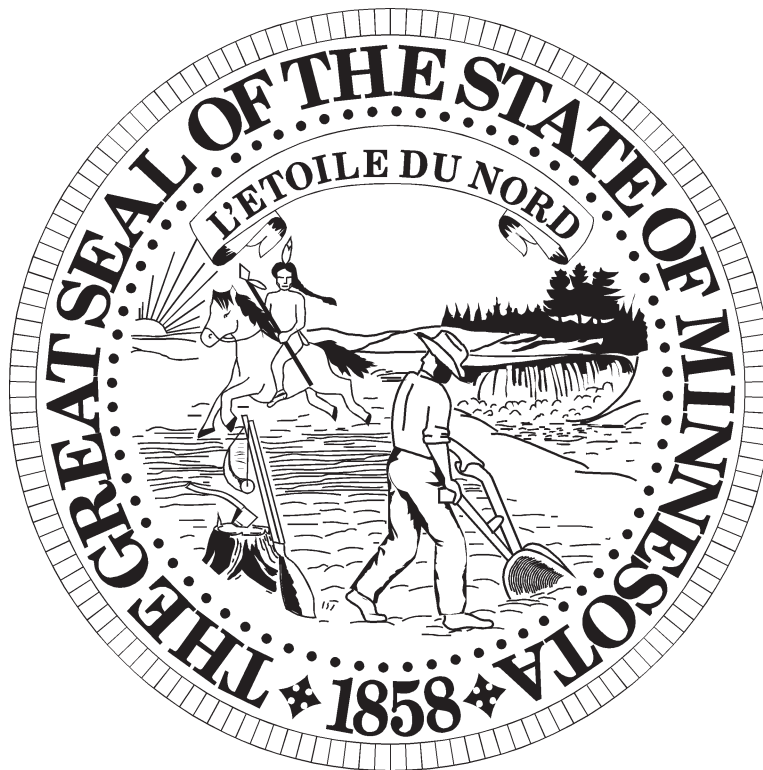


State of Minnesota

# State Register



**Proposed, Adopted, & Expedited Rules; Executive Orders; Appointments;  
Commissioners' Orders; Revenue Notices; Official Notices;  
State Grants & Loans; State Contracts; Non-State Public Bids, Contracts & Grants**  
Published every Monday (Tuesday when Monday is a holiday)

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# State Register

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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 Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
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# 13	Monday 28 September	Noon Tuesday 22 September	Noon Wednesday 16 September

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# Minnesota Rules: Amendments and Additions

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

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

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

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscription to the *State Register*, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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

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

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

**KEY: Proposed Rules** - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

## Minnesota Department of Employment and Economic Development (DEED) Vocational Rehabilitation

### Proposed Permanent Rules Governing Vocational Rehabilitation Services

#### DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, And Notice of Hearing If 25 or More Requests For Hearing Are Received

#### Proposed Amendment to Rules Governing Vocational Rehabilitation, *Minnesota Rules*, 3300.5000 to 3300.5060

**Introduction.** The Department of Employment and Economic Development intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28.



# Proposed Rules

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If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on Friday, October 9, 2009, a public hearing will be held on Thursday, October 29, 2009, at the Rondo Community Library, **461 N. Dale Street, Saint Paul, MN 55103**. The hearing will start at 3:00 p.m. on Thursday, October 29, 2009 and continue until 6:00 p.m. To find out whether the rules will be adopted without a hearing or if the hearing will be held, contact the agency contact person after October 9, 2009 and before October 29, 2009.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to Roberta Pisa, Department of Employment and Economic Development, Vocational Rehabilitation, First National Bank Building, 332 Minnesota Street, Suite E200, St. Paul, MN 55101. **Phone:** (651) 259-7336, **fax:** (651) 297-5159. **E-mail:** *Roberta.Pisa@state.mn.us*. **TTY:** (651) 296-3900 or 1-800-657-3973.

A copy of the proposed rule is available on-line at <http://www.deed.state.mn.us/agency/rule.htm> and published in the *State Register*. A free copy of the rules can be requested from: Pat Bienfang, Department of Employment and Economic Development, Vocational Rehabilitation, First National Bank Building, 332 Minnesota Street, Suite E200, St. Paul, MN 55101. Phone number is (651) 259-7336, FAX 651-297-5159 and **e-mail address is** *Pat.Bienfang@state.mn.us*. **TTY:** 651-296-3900 or 1-800-657-3973.

• **Subject of Rules.** The proposed rules are about the Vocational Rehabilitation program. The department is considering rule amendments to:

• Bring rules into conformity with federal regulations for the vocational rehabilitation program (Title 34, *Code of Federal Regulations*, Part 361;)

• Clarify and revise the terms and conditions for when costs are covered, how services are provided, and what products and services can be provided, to include the following:

**Braces and artificial limbs.** Change the term “braces and artificial limbs” to “prosthetics and orthotics.” Set standards for who is qualified to provide such services.

**Child care assistance.** Provide for help with child care assistance when an individual would otherwise be unable to participate in vocational rehabilitation services.

**Comparable Services and Benefits Search.** Specify that a search for comparable services and benefits is not required when it would interrupt or delay a) the provision of services to an eligible individual who is at extreme medical risk; b) an immediate job placement; or c) the progress of an individual toward achieving the employment outcome identified in the employment plan.

Eliminate the exemption from a search for comparable services and benefits for vocational and other training services outside of a postsecondary training program.

**Initial stocks and supplies.** Remove reference to “equipment” which is defined elsewhere.

**Job Placement Services.** Change the term “job placement services” to the term “job related services” as used in the federal regulations. Change the definition of this term to “job development, job search and placement assistance, job retention services, and follow up services”.

Require providers of vocational evaluation, vocational adjustment training, and job-related services to be accredited by CARF (formerly Commission on the Accreditation of Rehabilitation Facilities.) Allow an exception for small providers with limited use, for evaluation centers at postsecondary institutions in the Minnesota State College and University System, and for employers providing evaluation prior to hire.

**Mileage Rate:** Define a new term to establish the basis for calculating the agency’s payments for the cost of gasoline. The mileage rate will be based on the average cost of gasoline in Minnesota and the average fuel efficiency of all vehicles. Calculate the mileage rate semi-annually.

**Personal assistance services.** Allow the agency to participate in the costs of training in managing, supervising, and directing personal assistance services. Eliminate the requirement for consumer financial participation in the cost of personal assistance services. Require a

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# Proposed Rules

search for other sources of funding before the agency participates in the cost of providing these services. Change the term “personal care attendant” to “personal care assistant.” Remove reference to the name of the unit or division in the Department of Human Services that sets requirements for personal care assistants.

**Postsecondary Training.** Limit agency funding to schools that are licensed or registered in accordance with the appropriate Minnesota regulating agency; or if an eligible individual is attending a postsecondary institution located in another state, by an equivalent agency in the state where the school is located. Require individuals who have an outstanding PELL grant to make reasonable repayment efforts prior to receiving agency support for postsecondary training. Clarify that a search for other sources of funding for postsecondary training must be made annually and the amount awarded, if any, be provided to the agency annually. Remove the requirement that the agency report the amount of planned agency purchases to the postsecondary institution. Provide an exception to the tuition fee schedule when the broad field of study required by an employment plan is not available in a Minnesota public postsecondary institution.

Allow the agency to provide computers to students in a postsecondary training program if they would otherwise be unable to succeed in an academic program. Allow for the provision of maintenance during training when an eligible individual cannot be expected to find work due to the short-term nature of a postsecondary training program.

**Rehabilitation technology.** Require a valid driver’s license and driver’s training in a similarly adapted vehicle prior to agency assistance with structural changes to a vehicle. Require driver training instructors used by the agency to meet the requirements of the Department of Public Safety.

**Serious functional limitation.** Change the wording in the definitions of a serious functional limitation in the areas of interpersonal skills, mobility and work skills to read “or” instead of “and” in the subparts of the definitions.

**Small Business Enterprises.** Define the term “small business enterprise.” Specify the requirements that must be included in a business plan when eligible individuals are requesting agency assistance for a small business enterprise.

Allow for the provision of technical assistance and other consultation services. Allow for agency assistance in stabilizing an existing small business enterprise when for disability-related reasons the product, service, or method of operation of the business must change; or the operation of the business has been disrupted, suspended or interrupted for disability related reasons. Allow for the purchase of a vehicle when the small business cannot be run without it.

Annually adjust the maximum amount the agency will contribute toward the costs associated with a small business enterprise, based on changes in the Consumer Price Index. Require evaluation of the business plan by a state or nationally chartered lending institution, a Micro-Enterprise program, or similar resource prior to receiving funding from the agency. Or if total costs are less than \$2500, require a review by an agency small business specialist.

**Tools and Equipment.** Expand the definition of this term.

**Transportation.** Determine the amount the agency will pay for the cost of gasoline by multiplying actual miles driven by the mileage rate. Specify that the agency will pay for the least costly method of public transportation that meets the needs of the eligible individual. Clarify that payments for transportation for individuals who choose to drive when public transportation is available will be the lesser of the cost of gasoline or the cost of public transportation that meets the needs of the eligible individual.

Allow for agency participation in the cost of vehicle repairs when an eligible individual would be otherwise unable to participate in vocational rehabilitation. Exclude repairs for routine vehicle maintenance. Allow the agency to assist a consumer with relocation expenses when needed to receive services or for available employment.

**Vocational training services.** Repeal the definition of this term because it is not used elsewhere in the Rule. Retain the definition of “postsecondary training” services.

**Work Adjustment Training.** Change this term to **Vocational Adjustment Training** as used in the federal regulations.

**Statutory Authority.** MS s 116J.035 subd. 2; 268A.03 (m); 268A.01 -15; 268A.03 (b)

# Proposed Rules

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**Comments.** If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process. Comment is welcome. You have until 4:30 p.m. on October 9, 2009, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person (above) by the due date. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person (above) by 4:30 p.m. on Friday, October 9, 2009. You must include your name and address in your written request. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules, unless the procedure under *Minnesota Rules*, part 1400.2110, has been followed.

**Cancellation of Hearing.** The hearing scheduled for October 29, 2009, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also contact the agency contact person (above) after October 9, 2009 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit valid written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Eric L. Lipman is assigned to conduct the hearing. Judge Lipman can be reached at the Office of Administrative Hearings, 600 Robert St. N., P.O. Box 64620, Minnesota 55164-0620, **telephone:** (651) 361-7842, and **fax:** (651) 361-7936.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules.

