to facilities of the Indian health service and facilities operated by a tribe or tribal organization under funding authorized by title I or III of the Indian Self-Determination and Education Assistance Act, Public Law Number 93-638, or by *United States Code*, title 25, chapter 14, subchapter II, sections 450f and 450n.

If it is determined that any provision of parts 9500.1090 to 9500.1140 conflicts with requirements of the federal government with respect to federal financial participation in medical assistance, the federal requirements prevail.

9500.1100 DEFINITIONS.

[For text of subps 1 to 5, see M.R.]

Subp. 6. **Ancillary service.** “Ancillary service” means inpatient hospital services that include laboratory and blood, radiology, anesthesiology, electrocardiology, electroencephalography, pharmacy, and intravenous therapy, delivery and labor room, operating and recovery room, emergency room and outpatient clinic, observation beds, respiratory therapy, physical therapy, occupational therapy, speech therapy, medical supplies, renal dialysis, and psychiatric; and chemical dependency services customarily charged in addition to an accommodation service charge.

[For text of subps 9 to 12a, see M.R.]

Subp. 12b. **City of the first class.** “City of the first class” means a city that has more than 100,000 inhabitants, provided that once a city is defined to be of the first class, it shall not be reclassified unless its population decreases by 25 percent from the census figures which last qualified the city for inclusion in the class.

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.

[For text of subps 18 to 20f, see M.R.]

Subp. 20g. **Additional DRG requirements.**

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

F. For payment of admissions that result from a home health nurse being unavailable, and physician orders from home remain in effect, the principal diagnosis will be identified as ~~V58.8~~ V58.89, other specified procedures and aftercare.

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

[For text of subp 22, see M.R.]

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~~ 144.581, 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.~~

[For text of subps 26 to 27, see M.R.]

Subp. 28a. **Local trade area hospital.** “Local trade area hospital” means a metropolitan statistical area hospital ~~that is located in a state other than~~ outside Minnesota but in a county of the other state in which the county is contiguous to Minnesota that has 20 or more medical assistance admissions in the base year.

Subp. 28b. **Long-term care hospital.** “Long-term care hospital” means a Minnesota hospital or a metropolitan statistical area hospital located outside Minnesota in a county contiguous to Minnesota that meets the requirements under *Code of Federal Regulations*, title 42, part 412, section 23(e).

Subp. 28c. **Low volume local trade area hospital.** “Low volume local trade area hospital” means a metropolitan statistical area hospital located outside Minnesota in a county contiguous to Minnesota that has less than 20 medical assistance admissions in the base year.

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~~ 9500.1155, “medical assistance” includes general assistance medical care unless otherwise specifically stated.

[For text of subps 31 to 33, see M.R.]

Subp. 34. **Nonmetropolitan statistical area hospital.** “Nonmetropolitan statistical area hospital” means a Minnesota 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. [See repealer.]

Subp. 37. **Out-of-area hospital.** “Out-of-area hospital” means ~~any~~ a hospital located outside of Minnesota ~~excluding that is not~~ a local trade area hospital or a low volume local trade area hospital.

[For text of subps 38 to 51, see M.R.]

9500.1105 BASIS OF PAYMENT FOR INPATIENT HOSPITAL SERVICES.

Subpart 1. Reporting requirements.

A. No later than October 1 preceding a rebased rate year or 60 days from the department’s request, whichever is later, a Minnesota and local trade area hospital must provide to the department complete, true, and authorized information as outlined in subitems (1) to ~~(7)~~ (6). Information ~~called for~~ required in subitems (1) to ~~(7)~~ (6) ~~that is~~ not provided in a timely manner will not be used in calculating the hospital’s rates for that rate year and the following year if rebasing does not occur.

(1) The base year Medicare audited cost report of local trade area hospitals.

(2) The decision on whether certified registered nurse anesthetist services are to be paid separately from parts 9500.1090 to ~~9500.1140~~ 9500.1155. Once elected, the decision to be paid separately is irrevocable.

~~(3) The identification of base year claims for admissions to a rehabilitation distinct part.~~

~~(4)~~ (4) The elected outlier percentage for other than neonate and burn admissions to a minimum of 60 percent and a maximum of 80 percent. The chosen percentage shall apply to all program and specialty groups of the hospital.

~~(5)~~ (4) The most recent Medicare cost report submitted to Medicare by October 1 prior to a rebased rate year.

~~(6)~~ (5) The data on low income utilization necessary to implement the disproportionate population adjustment.

~~(7)~~ (6) The Medicare adjustments to prior base year data.

B. If Medicare does not require ~~the~~ a hospital to file a complete cost report, that hospital must, no later than February 1 preceding a rebased rate year, provide true, complete, and authorized Medicare cost report data under the cost finding methods and allowable costs in effect during the base year.

Subp. 2. Establishment of base years.

A. ~~Except as provided in items B and C,~~ The base year for the 1993 rate year shall be each Minnesota and local trade area hospital’s most recent Medicare cost reporting period ending prior to September 1, 1988. If that cost reporting period is less than 12 months, it must be supplemented by information from the prior cost reporting period so that the base year is 12 months except for hospitals that closed during the base year.

~~B. The base year for the 1993 rate year of a children’s hospital shall be the hospital’s most recent fiscal year ending prior to January 1, 1990. A children’s hospital is one in which more than 50 percent of the admissions are individuals less than 18 years of age.~~

~~C. The base year for the 1993 rate year for a long-term hospital shall be that part of the most recent fiscal year ending prior to September 1, 1989, for which the hospital was designated a long-term hospital by Medicare.~~

~~D. B.~~ The base year data will be moved forward three years ~~for hospitals subject to item A, one year for hospitals subject to item B, and two years for hospitals subject to item C~~ beginning with the 1995 rate year. The base year data will be moved forward every two years after 1995 or every one year if notice is provided at least six months prior to the rate year by the department. For long-term care hospitals that open after April 1, 1995, the base year is the year for which the hospital first filed a Medicare cost report as a long-term care hospital. That base year shall remain until it falls within the same period as other hospitals.

9500.1110 DETERMINATION OF RELATIVE VALUES OF THE DIAGNOSTIC CATEGORIES.

Subpart 1. **Determination of relative values.** To determine the relative values of the diagnostic categories the department shall:

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Proposed Rules

A. Select medical assistance claims for Minnesota and local trade area hospitals with admission dates from each hospital's base year.

B. Exclude the claims and charges in subitems (1) to ~~(6)~~ (7):

(1) Medicare crossover claims;

(2) claims paid on a ~~per day~~ transfer rate ~~basis for a period that is less than the average length of stay of the diagnostic category in effect on the admission date~~ per day according to part 9500.1128, subpart 2, item C;

(3) inpatient hospital services for which medical assistance payment was not made;

(4) inpatient hospital claims ~~that must be paid during the rate year on a per day basis without regard to relative values during the period for which rates are set to a long-term care hospital~~;

(5) inpatient hospital services not covered by the medical assistance program on October 1 prior to a rebased rate year; ~~and~~

(6) inpatient hospital charges for noncovered days calculated as the ratio of noncovered days to total days multiplied by charges; ~~and~~

(7) inpatient hospital services paid under part 9500.1128, subpart 2, item E.

~~C. Separate claims which combine the stay of both mother and newborn into two or more claims according to subitems (1) to (4).~~

~~(1) Accommodation service charges for each newborn claim are the sum of nursery and neonatal intensive care unit charges divided by the number of newborns. Accommodation service charges for the mother are all other accommodation service charges.~~

~~(2) Ancillary charges for each claim are calculated by multiplying each ancillary charge by each claim's ratio of accommodation service charges in subitem (1) to the total accommodation service charges in subitem (1).~~

~~(3) If the newborn's inpatient days continue beyond the discharge of the mother, the claim of the newborn shall be combined with any immediate subsequent claim of the newborn.~~

~~(4) If the newborn does not have charges under subitem (1), the ancillary charges of the mother and newborn shall be separated by the percentage of the total ancillary charges that are assigned to all other mothers and newborns.~~

~~D. C.~~ Combine claims into the admission that generated the claim according to part 9500.1128, subpart 4.

~~E. D.~~ Determine operating costs for each hospital admission in item ~~D C~~ using each hospital's base year data according to subitems (1) to ~~(6)~~ (5).

[For text of subitem (1), see M.R.]

(2) Determine the operating cost of each ancillary service by multiplying the ancillary charges by that ancillary operating cost-to-charge ratio and add the products of all ancillary services. An ancillary operating cost-to-charge ratio will be adjusted for certified registered nurse anesthetist costs and charges according to the hospital's election under part 9500.1105, subpart 1, item A, subitem (2).

[For text of subitem (3), see M.R.]

~~(4) Determine the cost of malpractice insurance, if that cost is not included in the accommodation and ancillary cost, by multiplying the total hospital costs of malpractice insurance by the ratio of the claim charge to total hospital charges and then multiply that product by 0.915.~~

~~(5) Add subitems (1) to (4) to determine the operating cost for each admission (3).~~

~~(6) (5)~~ Multiply the result of subitem ~~(5) (4)~~ by the hospital cost index that corresponds to the hospital's fiscal year end in part 9500.1120, subpart 2, item ~~F B~~.

~~F. E.~~ Assign each admission and operating cost identified in item ~~E D~~, subitem ~~(6) (5)~~, to the appropriate program or specialty group and diagnostic category according to part 9500.1100, subparts 20a to 20e and 20g.

~~G. F.~~ Determine the mean cost per admission ~~for all admissions identified in item F~~ within each program and ~~the rehabilitation distinct part~~ specialty group for the program and rehabilitation distinct part specialty group admissions identified in item E by dividing the sum of the operating costs by the total number of admissions.

~~H. G.~~ Determine the mean cost per admission ~~for each diagnostic category identified in item F~~ within each program and ~~rehabilitation distinct part~~ specialty group diagnostic category identified in item E by dividing the sum of the operating costs in each diagnostic category by the total number of admissions in each diagnostic category.

~~F. H.~~ Determine the relative value for each diagnostic category by dividing item ~~H G~~ by the corresponding result of item ~~G E~~ within ~~the each~~ program and the rehabilitation distinct part specialty group and round the quotient to five decimal places.

~~J. I.~~ Determine the mean length of stay ~~for within~~ each program and rehabilitation distinct part diagnostic category identified in item ~~F E~~ by dividing the total number of inpatient service days in each diagnostic category by the total number of admissions in that diagnostic category and round the quotient to two decimal places.

~~K. L.~~ Determine the day outlier trim point for each program and rehabilitation distinct part diagnostic category and round to whole days.

Subp. 2. **Redetermination of relative values.** The department shall reassign the program, ~~and~~ specialty group, ~~and~~ diagnostic category composition in part 9500.1100, subparts 20a to 20g, after notice of the change in the *State Register* and a 30-day comment period. The relative values in this part and adjusted base year operating costs in part 9500.1115 and 9500.1116 must be redetermined when changes are made to part 9500.1100, subparts 20a to 20g.

9500.1115 DETERMINATION OF ADJUSTED BASE YEAR OPERATING COST PER ADMISSION AND PER DAY OUTLIER.

Subpart 1. **Adjusted base year operating cost per admission for Minnesota and local trade area hospitals.** The department will determine the adjusted base year operating cost per admission by program and the rehabilitation distinct part specialty group for each Minnesota and local trade area hospital according to items A to D.

A. Determine and classify the operating cost for each admission according to part 9500.1110, subpart 1, items A to ~~F~~, ~~except that the ratios in item E, subitem (2), will be adjusted to exclude certified registered nurse anesthetist costs and charges if separate billing for these services is elected by the hospital E.~~

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

C. For each admission, subtract item B from item A, and for each hospital, add the results within each program and the rehabilitation distinct part specialty group, and divide this amount by the number of admissions within each program and the rehabilitation distinct part specialty group.

D. Adjust item C for case mix according to subitems (1) to (4).

(1) Multiply the hospital's number of admissions by program and the rehabilitation distinct part specialty group within each diagnostic category by the relative value of that diagnostic category.

(2) Add together each of the products determined in subitem (1).

(3) Divide the total from subitem (2) by the number of ~~hospital~~ admissions and round that quotient to five decimal places.

(4) Divide the cost per admission as determined in item C by the quotient calculated in subitem (3) and round that amount to whole dollars.

Subp. 2. **Adjusted base year operating cost per day outlier for Minnesota and local trade area hospitals.** The department will determine the adjusted base year operating cost per day outlier by program and the rehabilitation distinct part specialty group for each Minnesota and local trade area hospital according to items A and B.

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

B. Adjust item A for case mix according to subitems (1) to (4).

(1) Multiply the hospital's number of outlier days by program and the rehabilitation distinct part specialty group within each diagnostic category by the relative value of that diagnostic category.

[For text of subitems (2) to (4), see M.R.]

Subp. 3. **Out-of-area hospitals.** The department will determine the adjusted base year operating cost per admission and per day outlier by program ~~and specialty group~~ for out-of-area hospitals according to items A to C.

A. Multiply each adjusted base year operating cost per admission and per day outlier ~~in effect on the first day of a rate year~~ for each Minnesota and local trade area hospital determined in subparts 1 and 2 by the number of corresponding admissions or outlier days in that hospital's base year.

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Proposed Rules

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

Subp. 4. ~~Minnesota metropolitan statistical area and local trade area metropolitan statistical area hospitals that do not have five or more medical assistance admissions or five or more day outliers outlier medical assistance admissions in the base year and low volume local trade area hospitals.~~ The department will determine the adjusted base year operating cost per admission or per day outlier by program ~~and specialty group for Minnesota and local trade area metropolitan statistical area hospitals that do not have medical assistance admissions or day outliers in the base year~~ according to items A to C.

A. Multiply each adjusted base year cost per admission and ~~per day outlier in effect on the first day of a rate year~~ for each Minnesota ~~and local trade area and~~ metropolitan statistical area ~~and local trade area~~ hospital ~~determined in subparts 1 and 2~~ by the number of corresponding admissions or outlier days in that hospital's base year.

B. Add the products calculated in item A.

C. Divide the total from item B by the total admissions or outlier days for all Minnesota metropolitan statistical area ~~and local trade area~~ hospitals and round that amount to whole dollars.

Subp. 5. ~~Minnesota and local trade area~~ Nonmetropolitan statistical area hospitals that do not have five or more medical assistance admissions or five or more day outliers outlier medical assistance admissions in the base year. The department will determine the adjusted base year operating cost per admission or per day outlier by program ~~and specialty group for Minnesota and local trade area~~ nonmetropolitan statistical area hospitals by substituting nonmetropolitan statistical area hospitals terms and data for the metropolitan statistical area hospitals terms and data under subpart 4.

