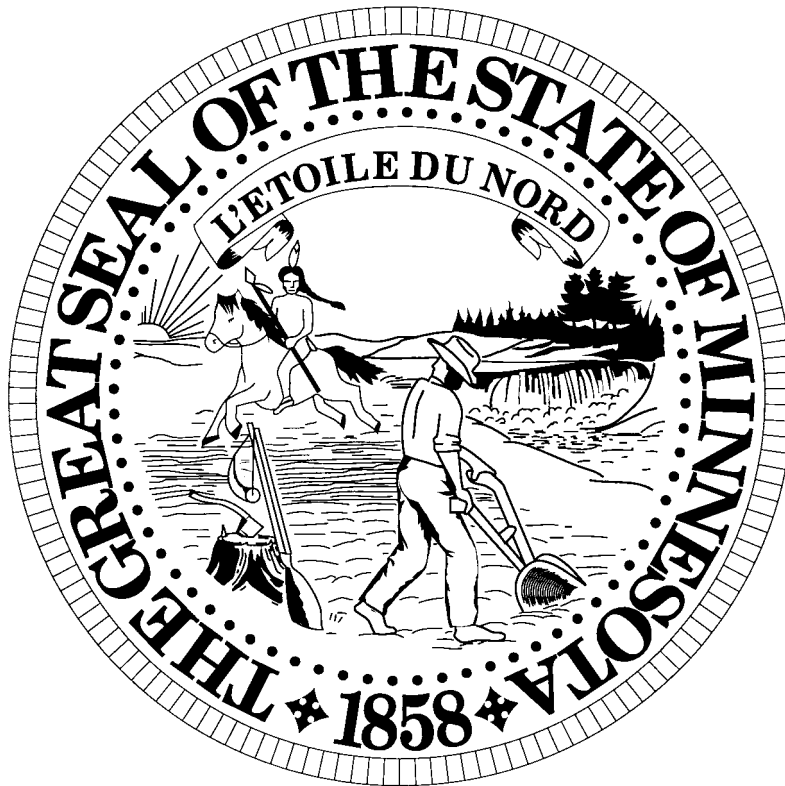


Minnesota

State Register

Rules and Official Notices Edition



Published every Monday (Tuesday when Monday is a holiday) by the
Department of Administration – Communications Media Division

Tuesday 2 September 2003

Volume 28, Number 9

Pages 207 - 230

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- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

PUBLISHING NOTICES IN THE *State Register*: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to (651) 297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$14.40 per tenth of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

SUBSCRIPTION SERVICES: Copies are available at Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** Subscribers who do not receive a copy of an issue should notify the *State Register* Subscription Office immediately at (651) 297-8774. Copies of back issues may not be available more than two weeks after publication. Both editions are delivered postpaid to points in the United States, Periodicals Postage Paid for the *State Register* at St. Paul, MN, first class for the *Solicitation Announcements*. See the *State Register* and *Solicitation Announcements* at website: <http://www.comm.media.state.mn.us> Click on "Minnesota's Bookstore."

- *State Register* -- Rules and Official Notices Edition (published every Monday, or Tuesday if Monday is a holiday) One year, hard copy, paper subscription: \$160.00.
- **On-line subscription** -- \$180, includes links, index, sidebar table of contents and *State Register* SENT TO YOU via Email.
- *Solicitation Announcements* -- State Register Supplement (published every Tuesday and Friday) One year subscription: \$135.00 via first class mail, \$150.00 via fax or through our website. Users agree not to redistribute without authorization.
- **13-week trial subscription** which includes both the *State Register* and *Solicitation Announcements* \$65.00
- **Single issues** are available for a limited time: *State Register* \$5.00, *Solicitation Announcements* \$1.00. Shipping is \$3.00 per order.

"**Affidavit of Publication**" costs \$10.00 and includes a notarized "Affidavit" and a copy of the issue.

Printing Schedule and Submission Deadlines

Vol. 28 Issue Number	PUBLISH DATE	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Both Adopted and Proposed RULES
#9	TUESDAY 2 SEPTEMBER	Noon Tuesday 26 August	Noon Wednesday 20 August
#10	Monday 8 September	Noon Tuesday 2 September	Noon Wednesday 27 August
#11	Monday 15 September	Noon Tuesday 9 September	Noon Wednesday 3 September
#12	Monday 22 September	Noon Tuesday 16 September	Noon Tuesday 10 September

Copyright © 2003 Communications Media Division, Department of Administration, State of Minnesota.
Publication Number: 326630 (ISSN 0146-7751)

THE STATE REGISTER IS PUBLISHED by Communications Media Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; the Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Children, Families and Learning.

Tim Pawlenty, Governor (651) 296-3391 Mike Hatch, Attorney General (651) 297-4272 Mary Kiffmeyer, Secretary of State (651) 296-2079
Carol L. Molnau, Lt. Governor (651) 296-3391 Patricia Awada, State Auditor (651) 297-3670
Department of Administration: Communications Media Division: Robin PanLener, Editor (651) 297-7963
Brian Lamb, Commissioner (651) 296-1424 Mary Mikes, Director (651) 297-3979 Jessie Rahmeyer, Subscriptions (651) 297-8774

Legislative Information

Senate Public Information Office (651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
Website: www.senate.leg.state.mn.us/departments/secretary/seninfo.htm

House Information Office (651) 296-2146
State Office Building, Room 175, 100 Constitution Ave., St. Paul, MN 55155
Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
Website: http://www.access.gpo.gov/su_docs/aces/aces140.html

Minnesota State Court System

Court Information Office (651) 296-6043
Minnesota Judicial Center, Room 135, 25 Constitution Ave., St. Paul, MN 55155
Website: www.courts.state.mn.us

Minnesota Rules: Amendments & Additions		
Tuesday 2 September 2003, Volume 28, Issues # 1-9	210	
Adopted Rules		
Corrections and Human Services Departments		
Licensure and certification of residential treatment and detention facilities and foster care for children.....	211	
Nursing Board		
Program approval	218	
Official Notices		
Education Department		
Request for comments on possible amendment to rules governing special education.....	219	
Environmental Assistance Office		
Public meeting on the Metropolitan Area Solid Waste Management Policy Plan	219	
Labor and Industry Department		
Workers' Compensation Division: annual adjustment to Workers' Compensation Vocational Rehabilitation hourly rates	221	
Metropolitan Council		
Adoption of the 2004-2006 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area	222	
Teachers Retirement Association		
Meeting of the Board of Trustees September 17, 2003	222	
State Grants & Loans		
Northeast Higher Education District (NHED)		
Request for proposal for technology mentor and pilot site designer for a series of TechNorth Prep Centers (TPC's) in northeast Minnesota.....	222	
Revenue Department		
Request for proposals for grants to provide taxpayer assistance services to low income and disadvantaged Minnesota residents	223	
State Contracts		
Administration Department		
DocuComm equipment sale, request for bids	224	
Real Estate Management Division: Single-Family Residential Lot for sale.....	225	
Employment and Economic Development Department		
Workforce Partnerships Division, Dislocated Worker Program: Request for proposal for an employer liaison.....	225	
Minnesota Historical Society		
Request for bids for Fort Snelling Visitor Center restroom remodeling in St. Paul, Minnesota	226	
Metropolitan Airports Commission		
Public notice for qualifications statements for legal services	226	
Transportation Department		
Metro District: Request for qualifications for a design-build contract on Interstate 494 in Eden Prairie and Minnetonka, Minnesota.....	226	
Potential availability of contracting opportunities for a variety of highway related technical activities	227	
Professional/technical contract opportunities.....	228	
Non-State Contracts & Grants		
Metropolitan Council		
Request for proposals for professional property management services.....	228	
Metropolitan Council - Metro Transit		
Sealed bids sought for in-car video camera systems	229	
University of Minnesota		
Bid Information Service (BIS) available for all potential vendors.....	229	
Commodity, Service and Construction Contracts are published Tuesday and Friday in a bulletin, the Solicitation Announcements . Award results are available from the Materials Management Helpline (651) 296-2600. Website: www.mmd.admin.state.mn.us		
Individual copies and subscriptions to the State Register and Solicitations Announcements are available through Minnesota's Bookstore, (651) 297-3000, or (800) 657-3757.		

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.

Volume 28, Issues #1-9

Arts Board

1900.1510; .1710; .3210; .4110 (proposed) 117

Corrections and Human Services Departments

2960.0020; .0030; .0050; .0070; .0080; .0100; .0150; .0160; .0180; .0240; .0260; .0270; .0340; .0350; .0450; .0520; .0590; .0620; .0630; .3010; .3030; .3050; .3060; .3080; .3090; .3100; .3220; .3320; .3330; .3340 (adopted) 211

2952.0100; .0200; .0500; .0600; .0800; .1000; .1200; .1400; .1500; .1600; .1800; .1900; .2000; .2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900; .2950; .3100; .3300; .3500; .3600; .3700; .3800; .3900; .4000; .4100; 9545.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170; .0180; .0190; .0200; .0210; .0220; .0230; .0240; .0250; .0260 (repealed January 1, 2004)..... 211

2930.0100 - .9900; 2935.0100 - .7100; 2950.0100 - .1900; 9530.4450; 9545.0905; .0915; .0925; .0935; .0945; .0955; .0965; .0975; .0985; .0995; .1005; .1015; .1025; .1035; .1045; .1055; .1065; .1075; .1085; .1095; .1105; .1115; .1125; .1200; .1210; .1220; .1230; .1240; .1250; .1260; .1270; .1280; .1290; .1300; .1310; .1320; .1400; .1410; .1420; .1430; .1440; .1450; .1460; .1470; .1480 (repealed July 1, 2005).. 211

Administration Department

4715.0420; .0520; .0820; .1380; .2820 (adopted)..... 147

Health Department

4727.0100; .0400; .0910; .0920; .0950; .0980; .1250 (adopted) 146

Labor and Industry Department

5205.0010 (proposed exempt)..... 171

Natural Resources Department

6230.0400; 6232.0200; .0300; .0500; .0600; .0700; .0800; .1250; .1300; .1400; .1600; .1750; .1800; .1900; .1950; .2000; .2050; .2100; .2500; .4700; 6234.1700; .2000 (adopted expedited emergency)..... 175

6232.0900; 6232.1100s.5 (repealed expedited emergency) 33

6240.0610; .1200; .1850; .2100 (adopted expedited emergency).... 173

6264.0300; .0400 (adopted exempt) 32

6264.0300s. 12, 19, 20, 28, 29, 30 (repealed exempt) 32

Nursing Board

6301.0800; .1800 (adopted)..... 218

The running heads did not include the correct volume number of 28, but listed the previous volume number instead. This includes pages 1-52. Please be aware of this volume change.