You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This fiveday comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing.

Following the comment period, there is a fiveworkingday rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the fiveday rebuttal period.

All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.



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

**Statement of Need and Reasonableness.** A statement of need and reasonableness is available at  
<http://deed.state.mn.us/agency/rule.htm>.

This is a 40-page document that contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. Paper copies may be reviewed at the office address listed above or requested from the agency contact person for \$10 to cover the cost of reproduction.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone: (651) 296-1722 or 1-800-627-3529.

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

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

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

Dated: 18 August 2009

Dan McElroy, Commissioner  
Department of Employment and Economic  
Development

## 3300.5010 DEFINITIONS.

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

Subp. 5a. CARE. "CARF" means the national independent, nonprofit organization that sets standards for service and quality of rehabilitation providers, formerly known as the Commission on the Accreditation of Rehabilitation Facilities.

[For text of subps 6 to 12, see M.R.]

Subp. 13. **Functional area.** "Functional area" means mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills. For the purposes of this subpart:

A. "communication" means the ability to effectively give and receive information through words or concepts, using methods such as reading, writing, speaking, listening, sign language, or other adaptive methods;

B. "interpersonal skills" means the ability to establish and maintain personal, family, and community relationships as it affects, or is likely to affect, job performance ~~and security or job retention;~~

C. "mobility" means the physical ~~and or~~ psychological ability to move about from place to place inside and outside the home, including travel to and from usual destinations in the community for activities of daily living, training, or work;

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

F. "work skills" means:

(1) the ability to do specific tasks required to carry out job functions; ~~and or~~

(2) the capacity to benefit from training in how to perform tasks required to carry out job functions; and

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

[For text of subps 14 to 19, see M.R.]

# Proposed Rules

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Subp. 20. **Initial stocks, and supplies, and equipment.** “Initial stocks; ~~and supplies; and equipment~~” means the initial inventory of goods for direct resale to customers by an eligible individual entering into or stabilizing a self-employment small business enterprise; and a start-up supply of expendable items that are necessary for the day-to-day operation of a business, and nonexpendable goods and tools that are necessary for the operation of a business; excluding the ongoing replacement of inventory and supplies and ~~repair and replacement of equipment.~~

[For text of subs 21 to 22, see M.R.]

Subp. 23. **Job placement related services.** “Job placement related services” means services that assist eligible individuals seek and obtain gainful employment. These services include ~~one or more of the following: job search and placement assistance, job retention services, follow-up services, and follow-along services.~~

A. ~~contacting employers to develop or identify job opportunities and assisting eligible individuals in securing employment;~~

B. ~~assessing the characteristics and tasks of an eligible individual’s job choice to determine the skills, knowledge, and abilities needed to perform the tasks involved in the job;~~

C. ~~assisting the eligible individual to become knowledgeable about job duties, personnel benefits, rates of pay, employment policies and practices, and the job location prior to job acceptance;~~

D. ~~providing group or individual counseling or training or both regarding the techniques for obtaining and maintaining employment, including assisting eligible individuals in preparing resumes and job applications and in developing job interviewing skills;~~

E. ~~enhancing disability awareness through educating eligible individuals and employers about various disabilities and resulting vocational implications, rehabilitation technology, job accommodations, services provided by the agency, incentives to the employer, and current disability-related legislation;~~

F. ~~providing on-site job analysis, consultation, and recommendations for work site and job modification, when appropriate;~~

G. ~~maintaining contact for a reasonable period of time to promote adequate job adjustment and retention;~~

H. ~~assisting employers to identify, modify, or eliminate architectural, procedural, instructional, attitudinal, or communication barriers to the employment and advancement of persons with disabilities; and~~

I. ~~maintaining communication and coordination with other community agencies and resources concerning job openings, coordination of services to assist eligible individuals to obtain and retain employment, and joint efforts to increase employment opportunities for people with disabilities.~~

[For text of subp 24, see M.R.]

Subp. 24a. **Mileage rate.** “Mileage rate” means the amount calculated semiannually by dividing the average cost of regular gasoline in Minnesota during the preceding six months by the average fuel efficiency of all vehicles; the average cost of regular gasoline is determined using figures published by the United States Department of Energy, Energy Information Administration, and the average fuel efficiency of all vehicles is determined using figures published by the United States Department of Transportation, Federal Highway Administration, Highway Statistics Series.

When the calculated mileage rate exceeds the rate established by the Internal Revenue Service (IRS) for personal income tax deductions for mileage for charitable contributions under the Internal Revenue Code of 1986, section 170(i), as amended, the mileage rate for the next six months will be adjusted to the newly calculated rate.

When the calculated mileage rate is equal to or less than the rate established by the Internal Revenue Service for personal income tax deductions for mileage for charitable contributions under the Internal Revenue Code of 1986, section 170(i), as amended, the mileage rate for the next six months will be the IRS mileage rate for charitable contributions.

[For text of subs 25 to 40, see M.R.]

Subp. 40a. **Small business enterprise.** “Small business enterprise” means a business that is owned, operated, and managed by an eligible individual who sells goods or services for the purpose of making a profit. An eligible individual is considered to be making a profit when income from the business exceeds expenses, including reasonable payment for the owner’s time and efforts. Small business enterprise includes self-employment, sole proprietorships, partnerships, limited liability companies, and corporations.

Subp. 40b. **Stabilize a small business enterprise.** “Stabilize a small business enterprise” means the provision of goods and services when an eligible consumer has an existing business which for disability related reasons requires changes to the product, service, or method of operation of the business, or it means to allow resumption of the operation of a business which has been disrupted, suspended, or interrupted due to disability.

[For text of subp 41, see M.R.]

Subp. 42. **Tools and equipment.** “Tools and equipment” means hammers, clamps, cutlery, screwdrivers, tool belts, brushes, safety goggles, ladders, scissors, and similar implements required for participation in an employment plan that aid in accomplishing a task and the

set of physical resources used to perform an operation or activity necessary in the practice of a vocation, profession, or small business enterprise, excluding the ongoing replacement or repair of tools and equipment. It includes all fixed assets other than land and buildings of a small business enterprise.

[For text of subps 43 to 48, see M.R.]

Subp. 49. [See repealer.]

Subp. 50. **Work Vocational adjustment training.** “Work Vocational adjustment training” means using real or simulated work situations to assist persons to:

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

### **3300.5040 CONSUMER FINANCIAL PARTICIPATION IN COST OF VOCATIONAL REHABILITATION SERVICES.**

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

Subp. 6. **Services exempted from financial participation.** The agency must not require consumer financial participation for the following services:

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

E. job placement related services;

[For text of items F to L, see M.R.]

[For text of subps 7 to 9, see M.R.]

### **3300.5050 COMPARABLE BENEFITS AND SERVICES.**

Subpart 1. **Use of comparable services and benefits.** Comparable services and benefits must be used if available to an eligible individual or a member of an eligible individual’s family for all vocational rehabilitation services identified in the eligible individual’s employment plan, except:

- A. assessment for determining eligibility and vocational rehabilitation needs;
- B. rehabilitation counseling and guidance;
- C. job placement related services;
- D. referral services;

E. vocational and other training services, such as personal and vocational adjustment training, that are not provided as part of a postsecondary training program;

F. rehabilitation technology services;

G. medical services for an individual when a search for comparable benefits would interrupt or delay the provision of vocational rehabilitation services to any eligible individual who is determined to be at extreme medical risk, based on medical evidence provided by an appropriately qualified medical professional;

H. the services listed in items A to G when provided as postemployment services necessary to assist eligible individuals to maintain, regain, or advance in employment; or

I. when a search for comparable benefits would cause interrupt or delay an immediate job placement to be lost; or

J. when a search for comparable benefits would interrupt or delay the progress of the eligible individual toward achieving the employment outcome identified in the eligible individual’s employment plan.

Subp. 2. **Individual responsibilities.** Except in the circumstances described in subpart 1, an eligible individual must, with the assistance of the agency, participate in the search for and use of comparable benefits as follows:

A. Before receiving training services in a postsecondary institution, prior to the start of each school year, an eligible individual must apply for gift aid or institutional aid to pay all or part of the costs of tuition, fees, books, supplies, tools and equipment, and living expenses; and

(1) annually provide evidence to the ~~rehabilitation counselor~~ agency of the amount of gift aid or institutional aid available to the eligible individual; or

(2) annually provide evidence to the ~~rehabilitation counselor~~ agency that the eligible individual is not eligible for gift aid or institutional aid.

B. If gift aid or institutional aid is not available to the eligible individual because the eligible individual is in default on repayment of a student loan or has an outstanding PELL grant repayment, the agency must not participate financially in the purchase of postsecondary training services until the agency determines that a responsible repayment effort has been made. This determination shall must be made by

# Proposed Rules

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the rehabilitation counselor in consultation with the eligible individual and the holder of the loan or the postsecondary institution that awarded the PELL grant, after considering such factors as the financial resources available to the eligible individual and the attempts that have been made to work out a satisfactory repayment agreement with the holder of the loan or the postsecondary institution that awarded the PELL grant. The requirement of a responsible repayment effort will be deemed to be satisfied if the eligible individual has made payments for six consecutive months.

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

## 3300.5060 TERMS AND CONDITIONS FOR PROVISION OF VOCATIONAL REHABILITATION SERVICES.

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

### Subp. 2. **Child care.**

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

C. The agency must not provide child care unless an eligible ~~individual's employment plan~~ individual would be interrupted unable to participate in vocational rehabilitation services if child care is not provided. The agency must:

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

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

### Subp. 3. **Computer hardware and software.**

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

C. The agency must only provide computer software or hardware, including modems, printers, and other peripherals, ~~only for as follows:~~

- (1) disability-related reasons;
- (2) as equipment necessary for an eligible individual to achieve an employment goal ~~of self-employment or operation of through~~ a small business enterprise;
- (3) students in when an eligible individual attending a postsecondary setting ~~if all are required to have their own computer training institution cannot otherwise succeed in an academic program~~; or
- (4) when all students in a postsecondary training institution are charged for a computer either as a mandatory fee or as part of tuition.

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

[For text of subs 3a and 4, see M.R.]