Subp. 5a. Minnesota and local trade area hospitals that do not have five or more medical assistance rehabilitation distinct part specialty group admissions or five or more day outlier medical assistance rehabilitation distinct part specialty group admissions in the base year. The department will determine the adjusted base year operating cost per admission or per day outlier for the rehabilitation distinct part specialty group for Minnesota and local trade area hospitals by substituting Minnesota and local trade area hospital terms and data for the metropolitan statistical area hospital terms and data under subpart 4.

Subp. 6. Limitation on separate payment and outlier percentage. Out-of-area hospitals that have ~~rates a rate~~ established under subpart 3 may not have certified registered nurse anesthetists services paid separately from parts 9500.1090 to ~~9500.1140 and~~ hospitals that have rates established under subpart 3, 4, or 5 may not elect an alternative outlier percentage 9500.1155.

9500.1116 DETERMINATION OF ADJUSTED BASE YEAR OPERATING COST PER DAY.

Subpart 1. Neonatal transfers.

A. For Minnesota and local trade area hospitals, the department will determine the neonatal transfer adjusted base year operating cost per day for Minnesota and local trade area ~~hospital~~ admissions that result from a transfer to a neonatal intensive care unit specialty group according to subitems (1) to ~~(5)~~ (6).

(1) Determine the operating cost per day ~~for within~~ each diagnostic category in part 9500.1100, subpart 20f, according to part 9500.1110, subpart 1, items A to ~~F, except that the ratios in part 9500.1110, subpart 1, item E, subitem (2), will be adjusted to exclude certified registered nurse anesthetist costs and charges if separate billing for these services is elected by the hospital~~ E, and divide the total base year operating costs by the total corresponding inpatient hospital days for each admission.

(2) Determine relative values for each diagnostic category at part 9500.1100, subpart 20f, according to part 9500.1110, subpart 1, items ~~G E, H G, and I H,~~ after substituting the term "day" for "admission."

(3) For each Minnesota and local trade area hospital that has admissions that result from a transfer to a neonatal intensive care unit specialty group, determine the operating cost for each admission according to part 9500.1110, subpart 1, items A to E.

(4) Add the results for each admission in subitem (3).

(5) Divide the total from subitem (4) by the total corresponding inpatient hospital days for each admission in subitem (3).

(6) Adjust the result of subitem ~~(2)~~ (5) for case mix according to part 9500.1115, subpart 1, item D, after substituting the term "day" for "admission."

B. For Minnesota and local trade area ~~metropolitan statistical area~~ hospitals that do not have five or more medical assistance neonatal transfer admissions to a neonatal intensive care unit specialty group in the base year, the department will determine the neonatal transfer adjusted base year operating cost per day for admissions that result from a transfer to a neonatal intensive care unit according to subitems (1) to (3).

(1) Multiply each adjusted base year operating cost per day in effect on the first day of a rate year for each Minnesota and local trade area ~~metropolitan statistical area~~ hospital determined in item A, subitem (6), by the number of corresponding days in the hospital's base year.

(2) Add the products in subitem (1).

(3) Divide the total from subitem (2) by the total days for all ~~metropolitan statistical~~ Minnesota and local trade area hospitals and round that amount to whole dollars.

~~C. For Minnesota and local trade area nonmetropolitan statistical area hospitals that do not have medical assistance neonatal transfer admissions to a neonatal intensive care unit in the base year, the department will determine the adjusted base year operating cost per day for admissions that result from a transfer to a neonatal intensive care unit by substituting nonmetropolitan statistical area hospitals terms and data for the metropolitan statistical area hospitals terms and data under item B.~~

Subp. 2. Long-term care hospital.

~~A. The department will determine the base year operating cost per day for Minnesota and local trade area hospital admissions to a long-term care hospital as designated by Medicare for the rate year according to items A subitems (1) and B (2).~~

~~A. (1) Determine the operating cost per day according to part 9500.1110, subpart 1, items A to E D, except that claims excluded in part 9500.1110, subpart 1, item B, subitems (2) and (4), will be included and the ratios in part 9500.1110, subpart 1, item E, subitem (2), will be adjusted to exclude certified registered nurse anesthetist costs and charges if separate billing for these services is elected by the hospital.~~

~~B. (2) Divide the total base year operating costs for all admissions in item A subitem (1) by the total corresponding inpatient hospital days for all admissions and round that amount to whole dollars.~~

B. For long-term care hospitals that do not have five or more medical assistance admissions in the base year, the department will determine a long-term care hospital operating cost per day according to subitems (1) to (3):

(1) Multiply each operating cost per day for each long-term care hospital as determined in item A, subitem (2), by the number of corresponding days in the hospital's base year.

(2) Add the products in subitem (1).

(3) Divide the total from subitem (2) by the total days for all long-term care hospitals and round that amount to whole dollars.

9500.1120 DETERMINATION OF HOSPITAL COST INDEX.

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

Subp. 2. Determination of hospital cost index. For the period from the midpoint of each hospital's base year to the midpoint of the rate year, or, when the base year is not rebased, from the midpoint of the prior rate year to the midpoint of the current rate year, the department shall determine the hospital cost index according to items A ~~to F~~ and B.

A. The commissioner shall obtain from Data Resources, Inc., the ~~average annual historical and projected cost change estimates in a decimal format for the operating costs in subitems (1) to (7):~~ change in the Consumer Price Index - All Items (United States city average) (CPI-U) in the third quarter of the prior rate year.

~~(1) wages and salaries;~~

~~(2) employee benefits;~~

~~(3) medical and professional fees;~~

~~(4) raw food;~~

~~(5) utilities;~~

~~(6) insurance including malpractice; and~~

~~(7) other operating costs.~~

~~B. Obtain data for operating costs of hospitals in Minnesota which indicate the proportion of operating costs attributable to item A, subitems (1) to (7).~~

~~C. For each category in item A, multiply the amount determined in item B by the applicable amount determined in item A.~~

~~D. Add the products determined in item C and limit this amount to the statutory maximums on the rate of increase. Round the result to three decimal places.~~

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Proposed Rules

~~E. For the period beginning October 1, 1992, through June 30, 1993, add 0.01 to the medical assistance index, excluding general assistance medical care, in item D.~~

~~F. B.~~ Add one to the amounts ~~calculated~~ in item ~~E A~~ and multiply these amounts together. Round the result to three decimal places.

9500.1121 DETERMINATION OF DISPROPORTIONATE POPULATION ADJUSTMENT.

Subpart 1. **Eligibility for disproportionate population adjustment.** To be eligible for a disproportionate population adjustment, ~~the a Minnesota or local trade area~~ hospital must meet the requirements of item B under general assistance medical care and item A and item C, D, or E under medical assistance.

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

B. The hospital has a base year days utilization rate of medical assistance inpatient days, including medical assistance inpatient days with another state but excluding general assistance medical care and Medicare crossovers, divided by total inpatient days that exceeds the arithmetic mean plus one standard deviation for Minnesota and local trade area hospitals. The difference is added to one and rounded to four decimal places.

C. The hospital has a base year days utilization rate of medical assistance inpatient days, including medical assistance inpatient days with another state but excluding general assistance medical care and Medicare crossovers, divided by total inpatient days that exceeds the arithmetic mean for Minnesota and local trade area hospitals. The difference is added to one and rounded to four decimal places.

D. The hospital has a base year days utilization rate of medical assistance inpatient days, including medical assistance inpatient days with another state but excluding general assistance medical care and Medicare crossovers, divided by total inpatient days that exceeds the arithmetic mean plus one standard deviation for Minnesota and local trade area hospitals. The difference is multiplied by 1.1 and added to one and rounded to four decimal places.

E. The hospital has a base year low-income utilization rate that exceeds 0.25. This rate is calculated by dividing medical assistance revenues, including medical assistance revenues with another state but excluding general assistance medical care, plus any cash subsidies received by the hospital directly from state and local government by total revenues plus the cash subsidies amount. This rate is added to the quotient of inpatient "charity care" charges minus the cash subsidies divided by total inpatient charges. The result is added to one and rounded to four decimal places. For purposes of this part, "charity care" is care provided to individuals who have no source of payment from third-party or personal resources.

[For text of subp 2, see M.R.]

9500.1122 DETERMINATION OF PROPERTY COST PER ADMISSION.

Subpart 1. **Minnesota and local trade area hospitals.** The department will determine the property cost per admission for each Minnesota and local trade area hospital according to items A to D.

A. Determine the property cost for each ~~hospital~~ admission in part 9500.1110, subpart 1, item ~~D C~~, using each hospital's base year data according to subitems (1) to (4).

(1) Multiply the number of accommodation service inpatient days by that accommodation service property per diem and add the products.

(2) Multiply each ancillary charge by that ancillary property cost-to-charge ratio and add the products.

(3) Add subitems (1) and (2).

(4) Add the results of subitem (3) for all admissions for each hospital.

B. Determine the property cost for each hospital admission in part 9500.1110, subpart 1, item ~~D C~~, using each hospital's base year data and recent year data from part 9500.1105, subpart 1, item A, subitem ~~(3) (4)~~, according to subitems (1) to (4).

[For text of subitems (1) to (4), see M.R.]

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

D. Determine the property cost per admission by program and specialty group according to subitems (1) to (3).

[For text of subitems (1) and (2), see M.R.]

(3) Add the products within each program and specialty group in subitem (2), divide the total by the number of corresponding admissions, and round the resulting amount to whole dollars.

Subp. 2. **Out-of-area hospitals.** The department will determine the property cost per admission by program for out-of-area hospitals according to items A to C.

A. Multiply each property cost per admission ~~in effect on the first day of a rate year~~ for each Minnesota and local trade area hospital determined in subpart 1, item D, subitem (3), by the number of corresponding admissions in that hospital's base year.

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

Subp. 3. **Minnesota metropolitan statistical area hospitals and local trade area ~~metropolitan statistical area~~ hospitals that do not have five or more medical assistance admissions in the base year and low volume local trade area hospitals.** The department will determine the property cost per admission by program ~~and specialty group for Minnesota and local trade area metropolitan statistical area hospitals that do not have medical assistance admissions in the base year~~ according to items A to C.

A. Multiply each property cost per admission ~~in effect on the first day of a rate year~~ for each Minnesota metropolitan statistical area hospital and local trade area ~~metropolitan statistical area~~ hospital determined in subpart 1, item D, subitem (3), by the number of corresponding admissions in the hospital's base year.

B. Add the products in item A.

C. Divide the total from item B by the total admissions for all Minnesota metropolitan statistical area and local trade area hospitals and round the resulting amount to whole dollars.

Subp. 4. **~~Minnesota and local trade area~~ Nonmetropolitan statistical area hospitals that do not have five or more medical assistance admissions in the base year.** The department will determine the property cost per admission by program ~~and specialty group for Minnesota and local trade area~~ nonmetropolitan statistical area hospitals that do not have five or more medical assistance admissions in the base year by substituting nonmetropolitan statistical area hospitals terms and data for the metropolitan statistical area hospitals terms and data under subpart 3.

Subp. 5. **Minnesota and local trade area hospitals that do not have five or more medical assistance rehabilitation distinct part specialty group admissions in the base year.** The department will determine the property cost per admission for the rehabilitation distinct part specialty group for Minnesota and local trade area hospitals that do not have five or more medical assistance admissions in the base year substituting Minnesota and local trade area hospital terms and data for the metropolitan statistical area hospital terms and data under subpart 3.

9500.1123 DETERMINATION OF HOSPITAL PAYMENT ADJUSTMENT.

Minnesota and local trade area hospitals that do not meet the disproportionate population adjustment payment requirements under part 9500.1121, subpart 1, item A, will receive a hospital payment adjustment according to the amount determined in part 9500.1121, subpart 1, item C, D, or E, subject to part 9500.1121, subpart 2. For purposes of this part, medical assistance does not include general assistance medical care.

9500.1124 DETERMINATION OF PROPERTY COST PER DAY.

Subpart 1. Neonatal transfers.

A. For Minnesota and local trade area hospitals, the department will determine the property cost per day for neonatal transfer admissions that result from a transfer to a neonatal intensive care unit specialty group according to part 9500.1122, subpart 1, item D, after substituting the term "day" for "admission."

B. For Minnesota and local trade area hospitals that do not have five or more medical assistance neonatal transfer admissions in the base year, the department will determine the neonatal transfer property cost per day for admissions in the base year according to part 9500.1122, subpart 3, after substituting the term "day" for "admission."

Subp. 2. Long-term care hospitals.

A. For long-term care hospitals, the department will determine the property cost per day for Minnesota and local trade area hospital admissions to a long-term hospital as designated by Medicare for the rate year according to subpart 1, item A, except that claims excluded in part 9500.1110, subpart 1, item B, subitems (2) and (4), will be included.

B. For long-term care hospitals that do not have five or more medical assistance long-term care hospital admissions in the base year, the department will determine a long-term care hospital property cost per day according to part 9500.1122, subpart 3, after substituting the term "day" for "admission."

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Proposed Rules

9500.1127 DETERMINATION OF SMALL RURAL PAYMENT ADJUSTMENT.

Subpart 1. Eligibility for small rural payment adjustment of 20 percent. A Minnesota hospital is eligible for a small rural payment adjustment of 20 percent increase to its payment rates, excluding Medicare crossovers, if it meets the requirements in items A to C. For purposes of this subpart, medical assistance does not include general assistance medical care.

A. The hospital had 100 or fewer medical assistance annualized paid admissions, excluding Medicare crossovers, that were paid by March 1, 1988, for the period January 1, 1987, to June 30, 1987.

B. The hospital had 100 or fewer licensed beds on March 1, 1988.

C. The hospital is not located in a city of the first class.

Subp. 2. Eligibility for small rural payment adjustment of 15 percent. A Minnesota hospital is eligible for a small rural payment adjustment of 15 percent increase to its payment rates, excluding Medicare crossovers, if it meets the requirements in items A to B. For purposes of this subpart, medical assistance does not include general assistance medical care.

A. The hospital had more than 100 but fewer than 250 medical assistance annualized paid admissions, excluding Medicare crossovers, that were paid by March 1, 1988, for the period January 1, 1987, to June 30, 1987.

B. The hospital meets the requirements of subpart 1, items B and C.

Subp. 3. Limitation of small rural payment adjustment. A Minnesota hospital eligible for the small rural payment adjustment under subpart 1 or 2 that is also eligible for the disproportionate population adjustment under part 9500.1121 or the hospital payment adjustment under part 9500.1123, is eligible for payments under those parts plus any amount by which the small rural payment adjustment exceeds the adjustments under those parts.