Public Safety Department

7501.0900; 7502.0420 (proposed)..... 97

7502.0420 s. 1 (proposed repealer)..... 97

Racing Commission

7877.0120; .0150 (proposed)..... 143

Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

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

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

Expedited and Emergency Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

Departments of Corrections and Human Services

Adopted Permanent Rules Relating to Governing the Licensure and Certification of Residential Treatment and Detention Facilities and Foster Care for Children

The rules proposed and published at *State Register*, Volume 27, Number 28, pages 1035-1101, January 6, 2003 (27 SR 1035); and Volume 27, Number 29, page 1114, January 13, 2003 (27 SR 1114), are adopted with the following modifications:

2960.0020 DEFINITIONS.

Subp. 15. **Chemical irritant.** "Chemical irritant" means any nonlethal chemical compound ~~approved by the Department of Health~~ that is used in an emergency situation to subdue or gain control of a resident who is endangering self, others, or the security of the program.

Subp. 22. **Correctional program services.** "Correctional program services" means any program or activity that uses treatment services, consequences, and discipline to control or modify behavior. ~~Correctional program services hold residents accountable for their behavior and assume that residents behave in illegal or unacceptable ways as a result of a faulty reasoning process.~~ Correctional program services are provided to residents who are at least ten years old, but younger than 21 years old, and extended jurisdictional juveniles.

Subp. 46a. **Medically licensed person.** "Medically licensed person" means a person who is licensed or permitted by a Minnesota health-related board to practice in Minnesota and is practicing within the scope of the person's health-related license.

Subp. 51a. **Parent.** "Parent" means the parent with parental rights or legal guardian of a resident under 18 years of age.

Subp. 57. **Program director.** "Program director" means an individual who is designated by the license holder to be responsible for overall operations of a ~~rehabilitation or corrections~~ residential program.

Subp. 71. **Target population.** "Target population" means youth experiencing special problems who have specific ~~characteristics~~ needs that require residential program services.

2960.0030 ADMINISTRATIVE LICENSING.

Subp. 2. **Application and license requirements.**

B. An applicant must provide the information in subitems (1) to (7) to the appropriate licensing authority before a license application will be processed.

(3) A program operating in Minnesota which has headquarters outside of the state must provide the name of the ~~state~~ Minnesota license holder.

2960.0050 RESIDENT RIGHTS AND BASIC SERVICES.

Subpart 1. **Basic rights.** A resident has basic rights including, but not limited to, the rights in this subpart. The license holder must ensure that the rights in items A to R are protected:

J. right to reasonable communication and visitation with adults outside the facility, ~~such as~~ which may include a parent, extended family members, siblings, a legal guardian, a caseworker, an attorney, a therapist, a physician, a religious advisor, and a case manager in accordance with the resident's case plan;

Subp. 3. **Basic rights information.** The license holder must meet the requirements of this subpart.

B. The ~~information in item A must be provided to~~ license holder must tell the resident's parent, guardian, or custodian within a reasonable time after admission to the facility that the information in item A is available.

Adopted Rules

2960.0070 ADMISSION POLICY AND PROCESS.

Subp. 3. **Resident admission documentation.** Upon or within five working days after admission, the license holder must obtain and document the information in items A and B to the extent permitted by law:

B. in collaboration with the placing agency, gather information about the resident in subitems (1) to ~~(4)~~ (12), and place that information in the resident's file:

(10) name, address, and telephone number of the contact person for the last educational program the resident attended, if applicable; ~~and~~

(11) spiritual or religious affiliation of the resident and the resident's family; and

(12) the placing agency's case plan goals for the resident, if available.

2960.0080 FACILITY OPERATIONAL SERVICES, POLICIES, AND PRACTICES.

Subp. 3. **Cooperation in treatment and basic service delivery.** The license holder must cooperate with the resident's case manager and other appropriate parties in creating and delivering basic services. In addition, the license holder must:

A. work with the resident, parent, or legal representative, and the resident's case manager and treatment team, if applicable, to implement the resident's case plan during the resident's stay in the facility. The license holder must also coordinate the license holder's plan for services to the resident with the placing agency's case plan for the resident and work with the placing agency to identify the resident's projected length of stay and conditions under which the family will be reunited, if appropriate, or specify the alternative permanency plan and what the license holder will do to help carry out the plan;

B. identify and share information about the resident's treatment and major treatment outcomes the resident will achieve while in the facility, including attaining developmentally appropriate life skills that the resident needs to have in order to be functional in a family and in the community, with persons who are directly involved in the resident's treatment plan in accordance with the resident's case plan;

Subp. 10. **Exercise and recreation.** The license holder must develop and implement a plan that offers ~~individualized exercise and appropriate~~ recreation for residents.

Subp. 11. **Health and hygiene services.** The license holder must meet the conditions in items A to F.

A. The license holder must provide a resident with timely access to basic, emergency, and specialized medical, mental health, and dental care and treatment services by qualified persons that meet the resident's needs. The license holder's health services plan must include the requirements in subitems (1) to (3).

(1) A pregnant resident must receive ongoing and appropriate prenatal care from a ~~licensed health care provider~~ medically licensed person. The license holder must provide information and resources on prenatal, postnatal, and parenting topics to a pregnant resident.

D. The license holder, in consultation with a medically licensed physician, physician's assistant, registered nurse, nurse practitioner, or pharmacist person, must have a plan for the safe storage and delivery of medicine. The license holder must meet the requirements in subitems (1) to (5).

(1) The license holder must contact a newly admitted resident's prescribing ~~physician or other prescribing medical professional~~ medically licensed person to verify the following information regarding prescribed medication:

(2) The license holder must document attempts to contact the child's parent or guardian to seek permission for the facility to administer the medication. If permission is denied and the parent has the legal right to deny permission, then the medication ~~may not be administered until~~ will be discontinued under the supervision of a physician unless a court order to administer the medication is obtained.

(5) Facility staff responsible for medication assistance, other than a medically licensed nurse or physician person, must have a certificate verifying their successful completion of a trained medication aide program for unlicensed personnel offered through a postsecondary institution, or staff must be trained to provide medication assistance according to a formalized training program offered by the license holder and taught by a registered nurse. The specific medication assistance training provided by the registered nurse to staff must be documented and placed in the unlicensed staff person's personnel records. A medically licensed person must provide consultation and review of the license holder's administration of medications at least ~~weekly~~ monthly.

Subp. 13. **Resident clothing, bedding, and laundry.** The license holder must ensure that a resident has:

B. an appropriate sized, clean, fire-retardant mattress; two sheets or one sheet and clean mattress cover; sufficient clean blankets to provide comfort under existing temperature conditions; and one pillow and one pillowcase that is antiallergenic, if required, to meet a resident's health care needs. Existing non-fire-retardant mattresses may continue to be used until they are replaced, provided that the existing mattresses are replaced no later than ten years after the effective date of this rule; and

Subp. 19. **Family involvement.** If family involvement is a goal in a resident's case plan, the license holder must list procedures and program plans which are in accordance with a resident's case plan, that facilitate the involvement of the resident's family or

other concerned adult, in the resident's treatment or program activities.

2960.0100 PERSONNEL POLICIES.

Subp. 6. License holder and staff qualifications.

B. Staff ~~who work with female residents~~ must be trained in gender-based needs and issues.

2960.0150 PERSONNEL POLICIES.

Subp. 3. **Staffing plan.** The license holder must prepare and obtain approval from the commissioner of human services or corrections of a written staffing plan that shows staffing assignments and meets the needs of the residents in placement. The license holder must use the criteria in items A to J to develop the facility's staffing plan.

D. The license holder must not assign staff who supervise residents in a manner that invades the privacy of residents or embarrasses or diminishes the dignity of residents by requiring staff of the opposite gender to perform the duties in subitems (1) to (4):

- (1) strip searches;
- (2) witnessing or assisting at internal body searches;
- (3) direct visual supervision of residents during showers or lavatory use; and
- (4) assisting a resident with a personal hygiene activity if assisting the resident with the hygiene activity would require the staff person to view the resident unclothed or to touch the genitals, buttocks, or breasts of the resident.

E. The written staffing plan must include a contingency plan that ensures an immediate response by on-call staff of the same gender as the resident when:

- (1) supervision of a resident by staff of the same gender is required under item D, subitems (1) to (4) ~~and~~;
- (2) when necessary to meet the assessed needs of the resident ~~who, according to the official records or documentation, has been victimized by a person of the opposite gender and who has demonstrated anxiety to staff about supervision by staff of the opposite gender. as determined in part 2960.0070, subpart 5, item B, subitem (2); or~~
- (3) when necessary to appropriately care for a resident who was a victim of sexual abuse.

The contingency plan must include requirements which ensure that staff will document and tell other staff about the resident's need for supervision by staff of the same gender as the resident. The contingency plan must also require staff to document the actions taken by staff to implement the contingency plan for supervision of the resident by staff of the same gender.

When the requirements of this item are not fully met, the license holder must document the circumstances and reasons the requirements were not met and document what the license holder will do to prevent a recurrence of the failure to fully meet the requirements of this item. The documentation of failure to meet the requirements of this item and the description of what the license holder will do to prevent a recurrence of the failure must be kept on file at the facility for at least two years or until the next licensing renewal inspection, whichever period is longer.

~~E. F.~~ The license holder may assign medically licensed staff and purchase the services of persons who are medically licensed to care for or treat residents of the opposite sex. However, if a resident asks that a medically licensed person of the same sex perform the procedures in item D, subitem (2), the license holder must provide same sex medically licensed personnel to perform the procedures in item D, subitem (2). Medically licensed personnel must perform the duties in item D, subitem (2).