### Subp. 5. **Maintenance.**

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

F. Payments for relocation expenses may be provided only when:

- (1) the eligible individual cannot receive needed vocational rehabilitation services without relocation; and or

[For text of subitem (2), see M.R.]

G. Maintenance payments for ongoing monthly living expenses for eligible individuals participating in postsecondary training may be provided only when the eligible individual cannot receive postsecondary training without incurring added living costs and:

- (1) the eligible individual is unable to work while participating in postsecondary training because of the eligible individual's physical or mental impairment, as determined based on available medical, psychological, and other diagnostic information; ~~or~~
- (2) it is necessary for the eligible individual to leave subsidized housing in order to participate in postsecondary training under an employment plan; or
- (3) a rehabilitation counselor, in consultation with the eligible individual, has determined that the eligible individual is unable to find work due to the short-term nature of the postsecondary training program.

[For text of items H to K, see M.R.]

Subp. 6. [Repealed, 20 SR 168]

### Subp. 7. **Personal assistance services.**

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

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B. The eligible individual must, with the assistance of the agency, participate in the search for and use of comparable benefits under part 3300.5050, subpart 2, item D, ~~except that a search for comparable benefits is not required for personal assistance services that are necessary for job placement.~~

C. The agency must purchase personal assistance services only from a personal care ~~attendant~~ assistant who meets the requirements established by the Department of Human Services, ~~Personal Care Services Division.~~

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

G. The agency must provide eligible individuals with training ~~in the management of personal care attendants~~ managing, supervising, and directing personal assistance services when the eligible individual and a rehabilitation counselor jointly determine that the training is necessary.

(1) ~~Before the agency provides training in the management of personal care attendants, the amount of consumer financial participation in the cost of training in the management of personal care attendants must be determined under part 3300.5040.~~

(2) ~~A search for comparable benefits for training in the management of personal care attendants is not required.~~

## Subp. 7a. **Physical and mental restoration services.**

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

D. Eligible individuals may select:

[For text of subitems (1) to (3), see M.R.]

(4) ~~any vendor to provide braces or artificial limbs; for the provision of prosthetics and orthotics;~~

(a) any practitioner of prosthetics or orthotics who is certified by the American Board for Certification (ABC) in Orthotics and Prosthetics or the Board for Orthotist/Prosthetist Certification (BOC); or a graduate of a program accredited by the National Commission on Orthotic and Prosthetic Education (NCOPE) and the Commissioner on Accreditation of Allied Health Education Programs (CAAHEP) who is working under the supervision of a certified practitioner;

(b) any physical therapist licensed by the Minnesota State Board of Physical Therapy or the equivalent body in another state;

(c) any occupational therapist licensed by the Minnesota Department of Health or the equivalent body in another state; or

(d) any podiatrist licensed by the Minnesota Board of Podiatric Medicine or the equivalent body in another state.

Subp. 8. [Repealed, 20 SR 168]

## Subp. 9. **Rehabilitation technology.**

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

C. Agency purchases of vehicle adaptations must be made as follows:

[For text of subitems (1) to (8), see M.R.]

(9) if a vehicle will be structurally adapted so that the eligible individual can independently drive the vehicle, before the agency purchases vehicle adaptations, the eligible individual must:

(a) successfully complete any training recommended by the qualified driver specialist in subitem (2) using a vehicle equipped with the recommended modifications. Training must be provided by an instructor meeting the requirements of the Department of Public Safety; and

(b) have a valid driver's license. If the license was obtained prior to the onset of disability, the eligible individual must retake and pass the road test required for a Minnesota driver's license.

Subp. 10. [Repealed, 20 SR 168]

## Subp. 11. **Small business enterprises.**

A. Before the agency makes purchases occupational licenses, tools, equipment, and initial stocks and supplies to establish or stabilize a small business enterprise, the amount of consumer financial participation in the cost of the occupational licenses, tools, equipment, and initial stocks and supplies costs must be determined under part 3300.5040.

B. The eligible individual must, with the assistance of the agency, participate in the search for and use of comparable benefits under part 3300.5050, subpart 2, item D.



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C. Agency assistance in the establishment or stabilization of a small business enterprise is for the purchase of:

- (1) occupational licenses;
- (2) tools; ~~and equipment; and;~~
- (3) initial stocks and supplies;
- (4) other items that are identified on a business plan approved by the agency that are necessary for the start-up or stabilization

of the small business enterprise;

(5) technical assistance and other consultation services to conduct market analyses and develop business plans; and

(6) other resources, to the extent such resources are authorized to be provided through the statewide workforce investment system, authorized under the Work Force Investment Act of 1998, to eligible individuals who are establishing a small business enterprise.

D. Before the agency provides occupational licenses, tools, equipment, and initial stocks and supplies for the establishment of makes purchases to assist an eligible individual to establish or stabilize a small business enterprise, the eligible individual must: develop and submit to the eligible individual's rehabilitation counselor a proposed business plan for review that includes:

(1) obtain advice and consultation from a small business development center or comparable organization on developing a business plan and possible sources of funding for the proposed business; and

(2) develop and submit to the eligible individual's rehabilitation counselor a business plan based on the advice and consultation received under subitem (1) that includes a market analysis, a description of the technical and management expertise of the person or persons expected to manage and operate the business, and a financial analysis including an estimation of the viability of the business:

(1) a description of the business, including the product and/or service, the type of legal entity for the business, location, and hours of the business;

(2) financial data, including sources of funding, capital equipment list, balance sheet, break even analysis, net and gross income projections, and cash flow projections;

(3) a market analysis, including business competition and a marketing plan;

(4) a description of the technical and management expertise of the person or persons expected to manage and operate the business;

(5) zoning, licensing, taxation, and insurance requirements;

(6) an implementation schedule, including initial start-up costs, or a stabilization schedule including stabilization costs; and

(7) a projection of possible risks and problems along with proposed strategies for addressing them.

E. The agency's purchases of occupational licenses, tools, equipment, and initial stocks and supplies for the establishment of a small business enterprise must be made only after the eligible individual and the rehabilitation counselor take into consideration the information obtained in item D. Proposed business plans must be considered as follows:

(1) For total projected expenditures that are equal to or less than the authority for local purchase given to a rehabilitation counselor by the Materials Management Division of the state Department of Administration, the agency may provide assistance only after the agency's small business development specialist has reviewed the business plan and found it to be complete, conducted a risk assessment of the business plan, and found the proposed business to be viable.

(2) For total projected expenditures that are greater than the authority for local purchase given to a rehabilitation counselor by the Materials Management Division of the state Department of Administration, the agency may provide assistance only after a state or nationally chartered lending institution or a micro-lender has reviewed the business plan and found it to be complete, conducted a risk assessment of the business plan, and found the proposed business to be viable. The lending institution or micro-lender completing the review must be separate from anyone assisting the eligible individual with the development of the business plan.

F. Total agency expenditures for ~~occupational licenses, tools, equipment, and initial stocks and supplies for~~ the stabilization or establishment of a small business enterprise for items C, subitems (1) to (4), and J, must not exceed \$5,000 for the life of the business, excluding costs for rehabilitation technology: the lesser of:

(1) the actual amount necessary to establish or stabilize a small business enterprise; or

(2) an amount calculated annually by applying the percentage of increase, if any, in the Consumer Price Index, published by the United States Department of Labor, Bureau of Labor Statistics, to the total agency expenditure allowed for the previous year, where 1994 was the base year, rounded to the nearest hundred dollars.

G. The agency must not ~~purchase occupational licenses, tools, stocks, supplies, or equipment for~~ pay costs associated with the ongoing operation of a business after initial stocks, supplies, and equipment are provided.

H. The agency must not pay any costs of bankruptcy proceedings or costs due to the bankruptcy of an eligible individual's small business enterprise.

I. A vehicle may be provided for a small business enterprise only when it is an integral part of the business and the business cannot be run without it.

J. The cost of a vehicle, if any, must be included in the total agency expenditures under item F.

## Subp. 12. **Transportation services.**

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

D. The agency must not purchase, lease, or otherwise obtain, maintain, or insure vehicles for applicants or eligible individuals except according to subpart 11, item I.

E. If transportation provided by a public entity, including paratransit, is available and used by the eligible individual, agency payments for transportation must not exceed the actual cost of the transportation. When the public entity has more than one cost level that will meet the transportation needs of the eligible individual, the agency payments must not exceed the lowest cost level.

F. If transportation ~~provided by that will meet the needs of the eligible individual is available from~~ a public entity, including paratransit, ~~is available~~, but the eligible individual chooses alternate transportation, agency payments for transportation must not exceed the ~~equivalent~~ lesser of the lowest cost level of transportation provided by a public entity or the cost of gasoline as determined in item G.

G. When transportation provided by a public entity, including paratransit, is unavailable and the eligible individual is being transported by personal vehicle, the agency's payments must not exceed the costs of gasoline and parking plus the cost of a driver if required. The agency's payments for gasoline costs must be determined by ~~using the rate established by the Internal Revenue Service for personal income tax deductions for mileage for charitable contributions under the Internal Revenue Code of 1986, section 170i, as amended multiplying the mileage rate by the actual miles driven.~~ The agency's payments for a driver must be determined by the usual and customary rate for the area.

[For text of items H and I, see M.R.]

J. Agency purchases of vehicle repairs must be made as follows:

(1) repair to a vehicle owned by an eligible individual must not be provided unless an eligible ~~individual's ability individual would be unable~~ to participate in ~~an employment plan would be interrupted~~ vocational rehabilitation services if vehicle repair is not provided. The agency may provide vehicle repair only if no other means of transportation, such as public transportation, including paratransit, is available and the repair is necessary for the safe and legal operation of the vehicle;

(2) the agency must not provide ~~vehicle repairs for items that are routinely expected to wear during normal driving of the vehicle assistance with routine vehicle maintenance;~~

(3) agency payments for vehicle repairs must not exceed \$1,000 for an eligible individual in a 12-month period; and

(4) the agency will only pay for repairs when the vehicle is owned by the eligible individual.

[For text of subp 12a, see M.R.]

## Subp. 13. **Postsecondary training tuition and mandatory fees.**

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

F. If the undergraduate broad field of study required by the eligible individual's employment plan is not available at a Minnesota public postsecondary institution, the agency ~~shall~~ must not apply the tuition fee schedule in determining the amount of agency payments for tuition and mandatory fees.