9500.1128 DETERMINATION OF PAYMENT RATES.

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

Subp. 2. Rate per admission.

A. Each admission is classified to the appropriate program or the rehabilitation distinct part specialty group and diagnostic category according to part 9500.1100, subparts 20a to 20g, and the rate per admission will be determined according to subitems (1) and (2):

- | | | |
|--|---|--|
| (1) Medical Assistance Rate Per Admission | = | (Adjusted base year operating cost per admission multiplied by the relative value of the diagnostic category) plus the property cost per admission) and multiplied by the disproportionate population adjustment <u>under part 9500.1121 or the hospital payment adjustment under part 9500.1123</u> |
| (2) General Assistance Medical Care Rate per Admission | = | (Adjusted base year operating cost per admission multiplied by the relative value of the diagnostic category and multiplied by the disproportionate population adjustment <u>under part 9500.1121</u>) plus the property cost per admission |

~~B. The metabolic testing fee for newborns that is paid to the Department of Health will be added to the rate per admission for each birth until the fee is included in the base year allowable operating costs of the hospital.~~

~~C.~~ The day outlier rates are rate is in addition to the rate per admission and will be determined by program or the rehabilitation distinct part specialty group as follows:

- (1) The rate per day for day outliers, as classified in item A, is determined as follows:

Outlier Rate Per Day = Adjusted base year operating cost per day outlier multiplied by the relative value of the diagnostic category and multiplied by the disproportionate population adjustment under part 9500.1121 or the hospital payment adjustment under part 9500.1123

(2) The days of outlier status begin after the trim point for the appropriate diagnostic category and continue for the number of days a patient receives covered inpatient hospital services excluding days paid under item E.

~~D. C.~~ Except for admissions subject to subpart 3, a transfer rate per day for both the hospital that transfers a patient and the hospital that admits the patient who is transferred will be determined as follows:

Transfer Rate Per Day = The rate per admission in item A divided by the arithmetic mean length of stay of the diagnostic category

(1) A hospital will not receive a transfer payment that exceeds the hospital's applicable rate per admission specified in item A unless that admission is a day ~~or cost~~ outlier.

(2) Except as applicable under subpart 4, rehabilitation hospitals and rehabilitation distinct parts are exempt from a transfer payment.

(3) An admission that directly precedes an admission to a non-state-owned hospital that provides psychiatric inpatient hospital services to persons with serious and persistent mental illness who have been civilly committed or voluntarily hospitalized in lieu of commitment and that is paid according to a contracted rate per day with the department is exempt from a transfer payment.

D. An admission classified to DRGs 386 to 390 whose length of stay is less than 50 percent of the arithmetic mean length of stay for the diagnostic category the admission is classified to under part 9500.1100, subparts 20a to 20g, and whose age at the time of admission is equal to or greater than one year, will be paid according to item C.

E. For an admission whose length of stay exceeds 365 days, the payment for the inpatient hospital services provided beyond 365 days will be the charges for those inpatient hospital services multiplied by the hospital's operating cost-to-charge ratio for all admissions determined under part 9500.1110, subpart 1, item D, subitem (4), and multiplied by the disproportionate population adjustment under part 9500.1121 or the hospital payment adjustment under part 9500.1123. This item is not applicable to rate per day payments under subpart 3.

F. For an admission that is classified to a diagnostic category that includes neonatal respiratory distress syndrome, the hospital must have a level II or level III nursery and the patient must receive treatment in that unit or payment will be made without regard to the respiratory distress syndrome condition.

G. A general assistance medical care admission classified to DRGs 424 to 432, 434, and 435 will be paid according to item C except that the per day rate will be multiplied by a factor of two.

Subp. 3. **Rate per day.**

A. Admissions resulting from a transfer to a neonatal intensive care unit specialty group and classified to a diagnostic category in part 9500.1100, subpart 20f, will have rates determined according to subpart 2, item A, after substituting the word "day" for "admission."

B. Admissions or transfers to a long-term care hospital ~~as designated by Medicare for the rate year~~ will have rates determined according to subpart 2, item A, after substituting the word "day" for "admission," without regard to relative values.

Subp. 4. **Readmissions.** An admission and readmission of the same patient to the same or a different hospital within 15 days, excluding the days of discharge and readmission, is eligible for reimbursement payment according to the criteria in parts ~~9505.0500~~ 9505.0501 to 9505.0540 9505.0545.

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Proposed Rules

9500.1129 PAYMENT LIMITATIONS.

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

Subp. 2. **Transfers.** A discharging hospital is not eligible for a transfer payment for services provided to a discharged patient if the admission to the discharging hospital was not due to an emergency, as defined in part ~~9505.0500~~ 9505.0505, subpart ~~11~~ 12, and the discharging hospital knew or had reason to know at the time of admission that the inpatient hospital services were outside the scope of the hospital's available services and the transfer to another hospital resulted because of the patient's need for those services.

9500.1140 APPEALS.

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

Subp. 3. **Case mix appeals.** A hospital may appeal a payment change that results from a difference in case mix between the base year and rate year. The appeal must be received by the commissioner or postmarked no later than 120 days after the end of the appealed rate year. A case mix appeal will apply to all medical assistance patients who received inpatient hospital services from the hospital for which the hospital received medical assistance payment excluding Medicare crossovers and the appeal is effective for the entire rate year. A case mix appeal excludes medical assistance admissions whose payments have been made according to part 9500.1130, subpart 1b, item E. A case mix appeal excludes medical assistance admissions that have a relative value of zero for its DRG. The results of case mix appeals do not automatically carry forward into later rate years. Separate case mix appeals must be submitted for each rate year based on the change in the mix of cases for that particular rate year. An adjustment will be made only to the extent that the need is attributable to circumstances that are separately identified by the hospital. The hospital must demonstrate that the average acuity or length of stay of patients in each rate year appealed has increased or services have been added or discontinued according to items A to ~~E~~ I.

A. The change must be measured by use of case mix indices derived using all ~~federal diagnostic related groups~~ DRGs. Relative values for each DRG will be determined according to part 9500.1110, subpart 1, by substituting DRG terms and data for diagnostic category terms and data. DRG relative values will be determined based on all programs and the rehabilitation distinct part specialty group. Separate DRG relative values will be determined for transfers to the neonatal intensive care unit specialty group. For each program and specialty group, make the determinations in subitems (1) to (6).

(1) Multiply the hospital's number of rate year admissions within each DRG by the relative value of that DRG.

(2) Add together each of the products determined in subitem (1).

(3) Divide the total from subitem (2) by the hospital's number of rate year admissions and round the quotient to five decimal places.

(4) Complete the functions in subitems (1) to (3) for the hospital's base year admissions determined in part 9500.1110, subpart 1, item C.

(5) Divide the quotient determined in subitem (3) by the quotient determined in subitem (4).

(6) Multiply subitem (5) by 100 and round the percentage to five decimal places.

B. The percentage change, in whole numbers, between the recalculated case mix indices under item A will be reduced by the change in indices as measured using diagnostic ~~groups~~ categories in part 9500.1100, subparts 20b to 20g. For each program and specialty group, make the determinations in subitems (1) to (8).

(1) Multiply the hospital's number of rate year admissions within each diagnostic category by the relative value of that diagnostic category as determined in part 9500.1100.

(2) Add together each of the products determined in subitem (1).

(3) Divide the total from subitem (2) by the hospital's number of rate year admissions and round the quotient to five decimal places.

(4) Complete the functions in subitems (1) to (3) for the hospital's base year admissions determined in part 9500.1110, subpart 1, item C.

(5) Divide the quotient determined in subitem (3) by the quotient determined in subitem (4).

(6) Multiply subitem (5) by 100 and round the percentage to five decimal places.

(7) Divide item A, subitem (6), by subitem (6).

(8) Multiply subitem (7) by 100 and round the percentage change to whole numbers.

C. ~~The resulting percentage change in item B, will be multiplied by~~ Determine the payments made for admissions occurring during the appealed rate year under part 9500.1128 reduced by property payments made under parts 9500.1129 and 9500.1130 9500.1121, 9500.1122, 9500.1123, 9500.1124, and 9500.1126 for each program and specialty group.

D. Multiply item B, subitem (8), by item C for each program and specialty group.

E. Subtract item C from item D for each program and specialty group.

F. Add the differences in item E.

G. Add the differences in item C.

H. Divide item F by item G. If the quotient is less than positive 0.05 and more than negative 0.05, there can be no payment adjustment for a change in case mix.

I. Subtract 0.05 from the quotient in item H if the quotient is positive or add 0.05 if the quotient is negative.

J. Multiply item G by item I. If the product is positive, there is an underpayment with that amount due the hospital. If the product is negative, there is an overpayment with that amount due the department.

[For text of subps 4 to 6, see M.R.]

REPEALER. Minnesota Rules, parts 9500.1100, subpart 36; 9500.1150; and 9500.1155, are repealed.

Board of Teaching

Proposed Permanent Rules Relating to Teacher Licensing

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

Proposed Permanent Rules Relating to Teacher Licensing [*Minnesota Rules, Parts 8710.1250, Subparts 2a and 4; 8710.4525; 8710.4725; 8710.5900; 8710.8000; 8710.8010; 8710.8020; 8710.8030; 8710.8040; 8710.8050; 8710.8060; 8710.8070; 8710.8080; and Repeal of Parts 8750.0010; 8750.0020; 8750.0030; 8750.0040; 8750.0050; 8750.0060; 8750.0070; 8750.0071; 8750.0072; 8750.0073; 8750.0082; 8750.0085; 8750.0090; 8750.3000; 8750.3010; 8750.3050; 8750.3100; 8750.3150; 8750.3170; 8750.3200; 8750.3250; 8750.3300; 8750.3350; 8750.3400; 8750.3420; 8750.3450; 8750.3500; 8750.3550; 8750.3600; 8750.3620; 8750.3650; 8750.3800; 8750.3810; 8750.3820; 8750.3830; 8750.3840; 8750.6000; 8750.6100; 8750.6200; 8750.6300; 8750.6500, and, in Part 8710.0500, version of Subpart 11, adopted at 25 SR 805.*]

Introduction. The Board of Teaching intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:00 p.m. on October 10, 2001, a public hearing will be held in Conference Center Room 13/14, Department of Children, Families, and Learning, 1500 Highway 36 West, Roseville, Minnesota 55113, starting at 9:00 a.m. on Thursday, November 1, 2001. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after October 10, 2001, and before November 1, 2001.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Michael Tillmann at The Minnesota Board of Teaching, 1500 Highway 36 West, Roseville, Minnesota 55113. His phone number is (651) 582-8835. **TDD** users may call the Board of Teaching at (651) 582-8201.

Subject of Rules and Statutory Authority. The general authority of the Board of Teaching to adopt teacher licensure rules is established in *Minnesota Statutes*, section 122A.09, subdivision 4. Authority to adopt rules regarding licensing of Teachers of Reading is further established in *Laws of Minnesota 2001*, First special Session, Chapter 13, section 5. The proposed rules are about teacher licensure requirements for teachers of keyboarding for computer applications, teachers of reading, and teachers of

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Proposed Rules

several career and technical education. The proposed rules also include the repeal of several obsolete or unnecessarily duplicative rules. A copy of the proposed rules is published in the State Register and attached to this notice as mailed.

Comments. You have until 4:00 p.m. on Wednesday, October 10, 2001, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

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 4:00 p.m. on October 10, 2001. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. 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 November 1, 2001, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 582-8833 after October 10, 2001, 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*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Beverly Jones Heydinger is assigned to conduct the hearing. Judge Heydinger can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **phone:** (612) 341-7606, and **fax:** (612) 349-2665.

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 before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. 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. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments 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. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

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

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the State Campaign Finance and Public Disclosure Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **phone:** (651) 296-5148 or (800) 657-3889.

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

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

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

Dated: 17 August 2001

Michael L. Tillmann
Executive Director
Minnesota Board of Teaching

8710.1250 TEMPORARY LIMITED LICENSES.

Subpart 1. **Authority to issue temporary limited licenses.** The Board of Teaching authorizes the issuance of temporary limited licenses that permit a person to teach in an area for which the person has not completed an approved preparation program that leads to licensure by the Board of Teaching.

Subp. 2. **Criteria for issuance.** The Board of Teaching shall grant a temporary limited license authorized by subpart 1 to an applicant if it finds that the following conditions are met:

A. the designated administrator of the employing school district or charter school requests a temporary limited license according to this part;

B. the designated administrator of the employing school district or charter school verifies in writing that:

(1) no applicant holding a license in a subject or field for which a temporary limited license is requested can fulfill the requirements of the position;

(2) the position has been advertised, and if the position is one-half time or more, the position has been advertised statewide;

(3) the school district or charter school will provide a mentor to give support and assistance in necessary skill development for the person holding a temporary limited license;

(4) the applicant for whom the temporary limited license is requested holds a baccalaureate degree from a college or university accredited by the regional association for the accreditation of colleges and secondary schools; and

(5) the applicant has completed a college or university degree with at least a minor in the area for which teacher licensure is requested, or a degree directly related to the professional preparation for which educational speech/language pathology, school nurse, school psychologist, school social worker, or school counselor licensure is requested. An applicant for a temporary limited license as a school nurse must also provide evidence of current registration to practice as a licensed registered nurse and current registration as a public health nurse under the Board of Nursing. An applicant for a temporary limited license as a school social worker must also provide evidence of current licensure to practice as a social worker under the Board of Social Work.

Subp. 2a. Exception for temporary limited licenses for career and technical fields. Limited licenses shall be issued for teaching career and technical fields under parts 8710.8010 to 8710.8080 to applicants who do not meet the criteria defined in subpart 2, item B, subitem (4), if the employing school district verifies that the individual has completed specific training for and at least four years of full-time employment or the equivalent in an occupation of the employment field to be taught. Renewal of tem-

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Proposed Rules

porary limited licenses issued under this subpart must require evidence of the applicant's having completed eight semester credits toward full licensure within the previous year. All other provisions of this part apply.

Subp. 3. **Validity and duration of temporary limited licenses.** An application for a temporary limited license must not be submitted prior to August 1 of the school year for which it is requested. A temporary limited license is issued for one school year or a portion of a school year from the date of issuance to the following June 30 and is valid for use in the requesting school district or charter school only. If the requesting school district or charter school offers summer school, a temporary limited license that expires on June 30 is valid for teaching summer school in the year of expiration of the license.