~~F. G.~~ The minimum number of direct care staff that must be present and awake when residents are present and awake is one staff person per 12 residents. At a minimum, one staff person per 25 residents must be present and awake at all times in the facility when residents are normally asleep. Programs must meet the requirements of subitems (1) to (3) if they do not have awake staff at times when residents are normally asleep:

- (1) the program must be operated according to the houseparent model;
- (2) the program must have fewer than ~~seven~~ 11 residents; and
- (3) the program must have and follow a policy which explains when it will use awake staff to supervise residents at night. The policy must consider the age and condition and known or suspected behavior characteristics of the residents.

~~G.~~ ~~The license holder must ensure that educational services that meet the educational needs of the residents are provided by qualified teachers certified by the Department of Children, Families, and Learning.~~

Subp. 4. Personnel training. The license holder must develop an annual training plan for employees that addresses items A to D.

B. Staff who have direct contact with residents must complete at least 24 hours of in-service training per year. One-half of the training must be skill development training. Staff who do not have direct contact and volunteers must complete in-service training requirements consistent with their duties, directly related to the needs of children in their care.

2960.0160 ADMISSION POLICIES AND PROCESS.

Subp. 2. **Ability to meet resident needs.** Before admission of a resident, the license holder must examine the placement agency's information about the resident and must determine and document whether the program can meet the resident's needs. The license

Adopted Rules

holder must document whether:

D. the resident is a sex offender. The license holder must take special precautions when a resident is considered likely to engage in sexually abusive behavior. The license holder must assess the resident to determine which precautions may be appropriate, such as to give the resident an individual sleeping room, and direct staff to pay special attention to the resident's interactions with others. The license holder's care for a resident likely to engage in sexually abusive behavior must protect the resident, other residents, staff, and the community. The license holder must consider the vulnerability of other residents in the facility when caring for a sex offender; and

2960.0180 FACILITY OPERATIONAL SERVICE POLICIES AND PRACTICES.

Subp. 2. **Facility programs.** The license holder must prepare written program descriptions and policies and procedures that implement the program described. Measurable program outcomes must also be identified.

B. Each resident must have a treatment plan.

~~(3) The license holder must develop a transitional services plan for each resident prior to the resident's discharge, with identified measurable outcomes, including applicable education outcomes.~~

~~(4)~~ The license holder must document the involvement of community treatment, education, and care resources related to the case plan or treatment plan.

~~(5)~~ (4) The license holder must assign every resident to a designated staff person to ensure regular face-to-face contact and to monitor and assist the resident to implement the treatment plan.

~~(6)~~ (5) The license holder must make individualized written progress reports available to the resident's parent or legal guardian upon request.

~~(7)~~ (6) The license holder must forward written educational progress reports to the resident's school district of residence, if it is likely that the resident will return to the resident's district of residence, unless prohibited by law.

Subp. 4. **Audio or visual recording of resident.** Photographs, videotapes, and motion pictures of a resident taken on program premises or by program personnel are considered a resident record. Photographs of a resident for identification and recordings by videotape and audiotape for the purpose of enhancing therapy, staff supervision, or security may be required. A resident must be informed when actions are being recorded, and ~~have~~ has the right to refuse any recording ~~except as unless~~ authorized by law, necessary for program security, or to protect the health and safety of a resident. The use of an audio or visual recording of a resident must comply with data practices laws.

2960.0240 PERSONNEL POLICIES.

Subpart 1. **Job descriptions and staff qualifications.** Job descriptions and staff qualifications must meet the requirements in items A and B.

B. Staff who supervise residents must be at least 21 years old ~~and provide evidence of at least a high school diploma or general education development degree.~~ Persons older than 18 years old but younger than 21 years old may be employed if they are enrolled or have completed course work in a secondary postsecondary education program to pursue a degree in a behavioral science.

2960.0260 CLASSIFICATION, AND SEPARATION, AND SEGREGATION OF RESIDENTS.

2960.0270 FACILITY OPERATIONAL POLICIES AND PROCEDURE REQUIREMENTS, SERVICES, AND PROGRAMS.

Subp. 4. **Medical services.**

B. A resident must be examined by ~~trained medical personnel~~ a medically licensed person within a reasonable time if the resident is visibly ill, chronically ill, or whenever it is suspected that medical attention is necessary. A resident must receive emergency mental health and dental care when needed.

F. The license holder, in consultation with a ~~physician or medically licensed or registered nurse~~ person, must develop plans and establish procedures and accessories for the secure storage, delivery, supervision, and control of medications and medical supplies in the facility.

2960.0340 SECURITY STANDARDS.

Subpart 1. **Supervision of nonemployee service personnel.** A person working at the facility, who is not employed by the facility, must be under the general supervision of facility staff, unless that person has been trained in the facility's policies and procedures. No contact by such persons with residents is permitted.

Adopted Rules

2960.0350 DISCHARGE.

Subpart 1. **Discharge criteria.** The facility must have written discharge criteria that allow discharge according to items A and B, except that detention facilities are exempt from preparing written criteria in item A and must prepare criteria in item C:

- A. completion of the resident's facility treatment plan; ~~or~~
- B. the resident is ordered to a different placement by the court; or
- C. the legal authority to hold the resident expires.

2960.0450 CHEMICAL DEPENDENCY TREATMENT SERVICES.

Subp. 3. **Additional chemical dependency treatment services.** A certificate holder may provide or arrange for the provision of additional chemical dependency treatment in this subpart as indicated in the resident's individual treatment plan.

C. The program may provide health monitoring, stress management, and physical well-being training by a ~~qualified licensed practical nurse or registered nurse~~ medically licensed person or under the supervision of a ~~registered nurse~~ medically licensed person to assist the resident in reaching and maintaining an acceptable level of health, physical fitness, and well-being.

2960.0520 SERVICES.

Subp. 2. **Shelter programs.** A shelter program must offer the additional services in items A to C.

B. Instead of the requirements in part 2960.0070, subpart 5, item A, subitem (1), the license holder must, within 24 hours of admitting a resident to shelter services, arrange for a qualified professional according to this item to conduct a basic health screening to determine if a resident needs a physical ~~examination by a physician~~ or dental examination by a ~~dentist~~ medically licensed person. If the need for an examination is determined, the license holder must notify the resident's case manager of the need to make an appointment with a ~~licensed physician or dentist~~ medically licensed person to complete the required examination and document notification of the case manager. A qualified professional is:

2960.0590 PROGRAM AND SERVICE STANDARDS.

An applicant or license holder must offer services scheduled at accessible times that are appropriate to the resident's age or level of functioning to support achieving the goals and outcomes in the resident's treatment plan. The license holder must offer the services and achieve the outcomes in items A to I.

C. The license holder must offer medication education designed to have the resident and family understand:

(2) the physical, emotional, or behavioral changes resulting from the resident's use, misuse, or refusal to use psychotropic medications prescribed. The person who provides medication education must be a medically licensed person, or supervised by, a ~~registered nurse, pharmacist, or physician~~ medically licensed person.

2960.0620 USE OF PSYCHOTROPIC MEDICATIONS.

Subp. 2. **Monitoring side effects.** The license holder must monitor for side effects if a resident is prescribed a psychotropic medication and must have the prescribing physician or a pharmacist list possible side effects. The license holder, under the direction of a ~~registered nurse or physician~~ medically licensed person, must document and check for side effects at least weekly for the first six weeks after a resident begins taking a new psychotropic medication or a significantly increased or decreased dose of a currently used psychotropic medication, and at least quarterly thereafter. Minor increases or decreases in the dose of a currently used psychotropic medication need not be monitored as frequently as a new medication or a significant increase or decrease of a currently used psychotropic medication. In addition to appropriate physical or laboratory assessments as determined by the ~~physician~~ medically licensed person, standardized checklists or rating scales, or scales developed for a specific drug or drug class, must be used as monitoring tools. The license holder must provide the assessments to the ~~physician~~ medically licensed person for review.

Subp. 3. **Monitoring for tardive dyskinesia.** The license holder, under the direction of a ~~medically licensed nurse or physician~~ person, must monitor for tardive dyskinesia at least every three months if a resident is prescribed antipsychotic medication or amoxapine and must document the monitoring. A resident prescribed antipsychotic medication or amoxapine for more than 90 days must be checked for tardive dyskinesia at least 30 and 60 days after discontinuation of the antipsychotic medication or amoxapine. Monitoring must include use of a standardized rating scale and examination procedure. The license holder must provide the assessments to the physician for review if the results meet criteria that require physician review.

Subp. 4. **Training required to administer psychotropic medications.** An employee other than a ~~physician, registered nurse, or medically licensed practical nurse~~ person who is responsible for medication assistance must provide a certificate verifying successful completion of a trained medication aide program for unlicensed personnel. The program must be offered through a post-secondary institution or the medication aide must be trained according to a formalized training program offered by the license holder that must be taught and supervised by a ~~registered nurse~~ medically licensed person to provide medication assistance. The specific medication administration training provided by a ~~registered nurse~~ medically licensed person to unlicensed personnel must be documented and placed in the unlicensed employee's personnel records. A ~~registered nurse, physician, or pharmacist~~ medically licensed person must provide consultation and review of the license holder's administration of medications at least weekly. The

Adopted Rules

consultation must review the license holder's compliance with subparts 5 and 6.

2960.0630 CLINICAL SUPERVISION BY MENTAL HEALTH PROFESSIONAL.

Subp. 3. **Supervision of treatment.** A mental health professional must:

D. document on a biweekly basis a review of all the program services provided for the resident in the preceding ~~week~~ weeks.

The license holder must ensure that the mental health professional can be reached for consultation about a mental health emergency, at least by telephone, within 30 minutes.

2960.3010 DEFINITIONS.

Subp. 29. **Licensed professional.** "Licensed professional" means a person qualified to complete a diagnostic evaluation, including a physician licensed under *Minnesota Statutes*, chapter 147, or a qualified mental health professional licensed under *Minnesota Statutes*, section 148B.18, subdivision 10, or a person defined as a "mental health professional" in *Minnesota Statutes*, section 245.4871, subdivision 27.