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

~~E. The agency must report to the postsecondary training institution, with the eligible individual's release, the amount of planned agency purchases of services for postsecondary training for an eligible individual. If the eligible individual does not provide a release for the agency to report planned agency purchases of services for postsecondary training, the agency must not make the purchases.~~

L. The agency must only fund training at schools and/or programs that are licensed, registered, or exempt from licensing or registration requirements by, as appropriate:

(1) the Minnesota Higher Education Services Office;

(2) the Minnesota Board of Barbers and Cosmetology Examiners;

(3) the Minnesota Department of Public Safety;

(4) the Minnesota Department of Transportation;

(5) the Minnesota Department of Commerce; or

(6) if the eligible individual is attending a postsecondary training program that is not in Minnesota, an equivalent agency in the state where the school is located.

Subp. 14. **Job related services.** Payments for job related services may be made only to:

A. CARF accredited providers;

B. providers that are in the process of applying for CARF accreditation;

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C. non-CARF accredited providers with whom the agency has signed a limited-use vendor operating agreement specifying the maximum dollar amount the provider may receive annually; or

D. any vendor when the total annual dollar amount to be authorized is less than the authority for local purchase given to a rehabilitation counselor by the Materials Management Division of the state Department of Administration.

**Subp. 15. Vocational adjustment training.**

A. The eligible individual must, with the assistance of the agency, participate in the search for and use of comparable benefits under part 3300.5050, subpart 2, item D.

B. Payments for vocational adjustment training may be made only to:

(1) CARF accredited providers;

(2) providers that are in the process of applying for CARF accreditation;

(3) non-CARF accredited providers with whom the agency has signed a limited-use vendor operating agreement specifying the maximum dollar amount the provider may receive annually; or

(4) any vendor when the total annual dollar amount to be authorized is less than the authority for local purchase given to a rehabilitation counselor by the Materials Management Division of the state Department of Administration.

**Subp. 16. Vocational evaluation services.** Payments for vocational evaluation services may be made only to:

A. CARF accredited providers;

B. providers that are in the process of applying for CARF accreditation;

C. non-CARF accredited providers with whom the agency has signed a limited-use vendor operating agreement specifying the maximum dollar amount the provider may receive annually;

D. any vendor when the total annual dollar amount to be authorized is less than the authority for local purchase given to a rehabilitation counselor by the Materials Management Division of the state Department of Administration;

E. an evaluation center at a postsecondary institution in the Minnesota State Colleges and Universities system; or

F. an employer who has not hired the eligible individual.

**REPEALER.** Minnesota Rules, part 3300.5010, subpart 49, is repealed.

# 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.

**KEY: Proposed Rules** - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

## Minnesota Combative Sports Commission Adopted Permanent Rules Relating to Combative Sports

The rules proposed and published at *State Register*, Volume 33, Number 25, pages 1095-1101, December 22, 2008 (33 SR 1095), are adopted with the following modifications:

### **2202.0020 DEFINITIONS.**

Subp. 7. **Inspector.** "Inspector" means an individual appointed by the commission, or a member of the commission, with specific duties and authority as set forth in this chapter. If an inspector is not a member of the commission, the inspector must be a referee licensed pursuant to *Minnesota Statutes*, section 341.30.

Subp. 7.8. **Person.** "Person" means an individual, corporation, partnership, limited liability company, organization, or other business entity organized and existing under law, its officers and directors, or any person holding 25 percent or more of the ownership of the corporation that is authorized to do business under the laws of this state.

Subp. 8.9. **Professional.** "Professional" means a licensed mixed martial arts combatant who competes for any money prize or a prize that exceeds the value of \$50 or teaches, pursues, or assists in the practice of mixed martial arts as a means of obtaining a livelihood or pecuniary gain.

### **2202.0100 APPROVAL OF FACILITIES OR EQUIPMENT.**

In all instances in which this chapter authorizes the commissioner or a designee to approve facilities or equipment, requests for approval shall be assessed on the following criteria:

A. the ability of the item or facility to protect the safety of combatants;

B. the ability of the item or facility to protect the safety of officials, inspectors, physicians, and seconds;

C. the ability of the item or facility to protect the safety of spectators;

D. generally accepted industry standards or practices in the mixed martial arts field;

E. the physical constraints of a specific venue in which the contest is to be held; and

F. the availability of particular items at the venue in which the contest is to be held. In the event that a determination as to a particular item of equipment or facility is challenged before the end of the contest, the commission or a designee shall document the basis for the disapproval according to *Minnesota Statutes*, section 341.28, subdivision 1, clause (2).

### **2202.0200 WEIGHT CLASSES.**

Combatants shall be divided into the following weight classes:

H. heavyweight ~~204~~ 205 pounds to 264.9 pounds; and

I. super heavyweight ~~over~~ 265 pounds and over.

In determining the weight class of a combatant, the measured weight of each combatant shall be rounded to the nearest one-tenth.

### **2202.0300 FIGHTING AREA.**

C. The fighting area canvas shall be enclosed by a fence made of such material as will not allow a fighter to fall out or break through it onto the floor or spectators, ~~including, but not limited to,~~ such as vinyl coated chain link fencing. All metal parts shall be covered and padded in a manner approved by the commission and shall not be abrasive to the combatants.

# Adopted Rules

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## 2202.0500 MOUTHPIECES.

C. If the mouthpiece is involuntarily dislodged during competition, the referee shall call time, clean the mouthpiece and reinsert the mouthpiece at the first opportune moment, without interfering with the immediate action as soon as possible, consistent with the safety of the combatants and the referee.

## 2202.0540 GLOVES.

A. The gloves shall be new and in good condition for all competitions or they must be replaced. The inspector shall determine whether gloves must be replaced.

## 2202.0560 APPAREL.

B. ~~Gis or shirts are prohibited to be worn by~~ With the exception of shorts and a groin protector, male combatants shall not wear clothing during competition.

D. With the exception of shorts and a sports bra under an approved chest protector, female combatants shall not wear clothing during competition.

## 2202.0580 APPEARANCE.

A. All combatants shall ~~be cleanly shaven~~ shave all facial hair immediately prior to competition, except that a combatant may wear a closely cropped mustache.

## 2202.0800 JUDGING.

D. Except as specified in item K, evaluations shall be made in the order in which the techniques appear in item C, giving the most weight in scoring to effective striking, and decreasing weight to effective grappling, control of the fighting area, and effective aggressiveness and defense, in the order listed.

F. Effective grappling is judged by considering the ~~amount~~ number of successful executions of a legal take ~~down~~ downs and reversals. Examples of factors to consider are take downs from standing position to mount position, passing the guard to mount position, and bottom position fighters using an active, threatening guard.

J. The following objective scoring criteria shall be utilized by the judges when scoring a round:

(3) a round is to be scored as a 10-8 round when a combatant overwhelmingly dominates by striking or grappling in a round so effectively that the opposing combatant is only able to provide a minimal amount of defense; and

(4) a round is to be scored as a 10-7 round when a combatant totally dominates by striking or grappling in a round so effectively that the opposing combatant is completely unable to execute successful defensive maneuvers.

## 2202.0900 WARNINGS.

B. After the initial warning, if the prohibited conduct persists, a penalty will be issued by the referee. The penalty ~~may~~ shall result in a deduction of points or disqualification, with a one point deduction after the third warning. A deduction of two points in the same round will result in a disqualification.

## 2202.1000 FOULS.

G. If a bottom combatant commits a foul, unless the top combatant is injured, the fight shall continue, so as not to jeopardize the top combatant's superior positioning at the time.

(3) The referee may terminate a contest ~~based on the severity of~~ if a foul results in an unnecessary injury caused by an intentional act. For such a flagrant foul, a If a contest is terminated based upon a foul committed under this subitem, the combatant who committed the foul shall lose by disqualification.

## 2202.1100 INJURIES SUSTAINED DURING COMPETITION.

C. If ~~an~~ any injury is sustained during competition as a result of an intentional foul and the contest is allowed to continue, the referee shall notify the scorekeeper to automatically deduct two points from the combatant who committed the foul.

## 2202.1200 TYPES OF CONTEST RESULTS.

The following are the types of contest results:

G. Forfeit is when a combatant fails to begin competition or prematurely ends the contest for reasons other than injury or ~~by~~ indicating a tap out.



# Expedited Rules

An agency adopts Expedited Rules (*Minnesota Statutes* 14.389) when a law requires or authorizes such rules. The agency must follow *Minnesota Statutes*, sections 14.19 and 14.366. Within 180 days after issuance of the administrative law judge's report, or that of the chief administrative law judge, an agency shall submit its notice of adoption, amendment, or repeal to the *State Register* for publication. If the agency has not submitted its notice to the *State Register* within 180 days, the rules are automatically withdrawn.

The agency may not adopt the withdrawn rules without again following the procedures of *Minnesota Statutes* 14.05 to 14.28. If the law authorizing or requiring rules to be adopted under this section 14.389, and refers to **Subdivision 5, Option**, then the notice must include a statement that a public hearing will be held if 100 or more people request a hearing. If such is the case, the agency may adopt the rule only after complying with all of the requirements of chapter 14 for rules adopted after a public hearing.

## Minnesota Department of Health (MDH)

### Division of Health Policy

### Proposed Expedited Permanent Rules Relating to Health Care Quality Measures

### NOTICE OF INTENT TO ADOPT EXPEDITED RULES WITHOUT A PUBLIC HEARING

### Proposed Expedited Permanent Rules Relating to Health Care Quality Measures, *Minnesota Rules*, Chapter 4654

**Introduction.** The Department of Health intends to adopt rules under the expedited rulemaking process under the Administrative Procedure Act, *Minnesota Statutes*, section 14.389 and the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410. You may submit written comments on the proposed expedited rules until October 7, 2009.

**Agency Contact Person.** You must submit your comments or questions on the rules to: Katie Burns, MN Department of Health, P.O. Box 64882, St. Paul, MN 55164-0882, 651-201-5530, and [health.reform@state.mn.us](mailto:health.reform@state.mn.us). TTY users may call the Minnesota Department of Health at (651) 201-5797.