Subp. 4. **Number of temporary limited licenses allowed.** Beginning with temporary limited licenses issued on or after October 16, 2000, no more than three temporary limited licenses shall be granted to an applicant under subpart 2 and no more than five temporary limited licenses shall be granted to an applicant under subpart 2a.

Subp. 5. **Exception for applicants prepared in Minnesota teacher preparation institutions.** A graduate of a Minnesota teacher preparation institution who has been granted a temporary limited license under subpart 2 but has not successfully completed the skills area examination may renew the temporary limited license two times. To renew a temporary limited license an applicant must:

A. provide an official score report which verifies having taken the examination during the period of each temporary limited license; and

B. provide evidence of participating in an approved remedial assistance program provided by a school district or postsecondary institution that includes a formal diagnostic component in the specific areas in which the applicant did not obtain qualifying scores during the period of each temporary limited license.

Subp. 6. **Exception for applicants prepared outside Minnesota.** An applicant who has completed a licensure program outside Minnesota may be granted a temporary limited license under part 8710.0400.

8710.4525 TEACHERS OF KEYBOARDING FOR COMPUTER APPLICATIONS.

Subpart 1. Scope of practice. A teacher of keyboarding for computer applications is authorized to provide to students in grades kindergarten through 8 age-appropriate instruction that is designed to teach keyboarding knowledge, application, and skills, including keyboarding terminology, techniques, ergonomics, and appropriate fingering on computer keys, and basic computer applications, including word processing, graphics, multimedia presentations, and gathering information from electronic sources. Nothing in this part prevents a teacher of elementary education from teaching keyboarding or computer applications to the teacher's own classroom or prevents a teacher of business education from teaching keyboarding and computer applications to students at the grade levels for which the teacher is licensed as a teacher of business education. Nothing in this part prevents any teacher from teaching students to use technology applications appropriate to their curriculum nor discourages any teacher from integrating technology into curriculum and instruction.

Subp. 2. Licensure requirements. A candidate for licensure endorsement to teach keyboarding for computer applications to students in grades kindergarten through 8 shall hold or qualify for a valid Minnesota classroom teaching license and must have successfully completed a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure endorsement as a teacher of keyboarding for computer applications under this part.

Subp. 3. Subject matter standard. A candidate for licensure endorsement as a teacher of keyboarding for computer applications in grades kindergarten through 8 must successfully complete a preparation program under subpart 2 that includes the candidate's demonstration of the knowledge and skills in items A and B.

A. A teacher of keyboarding for computer applications understands and applies:

(1) knowledge of computers and similar technology, including hardware, software, file management, care of equipment, security, and ethical issues relating to the use of computers and technology;

(2) knowledge of keyboarding, including techniques, ergonomics, skill development, and editing; and

(3) knowledge of computer applications, including word processing, graphics, multimedia presentations, the Internet, and electronic mail.

B. A teacher of keyboarding for computer applications integrates knowledge of computers, keyboarding, and computer applications with understanding of pedagogy, students, learning, methods, processes of evaluation, classroom management, and professional development. The teacher must:

(1) understand the physical, social, emotional, moral, and cognitive development of students in grades kindergarten through 8;

(2) understand and apply the research base for and the best practices of teaching keyboarding and computer applications to students in grades kindergarten through 8;

(3) develop curriculum goals and purposes based on the central concepts of keyboarding and computer applications and know how to apply instructional strategies and materials for achieving student understanding of this discipline; and

(4) apply the standards under part 8710.2000 to teaching keyboarding and computer applications to students in grades kindergarten through 8 in a variety of clinical experiences.

Subp. 4. **Professional license.** A professional license shall be issued and renewed according to the rules of the Board of Teaching governing licensure.

8710.4725 TEACHERS OF READING.

Subpart 1. **Scope of practice.** A teacher of reading is authorized to facilitate and provide for grades kindergarten through 12 students instruction that is designed to develop reading skills, strategies, and comprehension. The teacher of reading is also authorized to provide assistance to teachers who have responsibility for providing reading instruction. Nothing in this rule restricts teachers of elementary education or teachers of special education from providing reading instruction to students they are licensed to teach nor restricts any other teacher from providing instruction in reading in their content areas.

Subp. 2. **Licensure requirements.** A candidate for licensure to teach reading to students in grades kindergarten through 12 shall:

A. hold or qualify for a professional license valid for classroom teaching in prekindergarten, adult basic education, or grades kindergarten through 6, 1 through 6, 5 through 8, 9 through 12, or kindergarten through 12; and

B. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of reading including standards under subpart 3.

Subp. 3. **Subject matter standard.** A candidate for licensure as a teacher of reading must complete a preparation program under subpart 2, item B, that must include the candidate's demonstration of the knowledge and skills in items A to C.

A. A teacher of reading understands the reading process and the process of learning to read and can design developmentally appropriate curriculum and instruction that advance students' reading proficiency and encourages them to value reading. The teacher knows and can apply research, theory, and best practices to teach and foster:

(1) emergent reading skills such as phonemic awareness, alphabet recognition, and understanding that printed words convey meaning;

(2) word recognition skills including phonics, blending, structural analysis, and contextual analysis;

(3) developing an initial sight vocabulary and an increasingly larger and more complex vocabulary, mastering word-learning strategies such as the use of context and structural analysis, and developing word consciousness;

(4) fluency and automaticity in both oral and silent reading;

(5) comprehension and appreciation of a wide range of children's, adolescent, and adult narratives;

(6) comprehension and learning from expository texts such as articles, essays, textbooks, technical manuals, and original documents found in a variety of disciplines and content areas in and out of school;

(7) comprehension strategies such as adjusting reading approach, activating background knowledge, summarizing, generating questions, constructing mental representations, and self-monitoring;

(8) understanding, remembering, valuing, and using information gained from reading in and outside of school;

(9) higher-order thinking skills and behaviors such as thinking independently, withholding judgment, recognizing point of view and bias, and considering multiple solutions;

(10) writing to advance reading development and learning from text; and

(11) reading widely and independently for learning, understanding, and enjoyment.

B. A teacher of reading understands how to assess the reading development of individual students and groups of students, how to use assessment data to design appropriate reading curriculum and instruction based on the assessment data, and how to communicate this information to relevant audiences. The teacher of reading understands and can apply:

(1) best practice in individual and group reading assessment;

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(2) sound principles of analysis and evaluation of individual and group reading assessment data;

(3) sound principles in assessing, analyzing, and evaluating reading curriculum;

(4) informed analysis for advising and implementing reading curricular and instructional decisions based on data; and

(5) best practice in selection of strategies, materials, and instruction for students with a wide range of reading background and skills ranging from students in need of early intervention or remediation to students with exceptionally advanced reading skills and needs.

C. A teacher of reading integrates knowledge of reading with the teacher's understanding of pedagogy, students, learning, classroom management, and professional and instructional development and leadership. The teacher of reading must:

(1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of children, preadolescents, and adolescents;

(2) understand and apply the current knowledge and research-based best practices in reading education at the elementary, middle level, and high school levels and communicate these to colleagues and the wider community;

(3) understand the role and alignment of district, school, and department missions and goals in reading program planning as well as current state and federal legislation as it relates to reading;

(4) understand, provide, and model instructional strategies to improve student reading across the curriculum;

(5) know fiscal, budgetary, and purchasing practices for operating a comprehensive reading program;

(6) understand and apply the standards of effective practice in teaching students reading through a variety of early and ongoing clinical experiences with elementary, middle level, and high school students within a range of educational programming models;

(7) develop curriculum, strategies, and materials based on the knowledge that reading is the process of constructing meaning through the interaction of the reader's existing knowledge, the information suggested by the written language, and the reading context;

(8) understand and apply instructional and informational technologies and electronic resources to support literacy;

(9) be able to provide professional development that supports supplementing and improving reading instruction and curriculum; and

(10) know what resources are available from professional organizations whose mission is the improvement of literacy.

Subp. 4. Professional license. A professional license shall be issued and renewed according to the rules of the Board of Teaching governing licensure.

8710.5900 CAREER AND TECHNICAL EDUCATION ACCOMMODATION SPECIALIST FOR STUDENTS WITH DISABILITIES.

Subpart 1. Scope of practice. A career and technical education accommodation specialist for students with disabilities is authorized to analyze and evaluate vocational training potential, interests, and opportunities; develop career goals, transition needs, and lifework plans; coordinate appropriate career and technical education opportunities and programs; and manage plans for meeting vocational preparation of special needs students.

Subp. 2. License requirements. A candidate for licensure as a career and technical education accommodation specialist for students with disabilities shall hold a baccalaureate degree in education or special education or a baccalaureate degree in vocational rehabilitation or a graduate degree in vocational rehabilitation counseling or a graduate degree in vocational education with a special population specialization from a regionally accredited college or university; and a special education license under part 8710.5100, 8710.5200, 8710.5250, 8710.5400, 8710.5600, 8710.5700, or 8710.5800, and have successfully completed a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of special education; and have successfully completed a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of career and technical education.

Subp. 3. Subject matter standards. A candidate for licensure as a career and technical education accommodation specialist for students with disabilities must successfully complete a preparation program under subpart 2 that includes the candidate's demonstration of the knowledge and skills in items A to D.

A. A career and technical education accommodation specialist for students with disabilities understands various models, methods, and practices of career and technical education and can meet the needs of students with disabilities. The coordinator understands:

(1) health and safety needs of students to provide a safe education and work environment;

(2) career and technical education programs such as work-based learning, school-based enterprise, and how students access those programs to gain preparation they need to meet their career goals;

(3) industry standards for employment;

(4) laws and rules regarding education, employment, and equity;

(5) family structures and dynamics;

(6) labor markets and employment trends;

(7) important trends in the nature of work settings; and

(8) graduation standards and how to facilitate appropriate modifications for students with special needs.

B. A career and technical education accommodation specialist for students with disabilities understands and applies processes of referral, assessment, curriculum team planning, and program placement and intervention. The teacher:

(1) understands career and vocational testing instruments and interpretation of their results;

(2) adapts and modifies curriculum and instruction to meet individual learner needs;

(3) compiles student productivity data and provides verbal, written, and graphic presentations;

(4) knows various teaching and learning styles and strategies that accommodate individual needs;

(5) adapts and uses assisted technologies and resources for educational and vocational accommodations;

(6) develops and implements performance evaluation plans based on individual student productivity;

(7) assesses and documents a learner's skills and abilities through appropriate educational methodology; and

(8) teaches self-advocacy skills necessary for success in future training or employment.

C. A career and technical education accommodation specialist for students with disabilities understands how to design and manage a system for developmental services and accommodations for students with special needs in career and technical education. The specialist:

(1) identifies and allocates resources required to perform effective, efficient service coordination;

(2) collaborates with school personnel, advocacy groups, and outside agencies to ensure equal access and in career and technical programs;

(3) designs systems that monitor delivery of services and special accommodations for the purpose of program improvement;

(4) provides and coordinates professional development activities for career and technical faculty to enhance understanding of students with special needs;

(5) designs and implements student advising systems and lifework planning skills for career and technical transition to the work and lifelong learning; and

(6) establishes and maintains positive, collaborative relationships with students, families, community agencies, business and labor representatives, and other professionals to support students' lifework plans.

D. A career and technical education accommodation specialist for students with disabilities understands career development and development of transitional and lifework plans. The teacher:

(1) understands career development theory and its application to students with disabilities;

(2) possesses skills needed to develop and interpret career portfolios and lifework plans;

(3) interprets, or obtains interpretations from appropriate experts when necessary, medical, psychological, social, special education case files, and vocational data for the development of transition and lifework plans;

(4) applies local and regional labor market information to the development of lifework plans;

(5) knows industry standards for employment;

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- (6) identifies and implements accommodations for special needs students in the workplace;
- (7) knows career resources such as libraries, community, and Internet systems as they apply to lifework planning;
- (8) facilitates the development of realistic occupational goals and academic standards for students with disabilities; and
- (9) facilitates the job and educational placement of students with disabilities.

Subp. 4. **Professional license.** A professional license shall be issued and renewed according to the rules of the Board of Teaching governing licensure.

8710.8000 CORE SKILLS FOR TEACHERS OF CAREER AND TECHNICAL EDUCATION.

Subpart 1. **Licensure requirements.** A candidate recommended for licensure in career and technical education shall complete the core skill area licensure requirements in subpart 2 as part of each career and technical education preparation program approved under part 8700.7600.

Subp. 2. **Core skill areas.** A teacher of career and technical education has direct practical experience as an employee in an occupation within the scope of the licensure field and possesses the understandings and skills in career and technical education foundations, processes, and instructional design and teaching in items A to E.

A. A teacher of career and technical education understands the philosophy and practice of the field in the secondary education system. The teacher must:

- (1) identify, apply, and evaluate the current state and federal legislation related to career and technical education;
- (2) know how to involve advisory committees, labor, business, and community organizations in the delivery of a comprehensive career and technical education system;
- (3) identify and analyze future demographic trends and their implications for career and technical education; and
- (4) provide instructional settings and programs, including classroom, laboratory, and work and community-based settings that are safe, equitable, and maintain appropriate behavioral norms and relationships among participants.

B. A teacher of career and technical education understands curriculum development and course construction. The teacher is able to:

- (1) design course content comprised of competency-based, contextual learning that contributes to academic knowledge, higher-order reasoning and problem-solving skills, personal and work attitudes, SCANS skills, technical skills including occupation-specific skills, and career exploration and development; and
- (2) develop a strategy for the inclusion of leadership development in such activities as student organizations in career and technical education.

C. A teacher of career and technical education understands safe and appropriate methods of instruction. The teacher can:

- (1) teach safe use of tools, equipment, materials, and processes in career and technical education learning environments;
- (2) demonstrate career and technical education expertise including essentials of craftsmanship, visualization skills, spatial relationships, mechanical aptitude, and successful employment; and
- (3) identify, develop, analyze, use, evaluate, and interpret a variety of assessment tools and measures that demonstrate student attainment of graduation, industry, and occupational skill standards.

D. A teacher of career and technical education understands career development theory and practice. The teacher can:

- (1) assist students in understanding the variety and nature of technical careers;
 - (2) provide students opportunities to explore careers;
 - (3) assist students in evaluating the potential of careers for them as individuals using sound decision-making processes;
 - (4) promote students' understanding of the importance of preparation for career change and the need for lifelong learning;
- and
- (5) assist students in developing their job seeking and job keeping skills and their career portfolios.