2960.3030 CAPACITY LIMITS.

Subp. 3. **Exceptions to capacity limits.** A variance may be granted to allow up to eight foster children in addition to the license holder's own children if the conditions in items A to E are met:

A. placement is necessary to keep a sibling group together, to keep a child in the child's home community, or is necessary because the foster child was formerly living in the home and it would be in the child's best interest to be placed there again;

2960.3050 FOSTER HOME SAFETY.

Subpart 1. **Inspection by licensing agency.** Prior to licensure, the foster home must be inspected by a licensing agency employee using the home safety checklist from the commissioner of human services. The applicant must correct deficiencies in the foster home which were identified by the agency. The licensing agency may require a health inspection if the foster home's condition could present a risk to the health of a foster child.

Subp. 2. **Additional Fire code inspections required.** If one of the conditions in items A to E exist, the foster home must document inspection and approval of the foster home according to *Minnesota Statutes*, section 299F.011, and the Uniform Fire Code by the state fire marshal or a local fire code inspector who is approved by the state fire marshal ~~and document approval of the foster home by the Department of Health or local health inspector, local building code inspector, and local zoning authority, or document that an appropriate waiver has been granted to the inspections and approvals:~~

2960.3060 LICENSE HOLDER QUALIFICATIONS.

Subp. 3. **Personal characteristics of applicants.** The applicant must comply with the requirements of items A to G.

B. The applicant and household members must provide a signed statement which indicates that they are receiving all necessary medical care, do not pose a risk to the child's health, and are physically able to care for foster children and indicate any limitations the applicant and household members may have.

2960.3080 PLACEMENT, CONTINUED STAY, AND DISCHARGE.

Subp. 3. **Child's property.** The foster child must be allowed to bring personal possessions, as agreed upon between the child, the child's parent, the placing agency, and the license holder, to the foster home and must be allowed to accumulate possessions to the extent the home is able to accommodate them. ~~The license holder must make a written inventory of the foster child's personal property, including clothing, at admission and at discharge. The license holder and the foster child, if capable, must sign the inventory.~~

Subp. 5. **Cooperation required.** The license holder must cooperate with the child's placing agency according to items A and B.

B. The license holder must cooperate with the child's case manager and other appropriate parties to develop and implement the child's case plan during the child's stay in the foster home. The license holder shall cooperate in ~~at least~~ the following areas:

2960.3090 RESPITE AND SUBSTITUTE CARE FOR FAMILY SETTINGS.

Subpart 1. **Notice requirements.** In nonemergency situations, the license holder, parent, and placing agency must agree on respite care and substitute care arrangements within ten working days prior to the use of respite care or substitute care or must agree on respite care according to an ongoing written agreement. In an emergency that may require the use of respite or substitute care, the license holder must notify the placing agency of the emergency as soon as possible. The license holder must notify the placing agency when respite care or long-term substitute care is being provided.

2960.3100 RECORDS.

Subp. 2. **Foster child records.** The license holder must keep a record for each foster child in care. The record must include ~~the initial inventory of the child's belongings at admission;~~ the child's medical records, which includes records of illnesses and medical care provided to the child; grievance records, including documentation of the grievance resolution; and other documentation as required by the child's case plan.

Adopted Rules

2960.3220 STAFFING PATTERNS AND PERSONNEL POLICIES.

Subp. 6. Drug and alcohol use prohibited. The license holder must have a policy regarding use of illegal drugs or alcohol by staff, volunteers, and contract employees while staff, volunteers, and contract employees care for or have contact with foster children. The license holder's policy must prohibit the use of illegal drugs and use of alcohol by staff and others while caring for foster children, and require that staff and others who use illegal drugs or use alcohol while caring for foster children are subject to dismissal.

Subp. 7. Medication administration. The license holder must have a policy on medication administration by staff. The license holder's medication administration policy must, at a minimum, require that staff document medication administration errors.

2960.3320 TREATMENT FOSTER CARE REQUIREMENTS.

Subpart 1. **Treatment foster care provider qualifications.** In addition to the qualifications in parts 2960.3000 to ~~2960.3230~~ 2960.3100, treatment foster parents must:

2960.3330 TREATMENT FOSTER CARE TRAINING.

Subpart 1. **Initial training required.** Each treatment foster parent must complete the training requirements in items A ~~to C~~ and B.

~~C. Maintain first aid and cardiopulmonary resuscitation certification.~~

2960.3340 TREATMENT FOSTER HOME CAPACITY.

Subp. 3. **Capacity limit variance.** The capacity variance conditions must ensure that the foster home will meet the individual treatment needs of the children in care and address specific vulnerabilities that may occur when children are placed together. The variance must identify added support services that will be offered to the treatment foster family to meet the needs of each child in the home and tell how the additional support services can be obtained. A variance granted to treatment foster care parents must also meet the requirements in part 2960.3020, subpart 9. A variance may be granted to allow the capacity of a treatment foster home to exceed two children, if one of the following special circumstances applies:

- A. there is a need to place a sibling group together in the foster home; or
- B. ~~to keep the child in the child's home community; or~~
- ~~C.~~ to place a child with foster parents with which the child had been previously placed.

REPEALER. (a) *Minnesota Rules*, parts 2925.0100; 2925.0200; 2925.0500; 2925.0600; 2925.0800; 2925.1000; 2925.1200; 2925.1400; 2925.1500; 2925.1600; 2925.1800; 2925.1900; 2925.2000; 2925.2100; 2925.2200; 2925.2300; 2925.2400; 2925.2500; 2925.2600; 2925.2700; 2925.2800; 2925.2900; 2925.2950; 2925.3100; 2925.3300; 2925.3500; 2925.3600; 2925.3700; 2925.3800; 2925.3900; 2925.4000; 2925.4100; ~~2930.0100; 2930.0200; 2930.0300; 2930.0400; 2930.0500; 2930.0600; 2930.0700; 2930.0800; 2930.0900; 2930.1000; 2930.1100; 2930.1200; 2930.1300; 2930.1400; 2930.1500; 2930.1600; 2930.1700; 2930.1800; 2930.1900; 2930.2000; 2930.2100; 2930.2200; 2930.2300; 2930.2400; 2930.2500; 2930.2600; 2930.2700; 2930.2800; 2930.2900; 2930.3000; 2930.3100; 2930.3200; 2930.3300; 2930.3400; 2930.3500; 2930.3600; 2930.3700; 2930.3800; 2930.3900; 2930.4000; 2930.4100; 2930.4200; 2930.4300; 2930.4400; 2930.4500; 2930.4600; 2930.4700; 2930.4800; 2930.4900; 2930.5000; 2930.5100; 2930.5200; 2930.5300; 2930.5400; 2930.5500; 2930.5600; 2930.5700; 2930.5800; 2930.5900; 2930.6000; 2930.6100; 2930.6200; 2930.6300; 2930.6400; 2930.6500; 2930.6600; 2930.6700; 2930.6800; 2930.6900; 2930.7000; 2930.7100; 2930.7200; 2930.7300; 2930.7400; 2930.7500; 2930.7600; 2930.7700; 2930.7800; 2930.7900; 2930.8000; 2930.8100; 2930.8200; 2930.8300; 2930.8400; 2930.8500; 2930.8600; 2930.8700; 2930.8800; 2930.8900; 2930.9000; 2930.9100; 2930.9200; 2930.9300; 2930.9400; 2930.9500; 2930.9600; 2930.9700; 2930.9800; 2930.9900; 2935.0100; 2935.0200; 2935.0300; 2935.0400; 2935.0410; 2935.0500; 2935.0600; 2935.0700; 2935.0800; 2935.0900; 2935.1000; 2935.1100; 2935.1200; 2935.1300; 2935.1400; 2935.1500; 2935.1600; 2935.1700; 2935.1800; 2935.1900; 2935.2000; 2935.2100; 2935.2200; 2935.2300; 2935.2400; 2935.2500; 2935.2600; 2935.2700; 2935.2800; 2935.2900; 2935.3000; 2935.3100; 2935.3200; 2935.3300; 2935.3400; 2935.3500; 2935.3600; 2935.3700; 2935.3800; 2935.3900; 2935.4000; 2935.4100; 2935.4200; 2935.4300; 2935.4310; 2935.4320; 2935.4330; 2935.4400; 2935.4500; 2935.4600; 2935.4700; 2935.4800; 2935.4900; 2935.5000; 2935.5100; 2935.5200; 2935.5300; 2935.5400; 2935.5500; 2935.5600; 2935.5700; 2935.5800; 2935.5900; 2935.6000; 2935.6100; 2935.6200; 2935.6300; 2935.6400; 2935.6500; 2935.6600; 2935.6700; 2935.6800; 2935.6900; 2935.7000; 2935.7100; 2950.0100; 2950.0110; 2950.0120; 2950.0130; 2950.0135; 2950.0140; 2950.0150; 2950.0160; 2950.0200; 2950.0300; 2950.0310; 2950.0320; 2950.0330; 2950.0400; 2950.0500; 2950.0510; 2950.0600; 2950.0610; 2950.0620; 2950.0700; 2950.0720; 2950.0800; 2950.0810; 2950.0820; 2950.0840; 2950.0850; 2950.0860; 2950.0870; 2950.0880; 2950.0890; 2950.0895; 2950.0900; 2950.0910; 2950.0920; 2950.0930; 2950.0940; 2950.0950; 2950.0960; 2950.1000; 2950.1100; 2950.1200; 2950.1300; 2950.1400; 2950.1500; 2950.1600; 2950.1700; 2950.1800; 2950.1900; 9530.4450; 9545.0010; 9545.0020; 9545.0030; 9545.0040; 9545.0050; 9545.0060; 9545.0070; 9545.0080; 9545.0090; 9545.0100; 9545.0110; 9545.0120; 9545.0130; 9545.0140; 9545.0150; 9545.0160; 9545.0170; 9545.0180; 9545.0190; 9545.0200; 9545.0210; 9545.0220; 9545.0230; 9545.0240; 9545.0250; and 9545.0260; 9545.0905; 9545.0915; 9545.0925; 9545.0935; 9545.0945; 9545.0955; 9545.0965; 9545.0975; 9545.0985; 9545.0995; 9545.1005; 9545.1015; 9545.1025; 9545.1035; 9545.1045; 9545.1055; 9545.1065; 9545.1075; 9545.1085; 9545.1095; 9545.1105; 9545.1115; 9545.1125; 9545.1200; 9545.1210; 9545.1220; 9545.1230; 9545.1240; 9545.1250; 9545.1260; 9545.1270; 9545.1280; 9545.1290; 9545.1300; 9545.1310; 9545.1320; 9545.1400; 9545.1410; 9545.1420; 9545.1430; 9545.1440; 9545.1450; 9545.1460; 9545.1470; and 9545.1480, are repealed effective January 1, 2004.~~