**Subject of the Expedited Rules and Statutory Authority.** The proposed expedited rules establish a standardized set of quality measures that the Minnesota Department of Health will use to assess the quality of services offered by health care providers, including a subset of the measures for which physician clinics and hospitals are required to submit data for public reporting. The proposed rules also set out:

- requirements for physician clinics and hospitals to submit quality data to the Minnesota Department of Health or its designee;
- obligations for physician clinics and hospitals to cooperate with data validation procedures;
- annual review by the Minnesota Department of Health of existing quality measures and evaluation and adoption of new measures into the standardized set;
- a restriction on health plans prohibiting them from requiring providers to use and report data on quality measures not included in the standardized set.

The statutory authority to adopt this rule is *Minnesota Statutes* §62U.02. The statutory authority to adopt this rule under the expedited rulemaking process is *Minnesota Statutes* §62U.06, subd. 3. A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed. The proposed expedited rule and appendices may be viewed at:

[www.health.state.mn.us/healthreform/measurement/index.html](http://www.health.state.mn.us/healthreform/measurement/index.html).

A free copy of the appendices related to this proposed rule is also available upon request from the agency contact person listed above.

**Comments.** You have until 4:30 p.m. on Wednesday, October 7, 2009, to submit written comments in support of or in opposition to the proposed expedited rules and any part or subpart of the rules and appendices. Your comments must be in writing and received by the agency contact person by the due date. The Department encourages comment. Your comments should identify the portion of the proposed expedited rules addressed and the reason for the comment. In addition, you are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must be made during this comment period. If the proposed expedited rules affect you in any way, the agency encourages you to participate in the rulemaking process.

**Modifications.** The agency may modify the proposed expedited rules using either of two avenues: The agency may modify the rules directly so long as the modifications do not make them substantially different as defined in *Minnesota Statutes*, section 14.05, subdivision 2, paragraphs (b) and (c). Or the agency may adopt substantially different rules if it follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adoption

# Expedited Rules

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in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*.

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

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155; **telephone:** (651) 296-5148 or 1-800-657-3889.

**Adoption and Review of Expedited Rules.** The agency may adopt the rules at the end of the comment period. The agency will then submit rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date that the agency submits the rules. If you want to be so notified, want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: August 25, 2009

Sanne Mangan, M.D., Ph.D., Commissioner  
Minnesota Department of Health

## **4654.0100 APPLICABILITY.**

This chapter applies to all providers who are required to submit standardized information on quality measures associated with patient care under *Minnesota Statutes*, section 62U.02, and all health plan companies that collect data related to quality measures from providers.

## **4654.0200 DEFINITIONS.**

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Administrative data.** “Administrative data” means information contained on a health care claim or equivalent encounter transaction provided by a provider to a health plan company or third-party administrator.

Subp. 3. **Applicable quality measure.** “Applicable quality measure” means a quality measure that pertains to a service provided by a physician clinic or hospital.

Subp. 4. **Clinical staff.** “Clinical staff” means physicians, nurse practitioners, and physician assistants.

Subp. 5. **Commissioner.** “Commissioner” means the commissioner of health.

Subp. 6. **Complete submission.** “Complete submission” means quality measures that a data submitter has submitted to the commissioner or commissioner’s designee containing the required quality measures in a format that allows for further review and verification of the data’s accuracy.

Subp. 7. **Data submitter.** “Data submitter” means a physician clinic or hospital.

Subp. 8. **Health plan company.** “Health plan company” has the meaning given in *Minnesota Statutes*, section 62U.01, subdivision 8.

Subp. 9. **Hospital.** “Hospital” means any entity licensed under *Minnesota Statutes*, section 144.50, subdivision 2.

Subp. 10. **Material error.** “Material error” means omission of data or submission of inaccurate information that significantly changes the results of the analysis of quality measures.

Subp. 11. **Outpatient surgery center.** “Outpatient surgery center” has the meaning given in *Minnesota Statutes*, section 144.691, subdivision 1.

Subp. 12. **Payer mix.** “Payer mix” means the distribution of insurance coverage for a provider’s patient population including private insurance, Medicare, state public programs, and self-pay or uninsured.

**Subp. 13. Physician clinic.** “Physician clinic” means any location where primary or specialty care ambulatory services are provided for a fee by one or more physicians in the state of Minnesota. Physician clinic includes outpatient surgery centers and hospital-based outpatient locations that provide primary or specialty care ambulatory services for a fee. Multiple clinic locations may be considered a single physician clinic when the multiple locations have common ownership and common clinical staff working across the multiple locations, and the total clinical staff in all locations is no greater than ten full-time equivalent employees.

**Subp. 14. Provider or health care provider.** “Provider” or “health care provider” has the meaning in *Minnesota Statutes*, section 62U.01, subdivision 10.

**Subp. 15. Publicly reported measure.** “Publicly reported measure” means a standardized quality measure established by the commissioner that is stated in Appendix A, B, or C, which is incorporated by reference in part 4654.0800.

**Subp. 16. Quality measure.** “Quality measure” means a specific qualitative or quantitative indicator that measures health outcomes, processes, structures, or patient experience, access, or safety, or other desirable results for a defined population of patients. Quality measure does not include information:

- A. associated with assessing medical necessity for an individual patient;
- B. used to determine medical appropriateness of treatment for a particular patient;
- C. related to patient safety or adverse health events for an individual patient;
- D. related to a health care provider’s qualifications or scope of practice; or
- E. necessary to detect and prevent fraud and abuse in the billing and payment of services.

**Subp. 17. Risk adjustment.** “Risk adjustment” means a process that adjusts the analysis of quality measurement by accounting for those patient-population characteristics that may independently affect results of a given measure and are not randomly distributed across all providers submitting quality measures. Risk adjustment characteristics include severity of illness, patient demographics, and payer mix.

**Subp. 18. Standardized electronic information.** “Standardized electronic information” means the specific required data format as described in Appendix E, which is incorporated by reference in part 4654.0800.

**Subp. 19. Standardized quality measure.** “Standardized quality measure” means:

- A. any measure listed in Appendix A, B, C, or D, which is incorporated by reference in part 4654.0800;
- B. any measure required to be reported under *Minnesota Statutes*, section 62U.05 or 256B.0751, subdivision 6, paragraph (a);
- C. any quality measure that a health plan company or provider is required to collect or report by the Minnesota Department of Human Services;
- D. any structural quality measure; or
- E. any quality measure that a health plan company is required to collect or report by federal or state law or regulation.

**Subp. 20. Structural quality measure.** “Structural quality measure” means a measure of provider capacity, scope of services, or feature of the setting in which care is delivered that is independent of the care delivered to any individual patient.

**Subp. 21. Third-party administrator.** “Third-party administrator” means a vendor of risk management services or an entity administering a self-insurance or health insurance plan as defined in *Minnesota Statutes*, section 60A.23, subdivision 8.

## **4654.0300 PROVIDER SUBMISSION REQUIREMENTS.**

### **Subpart 1. Physician clinics.**

A. Each physician clinic, except outpatient surgery centers, must register annually with the commissioner or commissioner’s designee beginning January 1, 2010, as specified in Appendix E.

B. Each physician clinic, except outpatient surgery centers, must submit to the commissioner or commissioner’s designee data required to calculate the applicable quality measures, including the data necessary to perform risk adjustment for each applicable quality measure in Appendix A, which is incorporated by reference in part 4654.0800, according to the schedule for each measure in Appendix A for all health care services provided by the physician clinic. The physician clinic must submit the data using the standardized electronic format and procedures specified in Appendix E, which is incorporated by reference in part 4654.0800.

**Subp. 2. Hospitals.** Each hospital must submit to the commissioner or commissioner’s designee data required to calculate the applicable quality measures, including the data necessary to perform risk adjustment for each applicable quality measure in Appendix B.

# Expedited Rules

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which is incorporated by reference in part 4654.0800, according to the schedule for each measure in Appendix B for all relevant health care services provided by the hospital. The hospital must submit the data using the standardized electronic format and procedures specified in Appendix E, which is incorporated by reference in part 4654.0800.

Subp. 3. **Outpatient surgery centers.** Each outpatient surgery center must submit to the commissioner or commissioner's designee data required to calculate the applicable quality measures, including the data necessary to perform risk adjustment for each applicable quality measure in Appendix C, which is incorporated by reference in part 4654.0800, according to the schedule for each measure in Appendix C for all health care services provided by the outpatient surgery center. The outpatient surgery center must submit the data using the standardized electronic format and procedures specified in Appendix E, which is incorporated by reference in part 4654.0800.

Subp. 4. **Provider subcontractors.** The commissioner or commissioner's designee will accept data submitted on behalf of a provider by a single subcontractor.

## **4654.0400 DATA VALIDATION PROCEDURES.**

### **Subpart 1. Complete submissions.**

A. The commissioner or commissioner's designee must notify a data submitter of a data transmission receipt within two business days of a data submission. Within 30 days after receipt of the data transmission, the commissioner or the commissioner's designee must notify the data submitter whether the data qualifies as a complete submission.

B. If a data submitter receives notice that a data submission is incomplete, the commissioner or commissioner's designee must state in the notice why the data submission is incomplete. The data submitter must resubmit the complete data or request an extension or reconsideration within ten business days after the data submitter receives the notice.

### **Subp. 2. Material error.**

A. If the commissioner or commissioner's designee notifies a data submitter of a material error in a complete submission, the data submitter must file a corrected submission or request an extension within ten days.

B. If a data submitter discovers a material error in a complete submission, the data submitter must immediately inform the commissioner or commissioner's designee of the error and, within 15 days, file a corrected submission.

Subp. 3. **Dispute resolution.** If a data submitter disagrees with the commissioner or commissioner's designee's determination that a submission is incomplete or that it contains a material error, the data submitter may submit a written request for reconsideration to the commissioner within ten business days, stating its reasons that the submission should be considered complete or why it does not contain a material error. The commissioner's decision on the request for reconsideration is final.

Subp. 4. **Cooperation with data validation procedures.** Data submitters must cooperate with the commissioner or the commissioner's designee in carrying out data validation by doing the following:

A. attest to the accuracy of data submissions;

B. respond to data validation requests and cooperate in data validation audits by the commissioner or the commissioner's designee; and

C. document calculation of all applicable measures and maintain the record for two years.

## **4654.0500 MEASUREMENT DEVELOPMENT AND REVIEW PROCESS.**

Subpart 1. **Review process.** The commissioner must review the standardized quality measures contained in "Minnesota Statewide Quality Reporting and Measurement System: Appendices to *Minnesota Administrative Rules*, chapter 4654," in part 4654.0800, and propose additions, deletions, or modifications by August 15 of each year. If the commissioner determines that a standardized quality measure should be added, deleted, or modified, the commissioner will use the expedited rulemaking process under *Minnesota Statutes*, section 14.389.