E. A teacher of career and technical education understands management of special learning environments. The teacher can:

- (1) utilize fiscal, budgetary, purchasing, and inventory control practices to organize and equip special learning environments, including shops and community-based construction sites; and
- (2) maintain laboratories and equipment to ensure a safe learning environment that provides for efficient use of student instructional time.

Subp. 3. **Program requirements.** An institution applying to the Board of Teaching for approval to prepare teachers under parts 8710.8010 to 8710.8080 shall incorporate the requirements of this part in each preparation program.

8710.8010 TEACHERS OF COMMUNICATIONS TECHNOLOGY CAREERS.

Subpart 1. **Scope of practice.** A teacher of communications technology careers is authorized to provide students in grades 9 through 12 instruction that is designed to develop an effective understanding of current communications technology core skills standards through instruction including the following areas:

- A. academic foundations specific to communications technology;
- B. standard safety practices in communications technology;
- C. professional responsibilities in communications technology;
- D. communications technology careers exploration and investigation;
- E. effects of communications technology; and
- F. applications of production skills in communications technology.

Subp. 2. **Licensure requirements.** A candidate for licensure as a teacher of communications technology careers shall have completed at least a baccalaureate degree from a regionally accredited college or university and a teacher preparation program approved under part 8700.7600 including:

- A. the standards of effective practice under part 8710.2000;
- B. the core skills for teachers of career and technical education under part 8710.8000; and
- C. the standards under subpart 3.

Subp. 3. **Subject matter standard.** A candidate for licensure as a teacher of communications technology careers must complete a preparation program under subpart 2 that includes the candidate's demonstration of the knowledge and skills listed in items A to E.

A. A teacher of communications technology careers must demonstrate the knowledge and applications of the academic subject matter required for proficiency in the following areas:

- (1) apply knowledge of systems specific to the communications technology careers;
- (2) technical reading and writing using charts, manuals, and journals;
- (3) match math activities to communications technology careers processes;
- (4) create and interpret representations of specifications used in communications technology careers;
- (5) use and interpret technical terminology specific to communications technology careers; and
- (6) awareness of emerging products and technologies as related to communications technology careers.

B. A teacher of communications technology careers must demonstrate the knowledge and applications of safety and environmental concerns and policies issued by federal, state, and local regulatory agencies including:

- (1) Occupational Safety and Health Administration (OSHA) rules; and
- (2) Minnesota Pollution Control Agency regulations.

C. A teacher of communications technology careers must demonstrate knowledge and application of legal responsibilities and ethical practices including:

- (1) policies issued by federal, state, and local regulatory agencies, such as copyright laws, rating systems, filters/censorship systems, and mandatory reporting;
- (2) employee protection procedures, such as the "Right to Know" regulations; and
- (3) the management and use of resources, such as: staff policies and procedures, budgets, and training opportunities.

D. A teacher of communications technology careers must demonstrate knowledge by:

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(1) describing potential communications technology career pathways;

(2) describing the levels of education, licensing/certification requirements, employment opportunities, workplace environments, and career growth potential for a specific communications technology career;

(3) utilizing personal occupational experiences to make communications technology careers meaningful to the students;
and

(4) facilitating work-based learning opportunities including job shadowing, internships, and apprenticeship programs.

E. A teacher of communications technology careers must demonstrate the impact of:

(1) how the products, services, and applications may affect various behavior changes;

(2) the range of products, services, and applications available to employers and customers;

(3) quality control and improvement processes as they relate to customer satisfaction;

(4) past and present effects on the environment, socioeconomic status, and nontraditional technology systems; and

(5) the management and use of resources.

F. A teacher of communications technology careers must demonstrate the skills necessary to:

(1) envision, design, select, and use materials and resources to create, assemble, and deploy a finished product;

(2) problem solve, troubleshoot, maintain, repair, and operate equipment; and

(3) estimate and bid products and services.

Subp. 4. **Professional license.** A professional license shall be issued and renewed according to the rules of the Board of Teaching governing licensure.

8710.8020 TEACHERS OF CONSTRUCTION CAREERS.

Subpart 1. **Scope of practice.** A teacher of construction careers is authorized to provide students in grades 9 through 12 instruction that is designed to develop an effective understanding of construction careers including:

A. academic foundations specific to the construction field;

B. construction systems and issues;

C. planning and management in construction;

D. construction career exploration and investigation; and

E. safety and environmental practices in the construction field.

Subp. 2. **Licensure requirements.** A candidate for licensure as a teacher of construction careers shall have completed at least a baccalaureate degree from a regionally accredited college or university and a teacher preparation program approved under part 8700.7600 including:

A. the standards of effective practice under part 8710.2000;

B. the core skills for teachers of career and technical education under part 8710.8000; and

C. the standards under subpart 3.

Subp. 3. **Subject matter standard.** A candidate for licensure as a teacher of construction careers must complete a preparation program under subpart 2 that must include the candidate's demonstration of the knowledge and skills in items A to E.

A. A teacher of construction careers must demonstrate the knowledge and applications of the academic subject matter required for proficiency within the following areas:

(1) knowledge of math and measurement;

(2) skill in technical reading and writing;

(3) knowledge of geography and the environment as it relates to decision making and planning;

(4) construction terminology/vocabulary; and

(5) scientific principles in the planning and construction process.

B. A teacher of construction careers must demonstrate the knowledge and applications of construction systems and issues including:

(1) use of materials;

(2) methods/processes in construction;
(3) use and maintenance of tools and equipment;
(4) understanding of subsystems, such as electrical, plumbing, heating, and landscaping; and
(5) awareness of emerging products and technologies, such as air quality, energy conservation, and computer-controlled systems.

C. A teacher of construction careers must demonstrate knowledge and application of planning, management, and business operation techniques in:

(1) scheduling of work crews and tasks;
(2) financial aspects, such as securing financing, project estimating, and bidding procedures;
(3) management of human and material resources;
(4) understanding and interpreting construction documents, such as project plans, schedules, charts, graphs, and change orders; and
(5) understanding and application of energy and building codes.

D. A teacher of construction careers must demonstrate knowledge of the construction career clusters in the areas of:

(1) potential career paths found in the construction industry;
(2) levels of education, licensing/certification requirements, employment opportunities, and workplace environments including team work and potential career growth;
(3) work-based learning opportunities including job shadowing, internships, and apprenticeship programs;
(4) labor organizations and their impact on the construction trades; and
(5) utilizing personal occupational experiences to make construction careers meaningful to the students.

E. A teacher of construction careers must demonstrate knowledge and application of safety and environmental practices including:

(1) use of tools and equipment;
(2) personal safety concerns including body mechanics and ergonomics;
(3) first aid procedures and universal precautions;
(4) use of energy sources, such as natural gas and electricity;
(5) Environmental Protection Agency (EPA) regulations, such as proper material disposal, indoor air quality, and lead and asbestos abatement;
(6) Occupational Safety and Health Administration (OSHA) regulations;
(7) material safety data sheets (MSDS) adhering to hazardous labeling requirements; and
(8) safety signs, symbols, and labels.

Subp. 4. **Professional license.** A professional license shall be issued and renewed according to the rules of the Board of Teaching governing professional licensure.

8710.8030 TEACHERS OF MANUFACTURING CAREERS.

Subpart 1. **Scope of practice.** A teacher of manufacturing careers is authorized to provide students in grades 9 through 12 instruction that is designed to develop an effective understanding of the following areas:

- A. academic foundations specific to the manufacturing field;
- B. standard safety and environmental practices;
- C. manufacturing career exploration and investigation;

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D. industry skills standards for manufacturing technology; and

E. ethics and legal responsibilities in manufacturing.

Subp. 2. Licensure requirements. A candidate for licensure as a teacher of manufacturing careers shall have completed at least a baccalaureate degree from a regionally accredited college or university and a teacher preparation program approved under part 8700.7600 including:

A. the standards of effective practice under part 8710.2000;

B. the core skills for teachers of career and technical education under part 8710.8000; and

C. the standards under subpart 3.

Subp. 3. Subject matter standard. A candidate for licensure as a teacher of manufacturing careers must complete at least a baccalaureate degree from a regionally accredited college or university and a preparation program under subpart 2 that must include the candidate's demonstration of the knowledge and skills in items A to E.

A. A teacher of manufacturing careers must demonstrate the knowledge and applications of academic subject matter required for proficiency in the following areas:

(1) knowledge of math and science to manufacturing situations within specific manufacturing careers;

(2) technical reading and writing in a manufacturing environment such as creating and interpreting graphs, charts, manuals, journals, and specifications;

(3) problem solving in mathematical applications such as equations, formulas, and processes; and

(4) applying manufacturing terminology for communication with co-workers, customers, and employers.

B. A teacher of manufacturing careers must demonstrate knowledge and application of safety principles according to the rules and regulations of:

(1) the Occupational Safety and Health Administration (OSHA);

(2) the Environmental Protection Agency (EPA); and

(3) the material safety data sheets (MSDS).

C. A teacher of manufacturing careers must demonstrate knowledge and application of manufacturing careers by:

(1) describing potential manufacturing careers;

(2) describing the levels of education, licensing/certification requirements, employment opportunities, workplace environments, potential salaries, and career growth potential; and

(3) utilizing personal occupational experiences to make manufacturing careers meaningful to the students.

D. A teacher of manufacturing careers must demonstrate the knowledge and ability of the processes used to take a blueprint and manufacture a product from beginning to end using industry standards. These processes include:

(1) general processes for manufacturing technology include: blueprint reading, layout techniques, hand tool processes/identifications, measurement techniques, metallurgy, sawing techniques, abrasive processes, drilling techniques, quality control, jigs, fixtures and fasteners, accreditation/certification, laser processes, water cutting, robotics, fluid power systems, foundry processes, sheet metal processes, forging processes, and plastic technologies.

(2) specific processes for machine trades including: precision measurement techniques, milling processes, turning processes, forming processes, precision grinding, numerical control, plastics/laminates processes, electrical discharge machining processes, stereo-lithography, tool and cutter grinding, computer aided drafting (CAD), computer aided machining (CAM), and geometric tolerancing.

(3) specific processes for welding trades including: electrical polarities, electrode classifications, plasma arc cutting (ARC), oxy, fuel cutting (OFC), automatic cutting processes, gouging processes, oxy, acetylene welding (OAW), shielded metal arc welding (SMAW), gas metal arc welding (GMAW), flux core arc welding (FCAW), gas tungsten arc welding (GTAW), submerged arc welding (SAW), plasma arc welding (PAW), hard facing processes, and weld testing (nondestructive/destructive).

E. A teacher of manufacturing careers must demonstrate knowledge and application of legal responsibilities and ethical practices in manufacturing including:

(1) morality and ethics and the relationship of each to manufacturing occupations, such as falsifying documents;

(2) legal and policy issues impacting manufacturing industries, such as errors and omissions, negligence liabilities, and environmental issues and concerns;

(3) understanding the importance of customer satisfaction, such as on-time delivery and quality control;

(4) employee protection documents, such as the Right to Know regulations; and

(5) requirements for reporting and documentation of any activity that adversely affects the welfare of customers and fellow workers, such as incident reports and hazardous material spills.

Subp. 4. Professional license. A professional license shall be issued and renewed according to the rules of the Board of Teaching governing licensure.

8710.8040 TEACHERS OF MEDICAL CAREERS.

Subpart 1. Scope of practice. A teacher of medical careers is authorized to provide students in grades 9 through 12 instruction that is designed to develop an effective understanding of the National Health Care Skills Standards in the following areas:

A. academic foundations specific to the medical field;

B. health care systems and issues;

C. medical communication;

D. ethics and legal responsibilities in health care;

E. medical/health career exploration and investigation; and

F. standard safety and infection control practices.

Subp. 2. Licensure requirements. A candidate for licensure as a teacher of medical careers shall possess or have possessed licensure or certification to practice in a medical career, direct practical experience as a medical professional, and have completed at least a baccalaureate degree from a regionally accredited college or university and a teacher preparation program approved under part 8700.7600 including:

A. the standards of effective practice under part 8710.2000;

B. the core skills for teachers of career and technical education under part 8710.8000; and

C. the standards under subpart 3.

Subp. 3. Subject matter standard. A candidate for licensure as a teacher of medical careers must complete a preparation program under subpart 2 that must include the candidate's demonstration of the knowledge and skills in items A to F.

A. A teacher of medical careers must demonstrate the knowledge and applications of the academic subject matter required for proficiency in the following areas:

(1) knowledge of life sciences such as biology, chemistry, physics, and human growth and development to client care situations within specific medical careers;

(2) reading and writing in health care situations, such as case studies, medical charts, manuals, and journals;

(3) mathematical operations, such as computations for drug and fluid dosages and assessment of client condition; and

(4) health care terminology for interstaff communication and interpretation of information to clients.

B. A teacher of medical careers must demonstrate the knowledge and applications of health care delivery systems and issues including:

(1) where and how factors, such as cost, managed care, technology, an aging population, access to care, alternative therapies, and how lifestyle/behavior changes may affect various health care delivery systems;

(2) the range of services available to clients;

(3) delivery of health care to diverse groups in a variety of situations;

(4) quality improvement processes as they relate to client outcomes;

(5) effects on the health care system caused by past and present influences of technology, epidemiology, bioethics, socioeconomics, and other various forms of complimentary (nontraditional) medicine; and

(6) the use of medical facility resources, such as staff, policy and procedure manuals, and training opportunities.

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Proposed Rules

C. A teacher of medical careers must demonstrate the knowledge and applications of the various methods of giving and obtaining information including:

(1) interpreting, transcribing, and communicating information, data, and observations using medical terminology within various health care situations;

(2) reporting subjective and objective client information in relevant order of occurrence; and

(3) using decision-making models within the context of problem solving in the health care environment.

D. A teacher of medical careers must demonstrate knowledge and application of legal responsibilities and ethical practices in health care, including:

(1) morality and ethics and the relationship of each to health care outcomes;

(2) legal and policy issues impacting health care, such as malpractice, negligence, and liability;

(3) the primacy of client confidentiality;

(4) patient protection documents, such as the Client Bill of Rights and the Vulnerable Adults Protection Act; and

(5) requirements for reporting and documentation of any activity that adversely affects the welfare of clients or fellow workers, such as incident reports, medication, or treatment errors.

E. A teacher of medical careers must demonstrate knowledge of the diagnostic, therapeutic, environmental, and informational medical career clusters by:

(1) describing potential health career paths and ladders in occupations found in aforesaid clusters;

(2) describing the levels of education, licensing/certification requirements, employment opportunities, workplace environments, and career growth potential for a specific medical career; and

(3) utilizing personal occupational experiences to make medical careers meaningful to the students.