Adopted Rules

(b) Minnesota Rules, parts 2930.0100; 2930.0200; 2930.0300; 2930.0400; 2930.0500; 2930.0600; 2930.0700; 2930.0800; 2930.0900; 2930.1000; 2930.1100; 2930.1200; 2930.1300; 2930.1400; 2930.1500; 2930.1600; 2930.1700; 2930.1800; 2930.1900; 2930.2000; 2930.2100; 2930.2200; 2930.2300; 2930.2400; 2930.2500; 2930.2600; 2930.2700; 2930.2800; 2930.2900; 2930.3000; 2930.3100; 2930.3200; 2930.3300; 2930.3400; 2930.3500; 2930.3600; 2930.3700; 2930.3800; 2930.3900; 2930.4000; 2930.4100; 2930.4200; 2930.4300; 2930.4400; 2930.4500; 2930.4600; 2930.4700; 2930.4800; 2930.4900; 2930.5000; 2930.5100; 2930.5200; 2930.5300; 2930.5400; 2930.5500; 2930.5600; 2930.5700; 2930.5800; 2930.5900; 2930.6000; 2930.6100; 2930.6200; 2930.6300; 2930.6400; 2930.6500; 2930.6600; 2930.6700; 2930.6800; 2930.6900; 2930.7000; 2930.7100; 2930.7200; 2930.7300; 2930.7400; 2930.7500; 2930.7600; 2930.7700; 2930.7800; 2930.7900; 2930.8000; 2930.8100; 2930.8200; 2930.8300; 2930.8400; 2930.8500; 2930.8600; 2930.8700; 2930.8800; 2930.8900; 2930.9000; 2930.9100; 2930.9200; 2930.9300; 2930.9400; 2930.9500; 2930.9600; 2930.9700; 2930.9800; 2930.9900; 2935.0100; 2935.0200; 2935.0300; 2935.0400; 2935.0410; 2935.0500; 2935.0600; 2935.0700; 2935.0800; 2935.0900; 2935.1000; 2935.1100; 2935.1200; 2935.1300; 2935.1400; 2935.1500; 2935.1600; 2935.1700; 2935.1800; 2935.1900; 2935.2000; 2935.2100; 2935.2200; 2935.2300; 2935.2400; 2935.2500; 2935.2600; 2935.2700; 2935.2800; 2935.2900; 2935.3000; 2935.3100; 2935.3200; 2935.3300; 2935.3400; 2935.3500; 2935.3600; 2935.3700; 2935.3800; 2935.3900; 2935.4000; 2935.4100; 2935.4200; 2935.4300; 2935.4310; 2935.4320; 2935.4330; 2935.4400; 2935.4500; 2935.4600; 2935.4700; 2935.4800; 2935.4900; 2935.5000; 2935.5100; 2935.5200; 2935.5300; 2935.5400; 2935.5500; 2935.5600; 2935.5700; 2935.5800; 2935.5900; 2935.6000; 2935.6100; 2935.6200; 2935.6300; 2935.6400; 2935.6500; 2935.6600; 2935.6700; 2935.6800; 2935.6900; 2935.7000; 2935.7100; 2950.0100; 2950.0110; 2950.0120; 2950.0130; 2950.0135; 2950.0140; 2950.0150; 2950.0160; 2950.0200; 2950.0300; 2950.0310; 2950.0320; 2950.0330; 2950.0400; 2950.0500; 2950.0510; 2950.0600; 2950.0610; 2950.0620; 2950.0700; 2950.0720; 2950.0800; 2950.0810; 2950.0820; 2950.0840; 2950.0850; 2950.0860; 2950.0870; 2950.0880; 2950.0890; 2950.0895; 2950.0900; 2950.0910; 2950.0920; 2950.0930; 2950.0940; 2950.0950; 2950.0960; 2950.1000; 2950.1100; 2950.1200; 2950.1300; 2950.1400; 2950.1500; 2950.1600; 2950.1700; 2950.1800; 2950.1900; 9530.4450; 9545.0905; 9545.0915; 9545.0925; 9545.0935; 9545.0945; 9545.0955; 9545.0965; 9545.0975; 9545.0985; 9545.0995; 9545.1005; 9545.1015; 9545.1025; 9545.1035; 9545.1045; 9545.1055; 9545.1065; 9545.1075; 9545.1085; 9545.1095; 9545.1105; 9545.1115; 9545.1125; 9545.1200; 9545.1210; 9545.1220; 9545.1230; 9545.1240; 9545.1250; 9545.1260; 9545.1270; 9545.1280; 9545.1290; 9545.1300; 9545.1310; 9545.1320; 9545.1400; 9545.1410; 9545.1420; 9545.1430; 9545.1440; 9545.1450; 9545.1460; 9545.1470; and 9545.1480, are repealed effective July 1, 2005.

EFFECTIVE DATE. (a) *Minnesota Rules*, parts ~~2960.0010~~ 2960.3000 to 2960.3340, are effective January 1, 2004.

(b) *Minnesota Rules*, parts 2960.0010 to 2960.0710, are effective July 1, 2005.

Board of Nursing

Adopted Permanent Rules Relating to Program Approval

The rules proposed and published at *State Register*, Volume 27, Number 45, pages 1627-1635, May 5, 2003 (27 SR 1627), are adopted with the following modifications:

6301.0800 RULE COMPLIANCE SURVEY.

Subpart 1. **Timing.**

B. In addition, if the success rates are 75 percent or less for candidates from the program who, during any January 1 through December 31 period, wrote the licensing examination for the first time, the board must take one of the actions described in subitems (1) to (3).

(1) If success rates are 75 percent or less for one period, the board shall ~~notify~~ require the director to identify factors that are potentially affecting the low success rate on the licensure examination. The director shall submit a plan of corrective action by a specified date. The plan of action must be on a board-supplied form and include the signature of the director and another institutional administrative academic representative. If the following year the success rate is above 75 percent, no action by the board is required.

(3) If success rates are 75 percent or less for any three consecutive periods, the board shall ~~notify~~ require the director and another institutional administrative academic representative to meet with a committee of board members and board staff for an on-site survey for compliance with all applicable rules and for the implementation of the plan for corrective action submitted the previous year. Upon completion of the survey, the board shall take action in compliance with subpart 3.

6301.1800 NURSING ABILITIES TO BE EVALUATED.

Subp. 6. **Delegated medical treatment.** Each student must be evaluated for the ability to:

H. identify sources of information necessary to administer prescribed medication, including compatibility and interactions among prescribed medications and ~~complimentary~~ complementary substances;

Subp. 9. **Legal responsibility.** Each student must be evaluated for the ability to determine the individual's legal ~~responsibility~~ accountability for the ~~student's~~ individual's scope of nursing practice.

Official Notices

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

Minnesota Department of Education

Division of Compliance and Assistance

REQUEST FOR COMMENTS Possible Amendment to Rules Governing Special Education, Minnesota Rules, 3525.0200, 3525.2900, and 3525.3300 - 3525.4770

Subject of Rules. The Minnesota Department of Education requests comments on its possible amendment to rules governing special education. The department is considering rule amendments that reflect recent changes to *Minnesota Statutes*, section 125A.091 regarding due process hearing procedures (*Minnesota Rules*, part 3525.0200 and parts 3525.3300 - 3525.4770). In addition, the department intends to propose a technical amendment to *Minnesota Rules*, part 3525.2900 by amending the title of the rule so that it is not duplicative of *Minnesota Rules*, part 3525.2810.

Persons Affected. The amendments to the rules would likely affect children and youth with disabilities and their families, as well as educators, administrators, advocates, attorneys and state compliance officials.

Statutory Authority. *Minnesota Laws*, chapter 9, article 3, section 19 (1st special session), requires the department to adopt rules for special education due process hearing procedures. In addition, *Minnesota Statutes*, section 125A.07(a) authorizes the department to adopt "necessary rules for instruction of children with a disability..." By this authority the department proposes to make a technical amendment necessary to improve the quality of rules governing special education.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on October 17, 2003.

Rules Drafts. The Department has prepared a draft of the possible rules amendments. To request a copy of the draft, please contact the agency contact person below.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules and requests for more information on these possible rules should be directed to: Kristen Schroeder at Department of Education, 1500 Highway 36 West, Roseville, MN, 55113; **telephone:** (651) 582-8607; **FAX:** (651) 582-8725; and **email:** Kristen.Schroeder@state.mn.us. TTY users may call the department at (651) 582-8201.

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format. To make such a request, please contact the agency contact person at the address or telephone number listed above.

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

Dated: August 25, 2003

Cheri Pierson Yecke, Commissioner
Department of Education

Minnesota Office of Environmental Assistance

Public Meeting on the Metropolitan Area Solid Waste Management Policy Plan

Introduction

The *Metropolitan Area Solid Waste Management Policy Plan* outlines the plan for managing the area's solid waste for the next 20 years (2004-2023). The Minnesota Office of Environmental Assistance (OEA) prepares and approves the Policy Plan and has worked in partnership with the Solid Waste Management Coordinating Board (SWMCB) throughout its development. A variety of additional stakeholders also provided input on the plan including state and county staff, representatives of the waste industry, environmental groups, businesses, and citizens, including a Citizens' Jury. The plan also reflects many of the recommendations made by the State Solid Waste Advisory Council, which was charged with the task of mapping out the state's current solid waste system, evaluating its successes and failures, and making recommendations for improvement.