Subp. 2. **Recommendation process.** The commissioner shall consider recommendations for addition, removal, or modification of standardized quality measures that are submitted by June 1 of each year. To the extent practicable, recommendations must address how addition, removal, or modification of a quality measure relates to one or more of the following criteria:

A. the magnitude of the individual and societal burden imposed by the clinical condition being measured by the quality measure, including disability, mortality, and economic costs;

B. the extent of the gap between current practices and evidence-based practices for the clinical condition being measured by the quality measure, and the likelihood that the gap can be closed and conditions improved through changes in clinical processes;

C. the relevance of the quality measure to a broad range of individuals with regard to:

- (1) age, gender, socioeconomic status, and race/ethnicity;
- (2) the ability to generalize quality improvement strategies across the spectrum of health care conditions; and
- (3) the capacity for change across a range of health care settings and providers;

D. the extent to which the quality measure has either been developed or accepted, or approved through a national consensus effort;

E. the extent to which the results of the quality measure are likely to demonstrate a wide degree of variation across providers; and

F. the extent to which the quality measure is valid and reliable.

#### **4654.0600 USE OF QUALITY MEASURES BY HEALTH PLAN COMPANIES.**

Subpart 1. **Required quality measures.** A health plan company may not require providers to use or report quality measures that are not standardized quality measures. Health plan companies and providers may voluntarily use and report quality measures that are not standardized quality measures. In addition, a health plan company may do the following:

A. derive quality measures from any data source not submitted to the health plan company by a provider;

B. derive quality measures from administrative data; and

C. require providers to calculate and submit standardized quality measures based only on the health plan company's enrollees.

Subp. 2. **Required use or report of quality measures.** For purposes of this part, requiring a provider to use or report a quality measure means contractually mandating, as a nonnegotiable condition of conducting business with a health plan company, that a provider use or report a specific quality measure.

#### **4654.0700 VARIANCES.**

The commissioner may grant a variance to a data submitter for a reported quality measure collection or submission specification if the data submitter demonstrates good cause. To request a variance, a data submitter must submit a petition, according to the requirements of *Minnesota Statutes*, section 14.056, and demonstrate that it meets the following criteria:

A. failure to grant the variance would result in hardship or injustice to the data submitter;

B. the variance is consistent with the public interest, including patient safety; and

C. the variance does not prejudice the substantial legal or economic rights of any person or entity.

#### **4654.0800 INCORPORATION BY REFERENCE.**

"Minnesota Statewide Quality Reporting and Measurement System: Appendices to *Minnesota Administrative Rules*, Chapter 4654." issued by the Minnesota Department of Health, September 2009, is incorporated by reference. It is available through the Minitex interlibrary loan system and the Minnesota Department of Health Web site at <http://www.health.state.mn.us/healthreform/measurement/index.html>. They are not subject to frequent change.



# Proclamations

Proclamations by the Governor (*Minnesota Statutes* § 4.04) may be published in the *State Register*. All proclamations of the Governor required or authorized by law shall be filed with the Secretary of State. Extra Sessions of the Legislature are called by means of a proclamation. The Governor also proclaims one day in each year as a day of solemn and public thanksgiving and no official state business may be transacted on that day.

## Office of the Governor PDK Week Declaration

**WHEREAS**, Polycystic Kidney Disease (PKD) is a life-threatening genetic disease with devastating both human and economic impact on people of all ages, races, sexes, nationalities, geographic locations, and income levels; and

**WHEREAS**, PKD is a systemic disease that causes damage to the kidney, cardiovascular, endocrine, hepatic, and gastrointestinal organ systems. Patients with a life-threatening genetic disease often face an uncertain future and experience apprehension over possible genetic discrimination; and

**WHEREAS**, PKD, for which there is neither cure nor effective drug treatment, is one of the four leading causes of chronic kidney failure in the United States; and

**WHEREAS**, It is estimated that approximately 600,000 people in the United States have PKD, and along with caregivers, friends, and families must shoulder the physical, emotional, and financial burdens of the disease; and

**WHEREAS**, Because PKD patients reach kidney failure at an average age of 57, a severe strain on dialysis and kidney transplantation resources in the United States has developed as the largest segment of the population - the "baby boomers" - continues to age; and

**WHEREAS**, End-stage renal disease is one of the fastest growing components of the Medicare budget, with treatment of PKD costing an estimated \$2 billion annually for dialysis, kidney transplantation, and related therapies; and

**WHEREAS**, Thousands of volunteers nationwide, including an active Minnesota chapter, are dedicated to expanding essential research, fostering public awareness and understanding of PKD, educating PKD patients and their families, providing appropriate moral support, and encouraging people to become organ donors; and

**WHEREAS**, These volunteers engage in an annual national awareness event called the Walk for PKD, to be held this year at Nomandale Lake Park in Bloomington.

**NOW, THEREFORE, I, TIM PAWLENTY**, Governor of Minnesota, do hereby proclaim the week of September 6 through September 12, 2009, as: **POLYCYSTIC KIDNEY DISEASE AWARENESS WEEK** in the State of Minnesota and urge citizens to continue raising awareness of PKD and to recognize the need for additional research and support for finding a cure.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol this first day of September in the year of our Lord two thousand and nine, and of the State the one hundred fifty-first.

Signed: **Tim Pawlenty**  
**Governor**

Signed: **Mark Ritchie**  
**Secretary of State**

## Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

### Minnesota Department of Natural Resources (DNR) Commissioner's Order 09-003: Designation of Wildlife Management Lake Effective Date: August 27, 2009 Statutory authority: *Minnesota Statutes*, section 97A.101, subd. 2

**NOW, THEREFORE, IT IS HEREBY ORDERED**, pursuant to authority vested in me by law, including but not limited to *Minnesota Statutes*, section 97A.101, subdivision 2, that Round Lake (DOW#51-38), Township 108N; Range 40W; Section 16, 17, 20 & 21; Murray County is designated as a wildlife management lake.

Date signed: 27 August 2009

Mark Holsten, Commissioner,  
Department of Natural Resources

## 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.

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# Official Notices

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## Minnesota Department of Agriculture

### Plant Protection Division

#### **REQUEST FOR COMMENTS on Possible Amendments to Rules Governing Minnesota Seed Potato Certification, *Minnesota Rules* Parts 1510.2310 to 1510.2355**

**Subject of the Rule.** The Minnesota Department of Agriculture requests comments on its planned amendments to rules governing the description of the certified seed potato classes, definition of disease tolerance levels by class, the names of potatoes eligible for planting, update of a scientific name change of a specific disease of potatoes, correlation of generational name changes and disease tolerance levels by new class descriptions, and update of marketing options.

**Persons Affected.** The amendments would likely affect seed potato growers and their customers. The department does not contemplate appointing an advisory committee to comment on the planned rules.

**Statutory Authority.** *Minnesota Statutes*, section 21.111 to 21.122 allows the commissioner to adopt rules for certifying Minnesota seed potatoes.

**Public Comment.** Interested persons or groups may submit comments or information on the possible amendments in writing or orally until 4:30 p.m. on November 9, 2009. The department has not prepared a draft of the planned amendments. Written or oral comments, questions, requests to receive a draft proposed rules when prepared, and requests for more information on the possible rules should be addressed to: **Chuck Dryke, Plant Protection Division, 625 Robert Street N., St Paul Minnesota, 55155; phone: (651) 201-6190; fax: (651) 201-6108, or e-mail at [chuck.dryke@state.mn.us](mailto:chuck.dryke@state.mn.us).** TTY users may contact the Department of Agriculture through Minnesota Relay Service at 800/627-3529.

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

Comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: August 28, 2009

Jim Boerboom,  
for: Gene Hugoson, Commissioner

## Department of Employment and Economic Development

### Minnesota Housing Finance Agency

### Minnesota Department of Human Services

#### **NOTICE OF PUBLIC HEARINGS AND DRAFT AVAILABILITY of the 2010 Action Plan of the State of Minnesota's 2007-2011 Consolidated Housing and Community Development Plan and Consolidated Annual Performance and Evaluation Report (CAPER) for 2009**

The State of Minnesota announces its process for developing its 2010 Action Plan of the 2007-2011 Consolidated Housing and Community Development Plan (Consolidated Plan), and the 2009 Consolidated Annual Performance and Evaluation Report (CAPER). The State encourages citizens to attend the public hearings and review and comment on the draft reports.

The Consolidated Plan is a report that the State submits annually to the U.S. Department of Housing and Urban Development (HUD) in order to receive federal housing and community development funding through the Community Development Block Grant (CDBG), HOME Investment Partnerships, Emergency Shelter Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA)

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## Official Notices

programs. The Consolidated Plan examines the housing and community development needs of the State, sets priorities for allocation of the HUD funds, and establishes an annual Action Plan for meeting current and future needs in the coming year.

The State submits its CAPER to HUD annually as one of the conditions of receiving federal funds under the programs identified above. The CAPER provides information to measure the State's progress during the past year in meeting assistance goals and priorities identified in the Consolidated Plan. The CAPER includes a summary and analysis of progress made on identified actions that State agencies have elected to undertake to affirmatively further fair housing and overcome impediments to fair housing.

The State will hold its first public hearing about the Action Plan on Monday, September 21, 2009, to gather citizen input on housing and community development needs and how federal funding should be allocated in the State. The hearing will be held at 5:00 p.m. at the Minnesota Department of Employment and Economic Development, 332 Minnesota Street, 2<sup>nd</sup> floor, St. Paul, MN.

A second public hearing on the Action Plan will be held on Monday, November 16, 2009. This public hearing will be for review and comment on the draft Action Plan and will be held at 5:00 p.m. at the Minnesota Department of Employment and Economic Development, 332 Minnesota Street, 2<sup>nd</sup> floor, St. Paul. Call: 1-800-657-3858 or (651) 259-7462, or TTY 1-800-282-5909 or (651) 296-3900 for more information about these hearings.