F. A teacher of medical careers must demonstrate knowledge and application of safety principles and infection control practices including:

(1) standard precautions as described in the rules and regulations of the Occupational Safety and Health Administration (OSHA);

(2) infection control procedures;

(3) safety procedures to protect clients, co-workers, and self;

(4) body mechanics and ergonomics;

(5) environment modification to create safe conditions in the health care setting;

(6) methods of fire prevention and response;

(7) material safety data sheets (MSDS) and adhering to hazardous labeling requirements;

(8) safety signs, symbols, and labels;

(9) facility evacuation plan; and

(10) emergency plan in response to a natural disaster or other unusual incident.

Subp. 4. Professional license. A professional license shall be issued and renewed according to the rules of the Board of Teaching governing licensure.

8710.8050 TEACHER OF CREATIVE DESIGN CAREERS.

Subpart 1. Scope of practice. A teacher of creative design careers is authorized to provide students in grades 9 through 12 instruction that is designed to develop an in-depth understanding and application of the knowledge and skills required in creative design careers including:

A. textiles and apparel careers; and

B. housing, interiors, and furnishings careers.

Subp. 2. Licensure requirements. A candidate for licensure as a teacher of creative design careers shall have completed at least a baccalaureate degree from a regionally accredited college or university and a teacher preparation program approved under part 8700.7600 including:

A. the standards of effective practice under part 8710.2000;

B. the core skills for teachers of career and technical education under part 8710.8000; and

C. the standards under subpart 3.

Subp. 3. Subject matter standard. A candidate for licensure as a teacher of creative design careers must complete a preparation program under subpart 2 that must include the candidate's demonstration of the knowledge and skills in items A and B:

A. A teacher of creative design careers must demonstrate the knowledge, skills, and application of the following subject matter standards:

(1) apply textiles and apparel design skills, such as color and textile analysis, flat pattern design, draping design, and construction;

(2) possess a comprehensive understanding of the history of fashion and design and its impact on current trends in textiles and apparel industry;

(3) apply textile and apparel industry standards to production, alteration, and repair of textile products or apparel, fashion/fabric merchandising, and production of commercial, institutional, and residential textile products;

(4) evaluate the elements of textiles and apparel merchandising, such as customer service, fashion trends, cost effectiveness, marketing, and merchandise display;

(5) demonstrate operational procedures specific to business profitability and career success in textiles and apparel;

(6) incorporate fashion, apparel, textile career opportunities and activities, such as job shadowing, simulated work experiences, internships, apprenticeships, and student organizations into the curriculum;

(7) describe and analyze career paths and ladders in textiles and apparel careers and utilize personal occupational experiences to make textiles and apparel careers meaningful to students; and

(8) describe the levels of education, licensing or certification requirements, employment opportunities, workplace environments, and career growth in textiles and apparel careers.

B. A teacher of creative design careers must demonstrate the knowledge, skills, and application of the following subject matter standards:

(1) understand the influences which impact housing, interior, and furnishing industries, such as social, economic, cultural, urban, suburban, and rural, and their relationship to client's needs;

(2) evaluate housing decisions based on client's needs, goals, options, and resources to create design plans for commercial and residential environments, such as home, office, health care, hospitality, institutions, and retail;

(3) evaluate products used in housing, interiors, and furnishings to meet specific needs, such as physical disabilities, health conditions, and geographical location;

(4) understand the current industry standards used in housing, interiors, and furnishings;

(5) demonstrate computer-aided drafting design, blueprint reading, and space planning skills required in the housing, interiors, and furnishings industry;

(6) demonstrate design ideas through visual presentation;

(7) demonstrate operational procedures for housing, interiors, and furnishings business profitability and career success;

(8) incorporate housing, interiors, and furnishings career opportunities and activities such as job shadowing, simulated work experiences, internships, apprenticeships, and student organizations into the curriculum;

(9) describe and analyze career paths and ladders in housing, interiors, and furnishings careers; and

(10) utilize personal occupational experiences to make housing, interiors, and furnishings careers meaningful to students;
and

(11) describe the levels of education, licensing/certification requirements, employment opportunities, workplace environments, and career growth in housing, interiors, and furnishings careers.

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Proposed Rules

Subp. 5. Professional license. A professional license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

8710.8060 TEACHER OF EARLY CHILDHOOD CAREERS.

Subpart 1. Scope of practice. A teacher of early childhood careers is authorized to provide students in grades 9 through 12 instruction that is designed to develop an in-depth understanding and application of the knowledge and skills in:

- (1) academic foundations specific to early childhood careers;
- (2) administration of early childhood programs;
- (3) operational procedures of early childhood programs; and
- (4) early childhood career exploration and investigation.

Subp. 2. Licensure requirements. A candidate for licensure as a teacher of early childhood careers shall have completed at least a baccalaureate degree from a regionally accredited college or university and a teacher preparation program approved under part 8700.7600 including:

- A. the standards of effective practice under part 8710.2000;
- B. the core skills for teachers of career and technical education under part 8710.8000; and
- C. the standards under subpart 3.

Subp. 3. Subject matter standard. A candidate for licensure as a teacher of early childhood careers must complete a preparation program under subpart 2 that must include the candidate's demonstration of the knowledge and skills in items A to D:

A. A teacher of early childhood careers must demonstrate the knowledge and applications of the academic subject matter required for proficiency. The teacher must:

- (1) understand and apply the theories of age and stage development of children prenatal through adolescence including an understanding of exceptionalities;
- (2) understand the theory of child psychology and its application through learning, creative, cognitive, physical, language, self-help, and social activities;
- (3) analyze and apply developmentally appropriate practices (National Association for the Education of Young Children NAEYC) to plan for early childhood programs;
- (4) demonstrate appropriate observation techniques; and
- (5) define standards of accreditation in early childhood programs and services.

B. A teacher of early childhood careers must demonstrate the knowledge and applications of program administration. The teacher must:

- (1) possess a comprehensive understanding of the federal, state, and local laws governing programs in early childhood;
- (2) guide students in establishing a safe and healthy learning environment when working with children, families, educational systems, or community agencies;
- (3) demonstrate techniques for positive collaborative relationships when working with children, families, educational systems, or community agencies; and
- (4) integrate the specific needs and interests of children and families throughout developmental stages in a variety of educational and community settings.

C. A teacher of early childhood careers must demonstrate the knowledge and applications of operational procedures. The teacher must:

- (1) understand the ethics and legal responsibilities of working with multidisciplinary systems, such as parents, children, medical services, educational systems, legal systems, and community services;
- (2) perform and teach the appropriate procedures regarding health and safety, nutrition, and food preparation on a daily basis;
- (3) demonstrate an understanding of the learning environment, such as equipment, room arrangement, activity schedules, and its potential effect on the program, children, staff, and parents;
- (4) model effective use of verbal and nonverbal communication techniques when working with parents, children, staff, educational systems, and community agencies; and

(5) understand the mandatory reporting responsibilities, such as abuse and harassment, in regards to working with children.

D. A teacher of early childhood careers must demonstrate the knowledge and skills in the career field of early childhood to:

(1) describe and analyze career paths and ladders in early childhood careers;

(2) utilize personal occupational experiences to make early childhood careers meaningful to students;

(3) describe the levels of education, licensing/certification requirements, employment opportunities, workplace environments, and career growth potential for a specific early childhood career; and

(4) incorporate early childhood career opportunities and activities, such as job shadowing, simulated experiences, internships, apprenticeships, and student organizations into the curriculum.

Subp. 4. **Professional license.** A professional license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

8710.8070 TEACHER OF HOSPITALITY SERVICE CAREERS.

Subpart 1. **Scope of practice.** A teacher of hospitality service careers is authorized to provide students in grades 9 through 12 instruction that is designed to develop an in-depth understanding and application of the knowledge and skills required in food preparation/production and service, food science/nutrition, tourism/recreation, and facilities management/maintenance.

Subp. 2. **Licensure requirements.** A candidate for licensure as a teacher of hospitality service careers shall have completed at least a baccalaureate degree from a regionally accredited college or university and a teacher preparation program approved under part 8700.7600, including:

A. the standards of effective practice under part 8710.2000;

B. the core skills for teachers of career and technical education under part 8710.8000; and

C. the standards under subpart 3.

Subp. 3. **Subject matter standard.** A candidate for licensure as a teacher of hospitality careers must complete a preparation program under subpart 2 that must include the candidate's demonstration of the knowledge and skills in items A to D.

A. A teacher of hospitality service careers must be able to demonstrate the knowledge, skills, and applications of the following academic subject matter standards:

(1) an understanding of bacteriology/food sanitation hygiene and its impact on the production and serving of food;

(2) an understanding of the current theories and trends in food science and nutrition and their impact on food preparation/production and service;

(3) the use of specific food service industry and government standards to design the layout of food service facilities;

(4) the use of appropriate techniques in food production and service, such as quantity food purchasing, cost control, food preparation, and new product development;

(5) an understanding of how food service impacts the tourism industry, such as its nature, growth, and development;

(6) an understanding of the coordination techniques of planning activities, events, and convention functions; and

(7) an understanding of and the use of the principles of small business management involved in tourism/recreation management, food preparation/production, service, and facilities management/maintenance.

B. A teacher of hospitality service careers must be able to demonstrate the knowledge, skills, and applications of administration including:

(1) use of recordkeeping and accounting in the hospitality service industry, such as food preparation/production and service, tourism/recreation management, and facilities management/maintenance;

(2) promotion and use of environmental, security, and safety/sanitation procedures as they pertain to food service, hospitality, tourism/recreation, and facilities management/maintenance;

(3) selection, use, and maintenance of specialized equipment used in food preparation/production, hospitality, tourism/recreation, and facilities management/maintenance; and

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Proposed Rules

(4) use of industry skill standards in food service, food preparation/production, tourism/recreation, and facilities maintenance.

C. A teacher of hospitality service careers must be able to demonstrate the knowledge, skills, and applications of operational procedures including:

(1) the use of appropriate communication skills to foster positive relationships when working in food service, hospitality, tourism/recreation, and facilities management/maintenance;

(2) a comprehensive understanding of federal, state, and local laws, federal regulations, and state rules governing the hospitality service industries, such as food preparation/production and service, tourism/recreation, and facilities management/maintenance; and

(3) the use of concepts of production and service to meet customer needs and expectations.

D. A teacher of hospitality service careers must demonstrate the knowledge and skills in the career fields of food preparation/production and service, food science/nutrition, tourism/recreation, and management/maintenance of facilities to:

(1) describe and analyze career paths and ladders in hospitality service careers;

(2) utilize personal occupational experience to make food preparation/production and service, food science/nutrition, tourism/recreation, and facilities management/maintenance careers meaningful to students;

(3) describe the levels of education, licensing/certification requirements, employment opportunities, workplace environments, and career growth potential in hospitality service careers; and

(4) incorporate hospitality service career opportunities and activities, such as job shadowing, simulated work experiences, internships, apprenticeships, and student organizations into the curriculum.

Subp. 4. Professional license. A professional license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

8710.8080 TEACHERS OF TRANSPORTATION CAREERS.

Subpart 1. Scope of practice. A teacher of transportation careers is authorized to provide students in grades 9 through 12 instruction that is designed to develop an effective understanding of the National Transportation Core Skills Standards.

Subp. 2. Licensure requirements. A candidate for licensure as a teacher of transportation careers shall have completed a teacher preparation program approved under part 8700.7600 including:

A. the standards of effective practice under part 8710.2000;

B. the core skills for teachers of career and technical education under part 8710.8000; and

C. the standards under subpart 3.

Subp. 3. Subject matter standard. A candidate for licensure as a teacher of transportation careers must complete at least a baccalaureate degree from a regionally accredited college or university and a preparation program under subpart 2 that must include the candidate's demonstration of the knowledge and skills in items A to F.

A. A teacher of transportation careers must demonstrate the knowledge and applications of the academic subject matter required for proficiency within the following areas:

(1) apply knowledge of electricity, electronics, chemistry, and physics specific to the transportation industry;

(2) match measurement activities to transportation processes;

(3) create and interpret graphs, charts, manuals, journals, and specifications used in transportation; and

(4) use and interpret technical terminology specific to transportation industries.

B. A teacher of transportation careers must demonstrate the knowledge and applications of safety and environmental concerns and issues including:

(1) Occupational Safety and Health Administration (OSHA) rules;

(2) Minnesota Pollution Control Agency regulations;

(3) transportation regulatory agencies, such as the Department of Transportation and Federal Aviation Administration; and

(4) the use of first aid resources, such as staff, policy and procedure manuals, and training opportunities regarding acids, fuels, and chemicals.

C. A teacher of transportation careers must demonstrate knowledge and application of legal responsibilities and ethical practices in transportation, including:

(1) morality and ethics and the relationship of each to transportation occupations, such as falsifying documents and service work orders;

(2) legal and policy issues impacting transportation industries, such as errors and omissions, negligence liabilities, environmental issues, and concerns;

(3) understanding the importance of customer satisfaction, such as avoiding comebacks, warranty work, and doing unauthorized services;

(4) employee protection documents, such as the Right to Know Regulations; and

(5) requirements for reporting and documentation of any activity that adversely affects the welfare of customers fellow workers, such as incident reports and hazardous material spills.

D. A teacher of transportation careers must demonstrate the knowledge and applications of the various methods of giving and obtaining information including:

(1) interpreting, transcribing, and communicating information, data, and observations using transportation terminology;

(2) reporting subjective and objective customer information in relevant order of occurrence, such as work orders and cost estimates; and

(3) using decision-making models within the context of problem solving in the transportation industry, such as diagnostic flow charts and weight and balance calculations.

E. A teacher of transportation careers must demonstrate knowledge of alternative careers within the industry by:

(1) describing potential transportation career paths and ladders in occupations found in the transportation careers, such as land, air, water, and space;

(2) describing the levels of education, licensing or certification requirements, employment opportunities, environments, and career growth potential for a specific transportation career; and

(3) utilizing personal occupational experiences to make transportation careers meaningful to the students.

F. A teacher of transportation careers must demonstrate the knowledge and applications of transportation systems and issues including:

(1) where and how factors, such as cost, technology, alternative methods, and how lifestyle or behavior changes may affect various transportation systems;

(2) the range of services and technology applications available to employers and customers, such as the Internet and wire-less communications;

(3) quality improvement processes as they relate to customer outcomes, through the use of new technologies, tools, methods, and equipment; and

(4) effects on the transportation systems caused by past and present influences of technology, environmental, socioeconomics, and other various forms of nontraditional transportation.