Official Notices

About the Document

The revised Policy Plan continues to follow the requirements of the Waste Management Act (*Minnesota Statutes* 115A), as well as *Minnesota Statutes* 473. Section 115A.01 sets forth the State of Minnesota's goals for the management of waste within the state. The goals are as follows:

- (a) It is the goal of this chapter to protect the state's land, air, water, and other natural resources and the public health by improving waste management in the state to serve the following purposes:
 - (1) reduction in the amount and toxicity of waste generated;
 - (2) separation and recovery of materials and energy from waste;
 - (3) reduction in indiscriminate dependence on disposal of waste;
 - (4) coordination of solid waste management among political subdivisions; and
 - (5) orderly and deliberate development and financial security of waste facilities including disposal facilities.
- b) The waste management goal of the state is to foster an integrated waste management system in a manner appropriate to the characteristics of the waste stream and thereby protect the state's land, air, water, and other natural resources and the public health. The following waste management practices are in order of preference:
 - (1) waste reduction and reuse;
 - (2) waste recycling;
 - (3) composting of yard waste and food waste;
 - (4) resource recovery through mixed municipal solid waste composting or incineration;
 - (5) land disposal which produces no measurable methane gas or which involves the retrieval of methane gas as a fuel for the production of energy to be used on-site or for sale; and
 - (6) land disposal which produces measurable methane and which does not involve the retrieval of methane gas as a fuel for the production of energy to be used on-site or for sale.

Opportunity for Public Comment

In accordance with *Minnesota Statutes* 473.149, a public meeting will be held to solicit comments from all interested parties. That meeting will be held on Wednesday, October 8, 2003 at the Metro Counties Government Center, 2099 University Avenue, St. Paul, MN, 55104 at 12:30 PM. All interested parties are invited to participate at this meeting and will have 30 days from the public meeting to provide comment to the Director of the OEA. Copies of the draft Policy Plan may be obtained on-line on the OEA's website at www.moea.state.mn.us or the SWMCB's website at www.swmcb.org. Additional copies may also be obtained by contacting the OEA at (651) 296-3417 or 1-800-657-3843.

Vision

The overall vision for the 2004/2023 Policy Plan involves a sustainable communities that seeks a better quality of life for current and future residents by maintaining nature's ability to function over time. It minimizes waste, prevents pollution, promotes efficiency, and develops resources to revitalize local economies. The waste management system is a component of the infrastructure of a sustainable community. Therefore, solid waste will be managed by technologies and methods that support sustainable communities and environments. The solid waste hierarchy, with its associated goal of protecting the state's air, land, water, and other natural resources and the public health, is central to attaining the objectives of sustainability and solid waste management.

Key Themes

The vision and goals contained in this plan reflect the experiences of the region over the last six years under the previous policy plan, as well as the recommendations from the State Solid Waste Advisory Council and Citizens' Jury. During the next six years (2004-2010), the plan will give special emphasis to the following issues:

- **Waste as a Resource.** Vast amounts of materials are thrown away in the Metropolitan area - materials that could be designed to reduce waste or be reused, recycled or recovered for resource value. This plan advocates a transition to a new way of thinking about waste, based on principles of sustainability and resource conservation. Treating waste as a resource reduces pollution. It can initiate cost savings by using resources more efficiently. Considering waste as a resource allows greater flexibility to deal with challenges facing the Metropolitan areas solid waste system.
- **Solid Waste Management Hierarchy.** This plan stresses the need to manage waste in an integrated system in accordance with the hierarchy of preferred waste management practices, with an emphasis on reduction and recycling in order to promote resource conservation and environmental protection. Scientific research has pointed out the environmental benefits of the hierarchy, such as reduced the greenhouse gas emissions resulting from waste reduction and recycling.
- **Generator Responsibility.** This policy plan contains policies to aggressively foster and encourage responsibility at multiple levels (personal, corporate, government). While, from a legal perspective, generators (a person or entity that produces waste)

are inherently responsible for what they produce, surveys show that most believe that their responsibility ends once the waste is hauled away. This policy plan clearly states that generators are responsible for the waste they produce. That means generators must make wise purchasing *and* wise disposal decisions – paying the true cost of managing waste and evaluating the effects of their waste disposal decisions.

- **Government as a Leader.** Government provides health care, feeds and houses people, manufactures goods, provides a variety of services, builds structures, and more. In all of these activities, waste is generated. The policies in this plan are designed to steer the region toward a vision, and government will have to lead the way by assuring that government actions are consistent with this plan.
- **Product Stewardship.** This policy plan steers the region toward more product stewardship, with the intent being that government will reduce its role in the management of some wastes, while those that produce, sell, and use products will assume greater responsibility for the management of products at the end of their useful lives. Product stewardship means that all parties involved in designing, manufacturing, selling, and using a product take responsibility for environmental impacts at every stage of that product's life. In particular, product stewardship requires manufacturers to share in the financial and physical responsibility for collecting and recycling products at the end of their useful lives.
- **Private Sector Initiative.** In many parts of the United States – indeed, in parts of Minnesota – government is the primary provider of waste management services. In the Metro Area, however, there has been a long history of solid waste services provided by private businesses and nonprofits. Policies in this plan call for a greater role by the private sector in solving waste management dilemmas consistent with the public vision for waste management.
- **Reinvigorate Recycling.** The Metropolitan Area is a national leader in recycling. However, in spite of the huge positive economic impact that recycling has had on Minnesota, the recycling rate has flattened since the late 1990s. This policy plan seeks to reinvigorate recycling, so that Minnesota can more fully realize the environmental and economic benefits of separating recyclables from trash.

How the Policy Plan Will Be Used

The Metropolitan Solid Waste Management Policy Plan has been revised and streamlined to create a document that will be a more useful tool for citizens, businesses, public entities, and policymakers alike. The policy plan will be used as follows:

- **Citizens and Businesses.** The policy plan 1) informs citizens about their role in waste prevention and recycling; 2) educates citizens about solid waste issues and the solid waste services (both government and private) available to them; and 3) identifies state agencies and county governments for assistance. The policy plan also serves as a guide to private industry in developing future solid waste facilities, services, and investments.
- **Public Entities.** The Policy Plan guides the counties in developing solid waste master plans, ordinances, and proposals for source reduction, recycling, and waste processing. The plan also guides the OEA's metropolitan oversight responsibilities, including administration of the Metropolitan Landfill Abatement Account (MLAA) program, county plan reviews, and issuance of solid waste facility permits and landfill certificates of need (CONs). The policy plan will also aid the Minnesota Pollution Control Agency (MPCA) in its regulatory, environmental review, enforcement, and technical assistance functions that affect the Metropolitan Area.

State and Federal Legislative Bodies. The policy plan outlines state and federal solid waste legislative initiatives proposed by the OEA and the SWMCB. State legislators will find the Policy Plan to be a useful resource when considering solid waste legislation affecting the Metropolitan Area.

Department of Labor and Industry

Workers' Compensation Division

Notice of Annual Adjustment to Workers' Compensation Vocational Rehabilitation Hourly Rates

On October 1, 2003, the maximum workers' compensation qualified rehabilitation consultant (QRC) hourly rate will increase to \$82.13 and the maximum hourly rate for workers' compensation rehabilitation job development and placement services will increase to \$63.17. These increases are made pursuant to *Minnesota Statutes* § 176.102, subd. 2 and *Minnesota Rules*, part 5220.1900, subp. 1b.

Dated: August 14, 2003

M. Scott Brener, Commissioner

Official Notices

Metropolitan Council

Adoption of the 2004-2006 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area

The Metropolitan Council intends to adopt the 2004-2006 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area at its meeting September 24, 2003. The program includes highway, transit, bikeway and pedestrian enhancements and air quality projects that use federal funds in the seven-county metropolitan area over the next three years. The program is prepared annually in accordance with federal requirements and must contain all projects that are to be implemented with federal transportation funding assistance. This TIP also contains Metropolitan Council's Program of Projects (POP).

Metropolitan Council Meeting
Wednesday, September 10, 2003, 3:00 p.m.
Metropolitan Council Chambers
Mears Park Centre, 230 East Fifth Street
St. Paul, Minnesota 55101

The TIP is prepared jointly by the Metropolitan Council and the Minnesota Department of Transportation. Projects contained in the TIP reflect the region's priorities and help implement the region's transportation plan. Projects have been analyzed to determine impact on regional air quality. Progress made on implementing the region's transportation plan is reported in the TIP.

The Council's Transportation Advisory Board (TAB) initiated the public input process on June 18, 2003, when it adopted the draft 2004-2006 TIP for purposes of a public hearing. The public hearing was held on July 16, 2003. The public comment period closed on August 1, 2003. Copies of all comments received were sent to TAB Members for their consideration. Staff response and recommendations were included in the public hearing report that will also be considered by the Council on September 24, 2003.

Upon request, the Council will provide reasonable accommodation to persons with disabilities. Free copies of the 2004-2006 Transportation Improvement Program are available at the Council's Regional Data Center. Call (651) 602-1140 or TTY (651) 291-0904 to request a copy. Other background materials describing the Council's transportation planning and programming efforts also are available.

Questions about the hearings or transportation assumption and technical materials may be directed to Kevin Roggenbuck (651) 602-1728, or Carl Ohm (651) 602-1719, Metropolitan Council, 230 East Fifth Street, St. Paul, MN 55101.

Teachers Retirement Association

Notice of Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, September 17, 2003 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.

Northeast Higher Education District (NHED)

Request for Proposal for Technology Mentor and Pilot Site Designer for a Series of TechNorth Prep Centers (TPC's) in NE Minnesota

The Northeast Higher Education District (NHED) is requesting proposals from vendors interested in working as a Technology Mentor and Pilot Site Designer for a series of TechNorth Prep Centers (TPC's) to be established in northeast Minnesota communities. This initiative is part of a workforce, education, economic and community development strategy seeking to better align resources in this region for the greater good of the people who live and work along the Iron Range. The TPC sites will be part of a broader regional strategy called True North. The NHED organization, which is an administrative unit of the Minnesota State Colleges and Universities system, is the fiscal agent for a federal Department of Labor Earmark grant which is just under way and will run into 2005.

State Grants & Loans

The interested vendors will work alongside the Project Management Team to design a Model for the creation and operation of two or more TPC sites to be located in communities where an NHED college exists. The core concept behind the project is to offer businesses seeking to out-source some of their technological applications with a reasonable alternative to placing this work with off-shore vendors. Approximately 3.5 million US job FTE's will be lost to off-shore high tech contract vendors. At the same time, highly trained technology workers in this country are struggling to find jobs. If cells of well trained workers in a region like the Arrowhead could be brokered with appropriate businesses for their out-sourced technologic applications, the result could be a new regional economic and workforce engine.