Drafts of the 2010 Action Plan and the CAPER for 2009 will be available for public review and comment between October 16, 2009, and the close of business November 20, 2009. The draft Action Plan and CAPER will be available on the Internet at [www.mnhousing.gov](http://www.mnhousing.gov) and [www.deed.state.mn.us](http://www.deed.state.mn.us) and in state depositories identified in the Citizen Participation Plan, which may be viewed at the same internet locations. Hard copies of the Action Plan can be obtained by calling Gloria Stiehl, Department of Employment and Economic Development, 1-800-657-3858 or (651) 259-7462, or TTY 1-800-282-5909 or (651) 296-3900. Hard copies of the CAPER can be obtained by calling Minnesota Housing Finance Agency at 1-800-657-3769 or (651) 296-7608, or TTY (651) 297-2361.

Written public comments on the Action Plan can be submitted to:

Action Plan, Attn: Gloria Stiehl  
Minnesota Department of Employment and Economic Development  
First National Bank Building  
332 Minnesota Street, Suite E200  
St. Paul, MN 55101-1351

Written comments may also be submitted by fax to (651) 296-1290 or by e-mail to [gloria.stiehl@state.mn.us](mailto:gloria.stiehl@state.mn.us). To ensure consideration of your comments, type "Action Plan" in the subject line of your e-mail.

Written public comments on the 2009 CAPER can be submitted to:

CAPER  
Minnesota Housing Finance Agency  
400 Sibley Street, Suite 300  
St. Paul, MN 55101

Written comments may also be submitted by fax to (651) 296-8139 or by e-mail to [mn.housing@state.mn.us](mailto:mn.housing@state.mn.us). To ensure consideration of your comments, type "CAPER" in the subject line of your e-mail.

The Action Plan and CAPER will be submitted to HUD on or before December 30, 2009. The State will consider any comments from individuals or groups received in writing or at public hearings. A summary of the written and public hearing comments and the State's responses will be included in the final Action Plan.

# Official Notices

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## Department of Human Services (DHS)

### Health Care Purchasing and Delivery Systems Division

### Health Care Administration

## Public Notice of Maximum Allowable Costs of Medical Assistance Outpatient Prescribed Drugs

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

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

The Department requires Medical Assistance pharmacy providers to submit their usual and customary costs. Pharmacy providers are reimbursed at the lower of: 1) the federal or state MAC, plus a dispensing fee; 2) the submitted usual and customary charge to the general public; or 3) a discount off of average wholesale price, plus a dispensing fee.

No earlier than September 9, 2009 the Department may add the following outpatient prescribed drugs to the state MAC list:

**Drug Name**

TACROLIMUS ANHYDROUS

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$85,000.00 for State Fiscal Year 2009 (July 1, 2009 through June 30, 2010).

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

Written comments and requests for information may be sent to Pharmacy Program Manager Sara Drake R.Ph., Health Services and Medical Management Division, Health Care Administration, Minnesota Department of Human Services, P.O. Box 64984, St. Paul, Minnesota 55164-0984.

## Minnesota Department of Transportation (Mn/DOT)

### Notice of Public Hearing and Public Comment Period on Greater Minnesota Transit Plan

The Minnesota Department of Transportation (Mn/DOT) encourages the public to attend a videoconference public hearing on the Greater Minnesota Transit Plan 2010-2030. The plan describes current challenges that the state is facing, examines future transit service needs and analyzes future levels of funding to meet that need. Access to the public hearing will be available at fifteen locations statewide from 3-7 p.m., Thursday, Oct. 8. For more information on the exact locations, visit [www.dot.state.mn.us/transitplan](http://www.dot.state.mn.us/transitplan).

The purpose of the Greater Minnesota Transit Plan 2010-2030 is to update the Greater Minnesota Public Transportation Plan from 2001. The updated plan:

- Describes current challenges
- Examines future transit service needs
- Analyzes future levels of funding



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## Official Notices

The long-term vision for public transit in Minnesota is to create a high-quality, coordinated transit network integrated into the overall transportation system, meeting the mobility needs of the people of Minnesota.

The purpose of the public hearing is to solicit official comment on the Greater Minnesota Transit Plan 2010-2030. The comments will be considered when finalizing the plan and will become part of the official public hearing record. Additional opportunities to comment on the plan will be available until the close of the comment period on Monday, Oct. 19, 2009 at 4:30 p.m. Comments will be accepted through:

E-mail: *TransitPlan@dot.state.mn.us*  
Fax: (651) 366-4192  
Phone: (651) 366-4180  
U.S. Mail: Minnesota Department of Transportation  
Office of Transit  
Noel Shughart – Principal Planner  
Mail Stop 430  
395 John Ireland Blvd  
St. Paul, MN 55155

The Greater Minnesota Transit Plan 2010-2030 is available for download on the Mn/DOT website,  
*[www.dot.state.mn.us/transit/transitplan/](http://www.dot.state.mn.us/transit/transitplan/)*,

and printed copies will be available for review at each of the public hearing sites.

A printed copy of the plan is available for review at the Mn/DOT Central Office in St. Paul, 395 John Ireland Blvd., or at district headquarters offices throughout the state. To request this document in an alternative format call (651) 366-4718 or e-mail *ADArequest@dot.state.mn.us*.

To request an ASL interpreter or other reasonable accommodations at the public hearing, call (651) 366-4718 or e-mail *ADArequest@dot.state.mn.us* by Thursday, Oct. 1.

# 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.

## Assistance in Applying for Grants

Only *State Register* subscribers get a "Contracts & Grants" section that lists all "active" grants and contracts. Open the *State Register* and click on Bookmarks in the upper left corner. You get a list of ALL the current rules, with an INDEX, and previous volume indices, as well as a list of all "active" contracts and grants, and LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

- LINKS, LINKS, LINKS
- Updates to Index to Vol. 33
- "Contracts & Grants" Open for Bid
- Early delivery, on Friday
- Easy Access to *State Register* Archives
- Word Search Capability
- Indexes to Vols. 27 - 32
- E-mailed to you . . . its so easy

It's all E-MAILED to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Cathy Hoekstra, our subscriptions manager, at (651) 297-8777, or Fax: (651) 297-8260, or E-mail: [cathy.hoekstra@state.mn.us](mailto:cathy.hoekstra@state.mn.us).

## Department of Employment and Economic Development (DEED) Minnesota Job Skills Partnership Training Grant Deadline

The MN Job Skills Partnership (MJSP) Board solicits grant proposals for incumbent worker and new worker training programs. MJSP intends to accept proposals for the following programs: Job Skills Partnership Grant Program, Pathways Program, MJSP Pre-Development Program, Healthcare and Human Services Training Program, and MJSP Short Form. Specific program information can be found on the MJSP website at: **Minnesota Job Skills Partnership Training Grant Deadline** <http://www.deed.state.mn.us/mjsp>. The full Request for Proposal, including instructions and selection criteria, can be found on the MJSP website under the November 16, 2009 meeting notice at: <http://deed.state.mn.us/mjsp/mjspboard.htm#calendar>.

The deadline for the submission of proposals is 4:30 p.m. on Monday, October 5, 2009, with the exception of Short Form applications, which must be submitted by 4:30 p.m. on Monday, October 26, 2009.

Questions can be directed to the Job Skills Partnership at (651) 259-7514.

## Department of Transportation Office of Transit Planning, Modal and Data Management Division Notice of Intent to Release Applications to Fund Elderly and Persons with Disabilities Program (Section 5310) Grant for 2010

The Minnesota Department of Transportation (Mn/DOT) Office of Transit is releasing applications for a publicly funded transportation program:

- **Elderly and Persons with Disabilities Program**

Applications will be posted September 1, 2009 on the MN/DOT Office of Transit Website at: [www.dot.state.mn.us/transit](http://www.dot.state.mn.us/transit)

**The Elderly and Persons with Disabilities Program**, FTA Circular 9070.1, is a capital assistance grant program providing 80 percent funding for the purchase of wheelchair-accessible vans and buses for private non-profit organizations to serve elderly and/or

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## State Grants & Loans

disabled people, public bodies that coordinate services for the elderly and disabled, or any public body that certifies to the State that non-profits in the area are not readily available to carry out the services provides federal (Section 5310) financial assistance for public transit services to eligible recipients, which include:

- a. a private non-profit organization, if public transportation service provided by State and local governmental authorities under Section 5310(a)(1) is unavailable, insufficient, or inappropriate; or
- b. a governmental authority that:
  - (1) is approved by the State to coordinate services for elderly individuals and individuals with disabilities; or
  - (2) certifies that there are not any non-profit organizations readily available in the area to provide the special services.

The code assigned to the Section 5310 program in the Catalogue of Federal Domestic Assistance is 20.513.

Application Workshops will be held at the following locations to provide additional information:

**Bemidji MN/DOT Office** - Highway 2 West, Bemidji, MN 56601.

Tuesday, October 7, 2009                      12:30 to 3:00 pm

**Hibbing MN**- 1425 E. 23<sup>rd</sup> St., Hibbing, MN 55746

Wednesday, October 8, 2009 -              9:30 am to 1:00 pm

**Arden Hills, Mn/DOT Training Center** - 1900 West County Road I, Shoreview, MN 55126

Wednesday, October 14, 2009              9:00 am to Noon

**St. Cloud MN/DOT Office** - 3725 12<sup>th</sup> ST. North, St. Cloud, MN 56303

Tuesday, October 20, 2009                      10:00 am - 2:00 pm

**Owatonna MN/DOT Office** - 1010 21st Avenue N.W, Owatonna, MN 55060

Friday, October 23, 2009                      9:00 am to Noon

Applications for the Elderly and Persons with Disabilities Program must be mailed to Mn/DOT's Office of Transit and postmarked no later than 4:00 p.m. Central Daylight time on Tuesday, December 1, 2009. For further information, please contact:

Trudie Gustad  
5310 Program Coordinator  
395 John Ireland Blvd., MS 430  
St. Paul, MN 55155  
Phone: (651) 366-4182  
E-mail: [trudie.gustad@dot.state.mn.us](mailto:trudie.gustad@dot.state.mn.us)

# 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) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site at [www.mmd.admin.state.mn.us](http://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.