Subp. 4. Professional license. A professional license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

REPEALER. Minnesota Rules, parts 8750.0010; 8750.0020; 8750.0030; 8750.0040; 8750.0050; 8750.0060; 8750.0070; 8750.0071; 8750.0072; 8750.0073; 8750.0082; 8750.0085; 8750.0090; 8750.3000; 8750.3010; 8750.3050; 8750.3100; 8750.3150; 8750.3170; 8750.3200; 8750.3250; 8750.3300; 8750.3350; 8750.3400; 8750.3420; 8750.3450; 8750.3500; 8750.3550; 8750.3600; 8750.3620; 8750.3650; 8750.3800; 8750.3810; 8750.3820; 8750.3830; 8750.3840; 8750.6000; 8750.6100; 8750.6200; 8750.6300; and 8750.6500, are repealed. Part 8710.0550, subpart 11, as adopted at 25 SR 805, is repealed.

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Official Notices

Pursuant to Minnesota Statutes §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Department of Human Services

Notice of Request for Information for External Evaluation Services

Minnesota Child Welfare Training System

Fiscal Year 2003

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is seeking information from independent evaluation firms on providing evaluation services to the Department's Minnesota Child Welfare Training System. See www.dhs.state.mn.us/Childint/mncwts/ for information on the Minnesota Child Welfare Training System.

Information is being sought from parties interested in providing a one-time evaluation of the Minnesota Child Welfare Training System. This evaluation is to be completed in the period July 1, 2002 to June 30, 2003. Respondents should briefly outline and describe examples of methods and resources that might be used to accomplish the three categories of evaluation services listed. Specific evaluation services anticipated include:

1. Curricula: To review select curricula and trainer processes against national standards for skill-based curricula.
2. Transfer of Learning/Knowledge: To identify and/or develop and implement the tools needed to measure the transfer of learning/knowledge.
3. Evaluation methodologies: To develop other evaluation methodologies suggested to achieve a comprehensive evaluation of a full spectrum of training related functions.

This request for information is being issued to gauge interest in providing these external review services. A request for proposals for these evaluation services is expected to be issued early in calendar year 2002. A request for proposals will be sent directly to qualified responders that reply to this RFI. Response to this RFI is not, however, a prerequisite to being awarded a contract for external evaluation services.

All information must be sent to and received by:

Richard Dean
Family & Children's Services Division
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3830

Not later than 4 p.m., on Friday, October 12, 2001.

All costs incurred in responding to this RFI will be born by the responder.

Submit six (6) copies of the information. Information is to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside.

Contact

Persons interested in additional information about the Minnesota Child Welfare Training System should contact Richard Dean by **phone** at: (651) 297-1648, or by email: richard.f.dean@state.mn.us

Teachers Retirement Association

Notice of Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, September 12, 2001 at 9:30 a.m., in Suite 400, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the Board.

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Economic Security Rehabilitation Services

Notice of Availability of Funds for Extended Employment Programs

Information on Extended Employment Program funding in State Fiscal Year 2002 is available for current Extended Employment providers and other interested parties. The authority for the Extended Employment Program is described in *Minnesota Statutes* 268A.03(a) and 268A.15 and in *Minnesota Rule* 3300.2005 to 3300.2055 effective July 1, 1998. The Extended Employment Program includes the Center-Based, Community, and Supported Employment sub-programs that provide ongoing employment support services to workers with severe disabilities. In State Fiscal Year 2002, \$11,510,000 in Extended Employment Program funding will be available.

To be an Extended Employment Program provider, an organization must be certified by Rehabilitation Services of the Department of Economic Security in accordance with *Minnesota Rule* 3300.2010. Individual eligibility for persons who may be served in Extended Employment is defined in *Minnesota Rule* 3300.2015. Extended Employment Standards for program planning and service delivery are set forth in *Minnesota Rule* 3300.2025. The Extended Employment funding system is described in *Minnesota Rule* 3300.2035. Provisions for new and expanded programs are defined in *Minnesota Rule* 3300.2030. Funding for new and expanded programs is contingent upon the availability of funds. Any city, town, county, non-profit organization, or combination of these that operates or proposes to operate a public or non-profit Extended Employment program may apply for funding. Applications are required for funding Extended Employment providers currently receiving Extended Employment funds and are also required for new or expanded programs.

These sections of the *Minnesota Rules* that describe the Extended Employment Program can be found on the Internet at: <http://www.revisor.leg.state.mn.us/arule/3300/>

Persons or parties who wish to obtain information on Extended Employment Program funding in State Fiscal Year 2002 may contact:

Abigail Neuman
Rehabilitation Services - Extended Employment
Minnesota Department of Economic Security
390 North Robert Street - 1st Floor
St. Paul, MN 55101
Phone: (651) 296-9157
Fax: (651) 297-5159
Toll free: (800) 328-9095
TTY: (651) 296-3900
Email: abigail.neuman@state.mn.us

Completed applications for funding will be accepted no later than **2:00 p.m., September 14, 2001.**

Department of Health

Office of Rural Health and Primary Care Nursing Home Transition Planning Grant Program

Notice of Grant Opportunity

The Minnesota Department of Health (MDH) is seeking applications from nursing homes interested in conducting planning activities to improve older adult services, through the Nursing Home Transition Planning Grant Program. The purpose of these grants is to assist nursing homes to develop strategic plans which identify the appropriate institutional and noninstitutional settings necessary to meet the older adult service needs of the community.

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\$500,000 is available to fund applications in this grant cycle. Eligible applicants for this grant program are nursing homes that are licensed under sections 144A.01 to 144A.16 and certified by the appropriate authority under *United States Code*, title 42, sections 1396-1396p, to participate as a vendor in the medical assistance program established under chapter *Minnesota Statutes* 256B. The Office of Rural Health and Primary Care expects that successful applicants will be able to begin their grant projects by January 2002.

Prospective applicants who have questions, and/or would like a copy of the complete Request for Applications and application form may contact:

Mark Schoenbaum
Office of Rural Health and Primary Care
Division of Community Health
Minnesota Department of Health
P.O. Box 64975
St. Paul, MN 55164-0975
Phone: (651) 282-3859
Toll Free: (800) 366-5424 (inside Minnesota only)

Applications are also available on the Office of Rural Health and Primary Care web site at:
<http://www.health.state.mn.us/divs/chs/grants.htm>

Applications are due by October 16, 2001 at **4:00 p.m., to the address above.**

Department of Health Division of Family Health Fetal Alcohol Syndrome

Request for Proposals (RFP) for Maternal Alcohol Use and Prenatal Alcohol Exposure Prevention/Intervention Initiative

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health (MDH), Center for Health Promotion (CHP) is requesting proposals for community organizations and coalitions to collaborate on strategies and activities to prevent maternal alcohol use and prenatal alcohol exposure that could result in fetal alcohol syndrome and alcohol related effects. *Funding priorities will focus on broad-based innovative prevention activities relating to maternal alcohol use and prenatal alcohol exposure.* At least one grant shall be awarded for interventions and transitional skills and services for individuals with fetal alcohol syndrome (FAS) or alcohol related effects.

Methodology: The Minnesota Department of Health plans to fund *at least* one project in each of the following categories: (1) maternal alcohol screening; (2) interventions with women at risk; (3) service integration; and (4) interventions with adolescents and adults with fetal alcohol syndrome and alcohol related effects. Because the need for a broad-based and diverse strategy to address FAS and alcohol related effects, no single organization will be awarded more than one grant.

Eligible Organizations: Organizations eligible to apply for funding under this Request for Proposals (RFP) include Community Boards of Health, non-profit health and human service organizations, tribal governments and entities, health care organizations, and other interested agencies.

Funding Available & Contract Duration: \$850,000 in State funds are available for the first year of this grant. The funded projects may continue beyond the initial grant period based on satisfactory performance and availability of funds. Contracts will begin on or about January 1, 2002 or on the earliest date possible that the commissioner of finance can execute the grant contracts. They will continue until December 31, 2003. The two-year grants will be subject to annual review by MDH.

Additional Application Deadline: The completed proposal must be submitted by 4:30 p.m., on November 2, 2001. MDH will hold a special informational meeting by video-conference in late September, 2001 or early October to clarify questions and concerns regarding this RFP.

Information: A complete RFP packet and an update on the informational meeting is available from Elisabeth Atherly who can be reached by **phone:** (651) 281-9865, by **fax:** at (651) 215-8959, by **email:** elisabeth.atherly@health.state.mn.us, or by mail at:

Elisabeth Atherly
Minnesota Department of Health
Center for Health Promotion
85 E 7th Place, Suite 300
P.O. Box 64882
St. Paul, MN 55416-0882

No other department personnel are allowed to discuss the RFP with anyone including applicants before the submission deadline.

Department of Health

Division of Family Health

Request for Proposals for the Minnesota Poison Control System - Up to \$1,410,000 per year

The Minnesota Department of Health (MDH) is soliciting proposals for the operation of a poison control system in Minnesota. This project is specifically designed to serve the needs of the citizens of the state for information relating to the prompt identification and appropriate home management or referral of cases of human poisoning.

MDH is seeking proposals for a two-year time period (January 1, 2002 - December 31, 2003) for three program components: call response, professional education, and public awareness. The department may award all components to one applicant or may award the components to different applicants. Eligible applicants are profit or nonprofit entities and units of government.

To be considered for funding, proposals must be received by 4:00 p.m., CDT, Monday, October 15, 2001 at the Minnesota Department of Health, 85 East Seventh Place, Suite 400, St. Paul, MN 55101. If proposals are sent by U.S. mail or other delivery service, it is wholly the responsibility of the proposer to ensure that the proposal package is properly addressed and physically delivered on time. **Late proposals will not be considered.**

A copy of the full Request for Proposals may be obtained at <http://www.health.state.mn.us/> Scroll to "Announcements" and then to "RFPs/Rule Proposals" and click on "Request for Proposals: Minnesota Poison Control System."

A copy can also be obtained by contacting:

Lucy Schwietz, Director's Office
Division of Family Health
Minnesota Department of Health
P.O. Box 64882
St. Paul, MN 55164-0882
Phone: (651) 281-9888
Fax: (651) 215-8953
Email: lucy.schwietz@health.state.mn.us

Bureau of Mediation Services

Applications Accepted for Funding Under the Minnesota Area Labor-Management Committee Program for Calendar Year 2002 Grants

The Bureau of Mediation Services is now accepting applications for funding of new or existing Area Labor-Management Committee programs pursuant to *Minnesota Statutes* § 179.81-.85 and Bureau of Mediation Services Rules, Chapter 5520.

The purpose of the program is to improve labor-management relations and enhance economic development in a geographic area of the state or within an industry sector through labor management cooperation.

In addition to funding for the start-up or continuing operations of Labor-Management Committee programs, grants may also be

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available for the provision of technical assistance by existing committees for the development of new committees or for program expansion in existing operations.

Grants will be based on each applicant's ability to demonstrate program goals, objectives and work plans which address specific outcomes. The applicant may address all or a combination of the following points:

1. Increase in participation in the labor-management cooperative process.
2. Increase in shared decision making between labor and management.
3. Enhance the level of knowledge regarding issues that affect the workplace.
4. Enhance the economic development climate in the area or industry of operation.
5. Maintain or enhance the number of specialized joint labor-management programs designed to increase the efficiency of services to the industry or geographic area served.
6. Other evidence of positive labor-management program results attained through joint cooperative methods.

Persons interested in applying for such funds may secure an application form and program policies by requesting them from:

John Kuderka, Program Director
Office of Cooperative Labor-Management Programs
Bureau of Mediation Services
1380 Energy Lane, Suite Two
St. Paul, Minnesota 55108-5253
Phone: (651) 649-5435
Email: john.kuderka@state.mn.us

Applications for funding for calendar year 2002 must be postmarked or received by October 15, 2001. All grants awarded will be effective January 1, 2002.

Lance Teachworth,
Commissioner

State 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 \$25,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: agency name and address, name of agency contact person, description of project and tasks, cost estimate and final submission date and time of completed proposal. Certain quasi-state agencies and MnSCU institutions are exempted from these provisions. In accordance with *Minnesota Rules* 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. Certified Economically Disadvantaged Businesses and individuals shall receive the equivalent of a 4% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (651) 296-2600 or [TTY (651) 282-5799.]

Department of Health

Center for Health Promotion

Diabetes Program

Notice of Availability of Contract for Development of a Minnesota Diabetes Plan

NOTICE IS HEREBY GIVEN that the Diabetes Program of the Minnesota Department of Health (MDH) is accepting proposals from qualified parties for a contract to develop a Minnesota Diabetes Plan for 2010.

This eight-month contract is proposed to begin on or after October 15, 2001 and to end June 30, 2002.

MDH expects the vendor's duties to include the following activities:

- On-site consultation and technical assistance to the Minnesota Diabetes Program and the Minnesota Diabetes Steering Committee
- Recruitment and facilitation of expert work groups to develop the state plan
- Summarization and prioritization of a large amount of assessment data into a condensed format
- The design, writing and editing of the state plan, with input from the Diabetes Program, the Minnesota Diabetes Steering Committee and expert work groups
- Development of a dissemination and marketing plan for the Minnesota Diabetes Plan
- Integration of key components of the 2010 Diabetes Plan into the Minnesota Diabetes Program's five-year work plan.

The Minnesota Department of Health will serve as contact and liaison to the Minnesota Diabetes Steering Committee, expert work group members and other participants in the planning process.

Procedure for Submitting Proposals

All proposals must be *received* no later than 4:00 p.m., on September 28, 2001. **Late, faxed or emailed proposals will not be accepted.**

For a copy of the complete Request for Proposal please contact:

Amy Kenzie
Minnesota Diabetes Program
Minnesota Department of Health
PO Box 64882
St. Paul, MN 55164-0882
Phone: (651) 281-9810
Email: amy.kenzie@health.state.mn.us

This RFP does not obligate the state to complete the project and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

Hibbing Community College

Sale of Hibbing Community College: List Price: \$1,800,000

The Minnesota State Colleges and Universities offer for sale by sealed bid the "Central Campus" property located at 2900 East Belt Line, Hibbing, MN 55746.

The property contains roughly 12.59 acres with an 81,211 sq.ft. multi-functional education facility and a 6,000 sq.ft. storage building.