The interested vendor will have experience with out-sourced contracts for high tech work and must have a demonstrated "book of business" with prospective business clients for the TPC sites. Each site will have both a training and work-station design that will serve potential learner/workers. Training will be customized to meet the needs of prospective beta clients. The vendor will assist in the design of curricula, software creation for project management of contracted work, high speed connectivity and networking, quality control protocols, recruitment strategies and TPC site replication.

Contracted services will begin at date of vendor approval and will continue until September 30, 2004 on an as needed basis. Proposals should include company history, principal personnel assigned to this project, professional references, and availability for on site meeting at the NHED offices in Chisholm MN prior to contract agreement. Travel to and from northeast MN will be required and some travel nationally may be required, as determined by Project Management. The budget constraints for the project require that these services be rendered not to exceed \$50,000.00.

Proposals from interested parties must be received by 4:30 p.m., on Tuesday, September 16, 2003 to:

Bill Maki
Northeast Higher Education District
Itasca Community College
1851 E Hwy 169
Grand Rapids, MN 55744

For more information contact:

John Ondov, TPC Project Manager
LifeLab Learning Institute
910 Kimberly Lane
Chanhassen, MN 55317
(952) 470-9933

Department of Revenue

Request for Proposals for Grants to Provide Taxpayer Assistance Services to Low Income and Disadvantaged Minnesota Residents

Program Background

The Minnesota Department of Revenue is soliciting proposals from one or more non-profit organizations, qualifying under §501(c)(3) of the *Internal Revenue Code of 1986*, to receive grants to coordinate, facilitate, encourage, and aid in the provision of taxpayer assistance services.

Pursuant to *Laws of Minnesota 2003*, First Special Session, Chapter 21, Article 11, Section 36, the Commissioner of Revenue has authority to issue grants totaling \$200,000 for the 2004-2005 biennium. The Department of Revenue will issue grants totaling \$100,000 each fiscal year (July 1 through June 30). A separate RFP will be issued next year for organizations interested in receiving grant money in fiscal year 2005. The department intends to award the full \$100,000 this year, but any portion that is not awarded in fiscal year 2004 will be added to the amount available in fiscal year 2005.

Funded Activities

1. Recruitment of volunteers to provide taxpayer-assistance services
2. Training of volunteers to provide taxpayer-assistance services
3. Provision of free taxpayer-assistance services to low-income or disadvantaged people
4. Materials that directly aids in tax preparation

Organizations awarded grant funding will be notified on or about October 15, 2003.

All proposals must be received no later than 2:00 p.m., October 2, 2003, in the manner specified in the Request for Proposals document. Late proposals will not be accepted.

State Grants & Loans

A complete paper copy of the Request for Proposals may be obtained from:

Larry Collette
Minnesota Department of Revenue
600 North Robert Street
Mail Station 1400
St. Paul, MN 55146-1400
Email: dor.rfp@state.mn.us
Fax: (651) 282-2423

Please refer to this notice in your written request. In your request include your complete street mailing address, email address, phone number and fax number.

Copies of the Request for Proposals are available on paper only.

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) website. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD website at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Department of Administration

Sale of DocuComm Equipment, Request for Bids

DocuComm - part of the Department of Administration Communications Media Division - is now utilizing contract vendors to perform nearly all of its services. Because of this change, DocuComm is interested in selling several pieces of records management production equipment as well as production accessories and supplies.

Included are:

1. Duplicator Datamaster
2. Kodak 800 Camera
3. DAR2800 Camera
4. Recordak Micro File Film Unit 35mm Camera
5. 3M Card Encoder [35mm]
6. Bell & Howell Straight Shot Camera
7. Data Graphix Datamaster II Computer-output Microfilm Recorder
8. Minolta MS3000 Microdax Scanner
9. Other miscellaneous production equipment and accessories.
10. Miscellaneous production supplies

A full list of equipment and supplies will be provided by contacting Mary Mikes at (651) 297-3979 or at mary.mikes@state.mn.us. All equipment is located in St. Paul, Minnesota.

Terms and Conditions

1. The subject item of the bidding will be awarded to the highest bidder meeting all terms and conditions of the Request for Bid.
2. Bidders may bid on one or all items.
3. The bidder is responsible for all disassembly and moving costs. Any inspection of equipment, accessories or supplies must be arranged and concluded **prior to the closing date for acceptance of bids, September 12, 2003** by contacting Mary Mikes at (651) 297-3979 or at mary.mikes@state.mn.us.

4. The State of Minnesota makes no warranty as to the fitness, merchantability, or condition of the item. The successful bidder agrees to purchase said item, condition AS-IS, WHERE-IS, including all faults and defects, known or unknown and remove said item[s] from 660 Olive Street, St. Paul, Minnesota on or before Friday, September 19, 2003.
5. The successful bidder is liable for the amount of the bid plus the 6.5% Minnesota sales tax. Buyers exempt from paying the tax must present a copy of their Tax Exemption certificate with their sales and use tax number and a signed certificate of exemption to the bidding manager. Non-Minnesota buyers must pay the sales tax unless they present a valid Minnesota Exemption certificate.
6. The full amount of the bid price and sales tax, absent a Tax Exemption certificate, is due when removed from 660 Olive Street but no later September 19, 2003. Only certified or cashier's checks or money order will be accepted. Make payment payable to State of Minnesota DocuComm and deliver to Materials Management Division, Jon Schaefer, Room 112, Admin Building, 50 Sherburne Avenue, St. Paul, MN 55155.
7. The State of Minnesota reserves the right to reject any or all bids.

Bids will be accepted by fax only [no in-person, mail, or e-mail bids will be accepted] to Jon Schaefer, Manager, State of Minnesota Materials Management Division, (651) 297-3996 until 10:00 a.m.. Central Daylight Savings Time, Friday, September 12, 2003. No other bids will be accepted after 10:00 a.m. unless a bid is placed and received within the last 20 minutes of the initial bidding end period. If this occurs, 20 minutes will be added to the bidding time.

The fax bidding end period will be extended according to the following rule: If a bid is placed and received within the last 20 minutes of the initial bidding end period, an extra 20 minutes will be added to the bidding time. Bidders will be notified via fax or phone as the bid amount increases within the last 20 minutes of the bidding period as well as within any subsequent 20-minute extension period. The bidding will be extended until no bids are placed in a 20-minute extension period.

If you are experiencing any technical difficulties that prevent you from bidding, you should contact the bidding manager, Jon Schaefer or designee at (651) 296-0726. For that reason only, the bidding manager will place your bid for you.

Questions about the equipment are to be submitted via e-mail ONLY to: mary.mikes@state.mn.us. A request to inspect the equipment or to receive a full list of the equipment can be requested by phone [(651) 297-3979] or email. Arrangements will then be made with other DocuComm staff for inspection.

Department of Administration

Real Estate Management Division

Single-Family Residential Lot for Sale

NOTICE IS HEREBY GIVEN that the Department of Administration is offering for sale by sealed bid a single-family residential lot consisting of 31,206 sq.ft. The residential lot is located at 1225 - 81st Avenue North in Brooklyn Park. Additional information, including legal description, geotechnical report, boundary survey, bid terms and conditions, bid form and purchase agreement, is available on the Department of Administration **web site** at www.admin.state.mn.us. Send an **email** to wayne.waslaski@state.mn.us or call Wayne at (651) 296-2278 if you have questions.

Bids must be received no later than 2:30 p.m., on Wednesday, October 1, 2003.

Department of Employment and Economic Development

Workforce Partnerships Division, Dislocated Worker Program

Notice of Request for Proposal for an Employer Liaison

The employer liaison will develop and maintain formal linkages to all state, regional, and local business organizations, facilitate business and the private sector involvement in the program, and educate constituent groups and workers concerning the program's purpose and services available to eligible dislocated workers. The liaison will link their constituencies of business organizations with State and local program deliverers through Rapid Response activities, information meetings, networking, and other linkage activities to promote the program. The liaison will be an integral member of the Rapid Response team for plant closings and mass layoffs, taking direction from the Department's Rapid Response Coordinator. The Rapid Response Team functions through cooperation, common goal setting, consensus decision making, and ongoing communication both formally and informally. Each of these activities will be necessary to develop Employee-Management Committees, which is a function of the Rapid Response team.

A written request by direct mail or fax is required to receive the complete Request for Proposal. The complete Request for Proposal can be obtained from:

State Contracts

Paul D. Moe, Director
Dislocated Worker Program
Minnesota Department of Employment and Economic Development
500 Metro Square, 121 7th-Place East
St. Paul, MN 55101
Fax: (651) 215-3842

Five copies of the proposal must be submitted by 4:00 p.m. Friday, September 26, 2003. **Faxed or e-mailed proposals will not be considered. Late proposals will not be considered.**

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Historical Society

Request for Bids for Fort Snelling Visitor Center Restroom Remodeling in St. Paul, Minnesota

The Minnesota Historical Society seeks bids for remodeling and expanding public restrooms in the Fort Snelling Visitor Center. The work includes but is not limited to replacement of wall, floor, and ceiling finishes; replacement of counters and sinks with new fixtures; addition of new plumbing fixtures; modification of existing lighting; and modification of electrical and mechanical systems.

A mandatory pre-bid meeting will be held Thursday, September 11, 2003, 2:00 p.m. in the Visitor Center at Historic Fort Snelling. Copies of bidding documents may be obtained from Collaborative Design Group, inc., 1501 Washington Avenue South, Suite 300, Minneapolis, Minnesota, 55454.

The deadline for receipt of bids is Tuesday, September 23, 2003, 2:00 p.m. Late bids will not be accepted. Bids should be sent or delivered to: Chris M. Bonnell, Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102. Clearly mark the project name "Fort Snelling Visitor Center Restroom Remodeling" on the outside of the package.

Dated: August 25, 2003

Metropolitan Airports Commission

Public Notice for Qualifications Statements for Legal Services:

The Metropolitan Airports Commission (MAC) is requesting qualifications statements from firms or persons interested in representing MAC as outside counsel as set forth in the Request for Qualifications, which is available for review at the Commission's General Office.

To request a copy of the "Request for Qualifications for Legal Services" which outlines the selection process, contact the Legal Department of the MAC at (612) 794-4466. The deadline for submission of qualifications statements is Tuesday, September 30, 2003.