LOCATION:	65 miles north of Duluth, Minnesota 165 miles north of Minneapolis/St. Paul Hibbing is located on the "Iron Range" Population of Hibbing is approximately 18,000
SPACE UTILIZATION:	Multi-functional education facility once included the following programs; nursing, welding, heating and refrigeration repair, automotive repair, and restaurant/cooking.
YEAR BUILT:	Original Building - 22' Ceiling Height 1966 High Bay Space Addition - 27' Ceiling Ht. 1975/76 Industrial Space Addition - 14' Ceiling Ht. 1981 Admin. Offices Addition - 16' Ceiling Ht. 1986 3-Free Standing/Portable Classrooms NA
HEATING/COOLING:	Natural gas fired, steam boiler system installed in 1981 with supplemental unit heaters in some areas. Rooftop air handling units serving part of the facility.
ZONING:	I-1 Industrial Park and R-1 Residential

State Contracts

A complete sealed bid must be received in the Office of the President, Hibbing Community College, 1515 East 25th Street, Hibbing, MN, 55746 by 11:30 a.m., Friday, October 12, 2001. Bids will be opened at 12:00 p.m. (noon) on October 12, 2001 at the same address.

For additional information, contact Ron Blakesley at (218) 262-6734 or **email:** r.blakesley@hcc.mnscu.edu. MnSCU reserves the right to reject any and all bids and waive the formalities therein. MnSCU reserves the right to withdraw the subject property from sale up to and including the date of the sale.

Minnesota Historical Society

Request for Proposals for the Mill City Museum Food Service

The Minnesota Historical Society is seeking proposals from firms and individuals qualified to partner with the Society in developing an innovative, high quality, "signature" on-site restaurant that will act in synergy with the museum to create a "destination" for museum patrons, residential neighbors, adjacent businesses and discriminating diners. While the Society has already determined a number of operating aspects of the Mill City Museum that are required to fulfill the mission of the museum program, it strongly encourages respondents to be creative and innovative in how they approach this unique opportunity.

The Request for Proposals is available by calling or writing Chris M. Bonnell, Contracting Officer, or his agent, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102. **Phone:** (651) 297-5863, **email:** chris.bonnell@mnhs.org

A **mandatory** pre-proposal meeting will be held on **Monday, September 17, 2001 at 1:00 p.m., Local time**. The meeting will be held at the Minnesota History Center, St. Paul, Minnesota.

All proposals must be received by Chris M. Bonnell, Contracting Officer for the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102 or an authorized agent, no later than **2:00 p.m., Local Time, Wednesday, October 3, 2001**. A proposal opening will be conducted at that time. Proposals must be submitted in a sealed envelope with the project name clearly written on the envelope.

Authorized agents for receipt of proposals are the following: Mary Green-Toussaint, Contracting and Procurement Technician or any Work Service Center staff member in the Finance and Administration Division on the 4th floor of the History Center. Proposals may not be delivered to the information desk, to the guard or to any location or individual other than as specified above.

Complete specifications and details concerning submission requirements are included in the Request for Proposals.

Minnesota State Legislature

Request for Proposals for Pre-tax Benefits Administration Services for the Minnesota Legislature

The Minnesota State Legislature is soliciting proposals for pre-tax benefits administration services for January 1, 2001, through December 31, 2002. The contract may be extended to include the 2003 calendar year. The purpose of the legislature's pretax benefits plan is to provide eligible employees an opportunity for a pre-tax medical/dental expense account, dependent care expense account, and a transit expense program. The contractor must have demonstrated experience servicing clients in the area of pre-tax expense accounts.

All proposals must satisfy the criteria as outlined in the full text of the Request For Proposals. For a copy of the full text of the Request For Proposals, please go to www.commissions.leg.state.mn.us/lcc/pre-taxbenefits.pdf or contact:

Chad Thuet, Assistant Director
Legislative Coordinating Commission
100 Constitution Avenue
St. Paul, Minnesota 55155
Phone: (651) 296-1121
Email: chad.thuet@commissions.leg.state.mn.us

Proposals must be received by October 5, 2001, at 4:00 p.m. No late proposals will be accepted. All expenses incurred in responding to this notice shall be borne by the responder.

Department of Transportation

Office of Aeronautics

Request for Proposals from Consulting Firms with Expertise in Scheduled Air Service for a Regional Air Service Study

The Minnesota Department of Transportation (Mn/DOT) is soliciting proposals from consulting firms with expertise in scheduled air service for a regional air service study. The project will be funded in part by a grant from the Federal Aviation Administration and in part out of the State Airports Fund.

Project Purpose and Description: The purpose of this project is to determine what conditions would be necessary to increase the use of four secondary airports (Duluth, Rochester and St. Cloud, Minnesota and Eau Claire, Wisconsin) for air service (passenger and freight). The future service at these airports will supplement the existing service at the Minneapolis-St. Paul International Airport. The selected firm will be asked to identify and evaluate factors which might play a role in attracting additional air service to these airports. These factors may include, but are not limited to: adequacy of the infrastructure, the airport's market potential, ground transportation, passenger/shipper decisions, airline decision making.

Consultant Selection: Firms will be ranked by a selection committee. Rankings will be based on: 1) experience and qualifications of the firm/team 2) relevant experience and qualifications of key personnel, 3) the firm's approach to the study. Interviews will be held before making a final consultant selection. Mn/DOT reserves the option to prepare a short list of firms to be interviewed. It is anticipated that the project will begin as soon as a consultant is selected and the contract executed.

Special Conditions: Planning will be in full accordance with the specifications of the State of Minnesota and the Federal Aviation Administration.

Disadvantaged Business Enterprise (DBE) goals are anticipated for this project. Both federal and state regulations on discrimination will apply. The selected firm must have a certificate of compliance, or an exemption, from the Minnesota Department of Human Rights.

The Minnesota Department of Transportation and the FAA assume no obligation for any expenses incurred by a respondent to this solicitation.

Five copies of the proposal should be submitted to the Minnesota Department of Transportation, Office of Aeronautics, 222 East Plato Boulevard, St. Paul, MN 55107, **ATTN:** Richard Theisen. Questions about this notice should be directed to Richard Theisen at the Office of Aeronautics; **phone:** (651) 296-2552.

Proposals will be accepted until 4:00 p.m., Central Daylight Time on October 5, 2001.

An expanded version of this request is available on the Aeronautics **website** at: www.mnareo.com

Department of Transportation

Program Support

Requests for Proposals (RFP) for Statewide Cultural Resources Investigation T-Contract Program

Notice of availability of Contract for Highway Related Technical Activity. Responses to this advertisement become public information under the Minnesota Government Data Practices Act. This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

The Minnesota Department of Transportation (Mn/DOT) is requesting proposals for the inventory and/or National Register of Historic Places evaluation, data recovery, and mitigation services for cultural resources that may be affected by transportation related undertakings. This includes Trunk Highway and County/Municipal Highway projects eligible for federal aid, corridor studies, transit projects, transportation related facilities, etc., in order to allow for the most advantageous location of highways, associated facilities and/or transit corridors in the State of Minnesota. These services will be used on an as-needed basis by Mn/DOT to assist in the delivery of its varied construction and maintenance programs.

State Contracts

Services under this program will be supplied in compliance with Mn/DOT responsibilities under the National Historic Preservation Act of 1966, as amended (PL 89-665); the Department of Transportation Act of 1966 (PL 89-670); Executive Order 11593; the Archaeological and Historic Preservation Act of 1974 (PL 93-291); Title 36 of the CFR Parts 60-66 and 800, as appropriate; the Native American Graves Protection and Repatriation Act of 1990 (PL 101-601); the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 *Federal Register* 44716-44742) (see also <http://www.achp.gov/secstnd.html>); and Minnesota state historic preservation regulations and guidelines that are in effect during the period when the work is performed.

All work performed under this program will at a minimum conform to the requirements of the laws, rules, regulations, and guidelines herein, and to the specifications set forth in applicable Secretary of the Interior's and/or State Historic Preservation Office (SHPO), and Minnesota Office of the State Archaeologist (OSA) standards, guidelines, and directives in force during the period when work is performed.

Request for Proposals (RFP) are available by mail, email or in person. **Please submit in writing, a request for the RFP for Statewide Cultural Resources Investigation T-Contract Program.**

Request for the **RFP** may be mailed or faxed to:

Dawn D. Thompson, Agreement Administrator,
Minnesota Department of Transportation, Consultant Services Unit
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680
St. Paul, MN 55155
Fax: (651) 282-5127

In order to obtain the RFP in time, requests for the RFP must be received on or before Thursday, September 27, 2001, requests made after that date must be in person.

Note: PROPOSALS WILL BE DUE ON OCTOBER 2, 2001 AT 2:00 P.M. CENTRAL DAYLIGHT SAVING TIME.

Non-State Contracts & Grants

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

Metropolitan Council

Notice of Intent to Procure Polymer

The Metropolitan Council Environmental Services Division hereby serves Notice of Intent to Procure Polymer for the Empire Wastewater Treatment Plant. The Council will request proposals from qualified companies for polymer used in the Dewatering process at Empire.

Prequalification bench testing will begin in September 2001 and based on those results, Full Scale testing will be in late September or early October 2001. If you believe your Company can supply the required polymer and would like more information, please write or fax by September 11, 2001:

Mr. Thomas Lund, Asst. Business Unit Coordinator
Empire Wastewater Treatment Plant
2540 West 197th Street
Farmington, MN 55024
Fax: (651) 463-7670

Metropolitan Council

Notice of Invitation for Bids (IFB) for RS/6000 pSeries 660 Systems

Contract Number 01P099

The Metropolitan Council is requesting bids for (2) IBM RS/6000 7026-6H1 pSeries 660 systems with RS64 IV 600 MHZ Processors (each system is configured differently as indicated by the feature codes); (1) 7133-D40 Advanced SSA Disk Subsystem; (1) 7208-345 60 B 8mm Tape Drive; (1) 2104-DU3 Rack-mounted Expandable Storage Plus; (1) 7014-T42 Enterprise Rack; (1) 7316-TF1 Flat Panel Color Monitor and (2) sets of 5765-C34 AIX version 4 software with 5692-AIX System Software.

Issue Invitation for Bids

Bids Due

Award Contract

September 4, 2001

September 19, 2001

September 21, 2001

All firms interested in submitting bids for this contract and desiring to receive an IFB package are invited to make a written request either by email, fax or mail:

Amanda Petersen, Administrative Assistant, Contracts and Procurement Unit

Metropolitan Council

Mears Park Centre

230 East Fifth Street

St. Paul, MN 55101

Phone: (651) 602-1585

Fax: (651) 602-1138

Email: amanda.petersen@metc.state.mn.us

Minnesota Statutes, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

Metropolitan Council

Notice of Request for Proposals (RFP) for Architectural/Engineering Services for the Empire Wastewater Treatment Plant Outfall

MCES Project Number 800900

MCES Contract Number 01P096

The Metropolitan Council is requesting Architectural/Engineering Services proposals for design and construction support services for a 20 mile outfall pipe from the Empire Wastewater Treatment Plant to the Mississippi River. The anticipated project schedule is shown below:

Issue Request for Proposals

Receive Proposals

Evaluation of Proposals and selection of Consultant

Start of Work

Completion of Construction Contract Documents

Substantial Completion of Construction

September 21, 2001

October 26, 2001

November 2001

December 2001

December 2002

December 2004

Non-State Contracts & Grants

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

Amanda Petersen, Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138
Email: amanda.petersen@metc.state.mn.us

Minnesota Statutes, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call the BIS Coordinator at (612) 625-5534.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

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This new CDROM by Lake Master features 101 MN lakes with detailed lake-depth information and hotspots PLUS a GPS interface and the capacity to chart your favorite fishing spots with pin-point accuracy. Software allows you to input the date, time of day, lure used, species, etc. on every lake map. (Windows 95, 98 or 2000. 32MB RAM, 100 MHz.) **Stock Number 20-50 \$49.00**

North Central GPS Companion

Pocket-sized book charts the latitude of 8200 cities and landmarks throughout Minnesota, Iowa and Wisconsin. Great for the avid angler, explorer, hunter, aviator... Softcover, 178pp. **Stock No. 12-4 \$13.95**

MN Muskie Fishing Guide

This Sportsman's Connection book guides you to great spots throughout the state for muskie fishing. With over 50 marked fishing maps, tips and hot spots from experts, and GPS grids for large lakes, you'll have an upper hand in the battle with the muskie. Spiral-bound, 184pp. **Stock No. 20-14 \$19.95**

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Twin Cities Fishing Guide

This book by Sybil Smith features lake-depth maps, stocking information and hot spots along with great fishing tips for successful angling in the metro area. Softcover, 217pp. **Stock No. 19-55 \$14.95**

Better Homes & Gardens New Garden Book

From a trusted publisher comes this truly comprehensive, full-color book. More than 400 photos let you see exactly what plants look like, from flowers to trees to vegetables, both close up and in garden settings. Learn step-by-step all the tricks to caring for a variety of plants. One hundred pages of illustrated plant portfolios and 65 pages of handy charts give you thorough descriptions of more than 800 plants, diseases and pests. Softcover, 384pp. **Stock No. 19-102 \$16.95**

Herbs for Northern Gardeners

An indispensable guide that will start you on the road to growing your own home herb garden. Step-by-step instructions are provided for planting and caring for herbs, along with herb uses in the kitchen, and an interesting look at how herbs have been used through the ages. Softcover, 64pp. **Stock No. 19-43 \$6.95**

Lois Hole's Favorite Trees & Shrubs

Get great tips from an expert on everything from selecting and buying trees and shrubs to choosing the best location, planting and caring for them. A tremendous resource, this book has photos on every page to make plant identification easy and to help you visualize your landscape plans. Softcover, 368pp. **Stock No. 19-23 \$15.95**

Trees & Shrubs for Northern Gardens

Learn from a master, Dr. Leon C. Snyder, from the University of Minnesota. Every tree and shrub is listed by both its scientific name and popular common name. Comprehensive technical descriptions of each species are given along with pertinent information on growing size, hardiness, landscape use and plant history and culture. You'll also learn basic landscape design and woody plant care and maintenance. 47 pages of color plates plus detailed pen and ink illustrations of each plant listed. Softcover, 311pp. **Stock Number 19-57 \$29.95**

Diseases of Trees & Shrubs

This color diagnostic guide provides photos of a wide variety of diseases for easy identification. Softcover, 12pp. **Stock No. 19-11 \$4.00**

Butterfly Gardening

Learn how to attract butterflies to your garden. Softcover, 21pp. **Stock No. 9-22 \$5.00**

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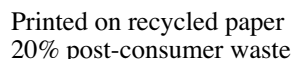




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