Department of Transportation

Metro District

Request for Qualifications for a Design-Build Contract on Interstate 494 in Eden Prairie and Minnetonka, Minnesota

The Minnesota Department of Transportation ("Mn/DOT") is requesting statements of qualifications for the Interstate 494 Design-Build project, S.P. 2785-304, ("Project") in Eden Prairie and Minnetonka, Minnesota.

Mn/DOT has completed a preliminary engineering design of roadway and bridge improvements for the Project. The Project will consist of reconstructing the highway and adding one additional through-lane (for a total of 3 lanes in each direction) in each direction of Interstate 494 from T.H. 5 to Interstate 394, a distance of 7.8 miles, in the cities of Minnetonka and Eden Prairie in Hennepin County. The design-build project will also include a modification of the collector-distributor roadway along eastbound I-394 at the I-494/I-394 interchange and adding a third lane along side the existing pavement in between the north loops and north ramps at I-394 and under the Carlson Parkway bridge. Mn/DOT will use the best value design-build method of project delivery, as defined in *Minnesota Statutes* Section 161.3426, Subdivision 1(b). The current Project cost estimate is \$80 million.

The Request for Qualifications ("RFQ") document provides information about the Project scope, schedule, and weighted criteria that Mn/DOT will use to establish a short list. The RFQ invites each interested design-build Submitter to submit a statement of qualifications ("SOQ") that demonstrates how that Submitter satisfies certain criteria relevant to the Project, including, but not lim-

ited to, the following items: submitter organization and experience, key personnel experience, project understanding, project approach, and project management approach.

Mn/DOT will evaluate and score all SOQs and compile a short list of at least three but not more than five Proposers. Mn/DOT intends to issue a Request for Proposals ("RFP") after establishing the short list. Only short-listed Proposers will be eligible to respond to the RFP, although other interested individuals may purchase copies of the RFP for information. Mn/DOT will offer a stipend of approximately 0.2% of Mn/DOT's final Project design and construction estimated cost to each unsuccessful short-listed Proposer that submits technical and price proposals that Mn/DOT considers responsive.

Mn/DOT has established a Disadvantaged Business Enterprise (DBE) goal for this Project. Please refer to the RFQ for further details.

Submitters must request an RFQ in writing by mail, fax, or e-mail. With each request, Submitters must also provide a contact name, mailing address, fax number, phone number, and e-mail address. There is no charge for the RFQ. **ALL REQUESTS FOR AN RFQ** must be sent to Kevin G. Anderson, 494 Design-Build Project Manager, at the one of the following addresses:

Mail: 1500 West County Road B2, Roseville, MN 55113

Fax: (651) 582-1302

E-mail: kevin.anderson@dot.state.mn.us

ALL QUESTIONS AND COMMENTS ABOUT THE PROJECT must be submitted in writing to Mn/DOT's Project Manager at one of the addresses given above. Mn/DOT will only accept written questions or comments.

All SOQs will be considered any time up to 4:30 p.m. Central Standard Time, Wednesday, October 1, 2003, and must be addressed to Kevin G. Anderson, 494 Design-Build Project Manager, 1500 West County Road B2, Roseville, MN 55113. Any SOQ that fails to meet the October 1, 2003 deadline will be returned, unopened, to the sender.

Mn/DOT's design-build website is frequently updated with Project information: www.dot.state.mn.us/designbuild. Project information can also be found at the following ftp sites: <ftp://ftp2.dot.state.mn.us/pub/outbound/mdesign/I494DesignBuild/> and <ftp://ftp2.dot.state.mn.us/pub/products/mdesign/I494DesignBuild/>.

Department of Transportation

Program Support Group

Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Robin Valento at (651) 284-3622 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway-related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of a particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and application forms are available on Mn/DOT's web site at <http://www.dot.state.mn.us/consult>

Send completed application material to:

Robin Valento

Pre-Qualification Administrator

Minnesota Department of Transportation

Consultant Services

395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680

St. Paul, MN 55155

Note: DUE DATE: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

State Contracts

Department of Transportation

Engineering Services Division

Notice Concerning Professional/Technical Contract Opportunities

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: www.dot.state.mn.us/consult.

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

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 editor for further details.

Metropolitan Council

Notice of Request for Proposals (RFP) for Professional Property Management Services

The Council currently owns and operates 135 scattered site public housing units through its Family Affordable Housing Program, with the goal of owning a total of 150 units by the end of 2003. The remaining units will come on-line by mid 2004. The units consist of 2-5 bedroom single family homes and townhomes scattered throughout eleven suburban cities in Anoka, Hennepin and Ramsey counties.

The Council is soliciting Request for Proposals for professional Property Management Services. The Council will retain one management company to manage the entire portfolio. Initial contract term will be one year with options to renew for additional years.

The anticipated RFP schedule is:

<i>Issue Request for Proposals</i>	September 8, 2003
<i>Proposals Due</i>	September 29, 2003, 4:00p.m. CST
<i>Interviews, if required</i>	October 13, 2003
<i>Final Selection</i>	October 20, 2003
<i>Expected Contract Start Date</i>	January 1, 2004

Written requests for an RFP package requests may be submitted via e-mail, fax, mail or phone to:

Sunny jo Emerson
Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
230 East Fifth Street
St. Paul, MN 55101
Phone: (612) 602-1499
Fax: (612) 602-1083
E-mail: sunnyjo.emerson@metc.state.mn.us

delete
one
and

Metropolitan Council - Metro Transit

Sealed Bids Sought for In-Car Video Camera Systems

Metro Transit, a division of the Metropolitan Council, is soliciting sealed bids for the purchase of 15 in-car video camera systems. This purchase includes installation of the camera systems into squad cars operated by the Metropolitan Transit Police. Bids are due at 2:00 p.m. on September 30, 2003.

Bids must be submitted in accordance with the Invitation for Bids document available from:

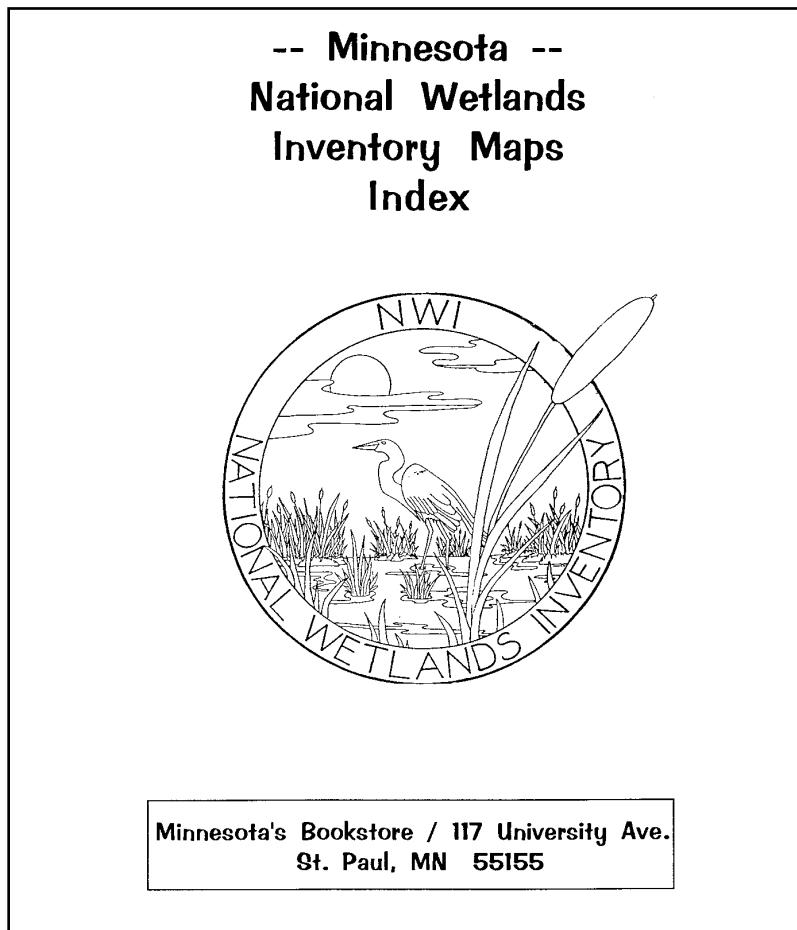
Metropolitan Council
Metro Transit Purchasing Department
515 N. Cleveland Avenue
St. Paul, MN 55114
(612) 349-5070

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 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 the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.





Admin MINNESOTA

Department of Administration

117 University Avenue • St. Paul, Minnesota 55155
Metro Area 651-297-3000
Toll Free 1-800-657-3757
FAX 651-297-8260
Metro Area 651-282-5077 Greater MN 1-800-657-3706

Periodicals
U.S. Postage
Paid
Permit No.
326630
St. Paul, MN

Please notify us of any address changes so that we can continue to give you our best service. Include your old mailing label to speed your service.



Printed on recycled paper
20% post-consumer waste

TO ORDER:

Complete attached order blank. Please include sales tax. Include either your VISA/MasterCard, American Express or Discover credit card number with the expiration date, or a check/money order made out to the State of Minnesota. Orders by phone are accepted when purchasing with your credit card. Please include a phone number where you can be reached during the day in case we have questions about your order.

PREPAYMENT REQUIRED.

Merchandise may be returned if it is in resalable condition.

For Your Convenience, photocopy this order blank

Code No.	Quantity	Description	Item Price	Total
Name or Company			Subtotal	
Attention		Address		6 1/2 % tax MN residents 7% St. Paul residents
City	State	Zip	Add Shipping Charges from chart at left.	
American Express/VISA/MasterCard/Discover No.			TOTAL	
Signature		Expiration Date	Telephone (During Day)	

NOTE:
State Register and other subscriptions do not require sales tax or postage and handling fees.

Subtotal	Add:
Up to \$25.00	\$3.00
\$25.01 - \$50.00	\$5.00
\$50.01 - \$100.00	\$7.00
\$100.01 - \$1,000.00	\$10.00



Prices subject to change without notice.
Please allow about 6 weeks for delivery.
In a hurry? Stop by our Bookstore.
Bookstore hours: 8:00-5:00 Monday-Friday

If tax exempt, please provide ES number or send completed exemption form.
Source Code SR003