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

\$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600

\$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;

\$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and

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

## Find ALL "Active" Contracts

A summarized list of all "active" contracts and grants is available for subscribers only. Subscribers also receive LINKS to the *State Register*, as well as Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. Subscribers open their *State Register* and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

- Word Search Capability
- Updates to Index to Vol. 31
- Early delivery, on Friday
- LINKS, LINKS, LINKS
- "Contracts & Grants" Open for Bid
- E-mailed to you . . . its so easy
- Easy Access to *State Register* Archives
- Indexes to Vols. 31, 30, 29, 28 and 27

Subscriptions cost \$180 a year (an \$80 savings). It's all E-MAILED to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Cathy Hoekstra, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** [cathy.hoekstra@state.mn.us](mailto:cathy.hoekstra@state.mn.us)

## Department of Administration (Admin)

### Real Estate & Construction Services

### Notice of Request for Qualifications (RFQ) for Construction Manager at Risk for Minnesota State Capitol Preservation and Repairs

**NOTICE IS HEREBY GIVEN** that the Department of Administration, Real Estate and Construction Services ("State") has issued a request for qualifications to evaluate and select a Construction Manager at Risk for Minnesota State Capitol Preservation and Repairs in accordance with *Minnesota Statute* 16C.34. The scope of this project includes multi-phased repair and asset preservation for the Minnesota State Capitol Building.

The tasks and scope of services required for the project are defined and included in the Request for Qualifications (RFQ) located at [www.admin.state.mn.us/recs](http://www.admin.state.mn.us/recs) (Click on "Construction Services" and "Solicitations and Announcements"). To be considered for selection and a Contract, responses must be submitted by the date and time indicated in the RFQ. Copies of the RFQ may also be requested from:

Contracts Coordinator  
Real Estate and Construction Services  
309 Administration Building, 50 Sherburne Avenue  
St. Paul, MN 55155-1625

The State reserves the right to cancel this solicitation if it is considered to be in its best interest. The RFQ is not a guarantee of work and it does not obligate the State to award any contracts. The State reserves the right to discontinue the use or cancel all or any part of the RFQ if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

**State Department of Administration (Admin)****State Designer Selection Board Project # 09-06****Notice of Availability of Request for Proposal (RFP) for Designer Selection for the Contemporary Operating Environment Training Facility at Camp Ripley, Little Falls, Minnesota**

The State of Minnesota, Department of Administration, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota National Guard's website <http://www.MinnesotaNationalGuard.org/rfp>.

Along with the Request for Proposals, the Predesign Submittal (dated May 29, 2009) is also available for review at:  
<http://www.MinnesotaNationalGuard.org/rfp>.

A **MANDATORY** informational meeting is scheduled for **Thursday, September 10, 2009 at 10:30 a.m CDT.** at the Facilities Management Office at the Camp Ripley National Guard Armory, Little Falls, Minnesota.

Project questions will be taken by Michael Nash at fax number (320) 632-7473 or [michael.w.nash@us.army.mil](mailto:michael.w.nash@us.army.mil). Project questions will be **answered** at the mandatory meeting and by addendum posted on the website <http://www.MinnesotaNationalGuard.org/rfp>.

Proposals must be delivered to Sherry Van Horn, State Designer Selection Board, Real Estate & Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155; phone: (651) 201-2376, not later than **12:00 P.M. CDT on Monday, September 21, 2009.** Late responses will not be considered.

The Minnesota National Guard is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

**Department of Administration (Admin)****Notice of Availability of Request for Proposal (RFP) for Designer Selection for: Design 3 Buildings HVAC, Utilities**

The State of Minnesota, Department of Administration, Real Estate and Construction Services ("State") is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Department of Administration, Real Estate and Construction Services website: [www.admin.state.mn.us/recs](http://www.admin.state.mn.us/recs), click on "Solicitation Announcements."

A mandatory informational meeting is tentatively scheduled for September 16, 2009 at 10:00 a.m. C.D.T. at the Brainerd RTC Center, Building #2, Maintenance Shop Basement. Project questions will be taken by Roger Rooney at [roger.rooney@state.mn.us](mailto:roger.rooney@state.mn.us).

The Department of Administration, Real Estate and Construction Services Division is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

# State Contracts

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## Department of Administration (Admin)

### Notice of Availability of Request for Proposal (RFP) for Designer Selection for: Design Two State Veterans Cemeteries, Duluth area and Redwood County

The State of Minnesota, Department of Administration, Real Estate and Construction Services ("State") is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Department of Administration, Real Estate and Construction Services website: [www.admin.state.mn.us/recs](http://www.admin.state.mn.us/recs), click on "Solicitation Announcements."

An informational meeting is tentatively scheduled for September 21, 2009 at 11:00 a.m. C.D.T. at the Veterans Service Building, 20 West 12<sup>th</sup> Street, St. Paul, MN 55155. All firms interested in this meeting should contact David Swantek at [dswantek@integra.net](mailto:dswantek@integra.net) to sign up to attend the meeting. Project questions will also be taken by this individual.

The Department of Administration, Real Estate Construction Services Division is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

## Minnesota State Colleges and Universities (MnSCU)

### Anoka Ramsey Community College

#### Advertisement for Bids for Window Replacement

**Sealed Bids for:** Anoka Ramsey Community College  
Window Replacement  
Coon Rapids Campus  
11200 Mississippi Blvd. NW  
Coon Rapids, MN 55433-3470

**Will be received by:** Mirela Gluhic  
Administration Building Room C140  
Anoka Ramsey Community College  
Coon Rapids Campus  
11200 Mississippi Blvd. NW  
Coon Rapids, MN 55433-3470

Until **2:00 PM, local time, September 24, 2009** at which time the bids will be opened and publicly read aloud in the Riverview Room, SC200 of the Student Center Building.

Project Scope: Project consists of the removal of existing fixed aluminum storefront windows and replacing them with new aluminum curtain wall system. Masonry sills consisting of cavity wall construction including precast sills, face brick, concrete masonry units, insulation and through-wall flashing will be provided at first floor windows.

A Pre-Bid Meeting will be held at **2:00 PM, Thursday, September 17, 2009, in the Riverview Room, SC 200 of the Student Center Building of Anoka Ramsey Community College, Coon Rapids Campus**. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Bidding Documents as prepared by the Project Architect/Engineer; *Armstrong, Torseth, Skold and Rydeen, Inc.*, are on file at the offices of the:

- 1) Armstrong, Torseth, Skold and Rydeen, Inc., Architect/Engineer.
- 2) Minneapolis, St. Paul, Duluth, St. Cloud and Fargo-Moorhead Builder Exchanges.
- 4) McGraw Hill Construction Plan Room



- 5) MEDA Minority Contractors Plan Room
- 6) National Association of Minority Contractors of Upper Midwest.

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained at the following address:

Armstrong, Torseth, Skold and Rydeen, Inc.  
8501 Golden Valley Road, Suite 300  
Minneapolis, Minnesota 55427  
Phone: (763) 545-3731  
Fax: (763) 525-3289

A deposit of **\$50.00** is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a **separate non-refundable** payment (check made out to the Architect) for **\$10.00** per set for shipping & handling (in addition to the **\$50.00 refundable** deposit) to the Architect. Such deposits and payments may be sent prior to **September 11, 2009**. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 shall be accompanied by a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

## Minnesota State Colleges and Universities (MnSCU) Lake Superior College Request for Proposal for Banking Services

**NOTICE IS HEREBY GIVEN** that proposals are being solicited to select a bank to provide banking services for the Minnesota State Colleges and Universities–Lake Superior College (MnSCU) located in Duluth, Minnesota.

MnSCU – Lake Superior College seeks the services of a bank to provide professional revenue and deposit banking services. Institution must provide evidence of successful experience working with non-profit organizations and/or educational institutions. For additional information or to request a copy of the Request for Proposal, please contact:

Mark Winson, Vice President Finance and Administration  
MNSCU-Lake Superior College  
2101 Trinity Road  
Duluth, MN 55811  
**Telephone:** (218) 733-7613  
**Fax:** (218) 733-5937  
**E-mail:** *m.winson@lsc.edu*

Proposals are due at the MNSCU-Lake Superior College Business Office by 4:00 p.m. CT on Tuesday, October 13, 2009.

This notice and the Request for Proposal do not obligate the State of Minnesota or MnSCU-Lake Superior College to award a contract; and reserves its right to withdraw from the RFP if it is considered to be in its best interest.

# State Contracts

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## Minnesota State Colleges and Universities (MnSCU) Metropolitan State University Advertisement for Bids for Founders Hall Elevator Modernization

**Sealed Bids for:** Founders Hall Elevator Modernization  
Founders Hall  
Metropolitan State University  
St. Paul, Minnesota

**will be received by:** Dave Peasley  
Founders Hall, Room #329B  
Metropolitan State University  
St. Paul, Minnesota 55106

Until **2:00 p.m.**, local time, **Thursday, October 1, 2009**, at which time the bids will be opened and publicly read aloud.

**Project Scope:** Elevator control and machine modernization.

A **Pre-Bid Meeting** will be held at **7:30 a.m., Tuesday, September 15, 2009**, in Room L-118 (Lower Level), Founders Hall, Metropolitan State University. The Consultant and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

**Bidding Documents** as prepared by the Project Consultant; Lerch Bates Inc., are on file at the offices of the:

- 1) above named Project Consultant.
- 2) following Builders' Exchanges: Minneapolis Builders Exchange, Builders Exchange of St. Paul
- 3) McGraw Hill Construction Plan Room
- 4) Reed Construction Data Plan Room
- 5) MEDA Minority Contractors Plan Room
- 6) National Association of Minority Contractors of Upper Midwest

Complete sets only of Bidding Documents for use by Bidders (one set per bidder) in submitting a bid may be obtained at the following address:

Lerch Bates Inc.  
706 Second Avenue South, Suite 660  
Minneapolis, Minnesota 55402  
Phone: (612) 332-5471

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Consultant) for \$25.00 per set for shipping & handling to the Consultant. Such payments may be sent prior to September 14, 2009. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 shall be accompanied by a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

**Minnesota State Colleges and Universities (MnSCU)  
Metropolitan State University  
Advertisement for Bids for St. John Elevator Upgrade**

**Sealed Bids for:** *St. John Elevator Upgrade*  
St. John's Hall  
Metropolitan State University  
St. Paul, Minnesota

**will be received by:** *Dave Peasley*  
Founders Hall, Room #329B  
Metropolitan State University  
St. Paul, Minnesota 55106

Until **2:00 p.m.**, local time, **Thursday, September 24, 2009**, at which time the bids will be opened and publicly read aloud.

**Project Scope:** Elevator jack replacement and miscellaneous code upgrades.

A **Pre-Bid Meeting** will be held at **7:30 a.m., Tuesday, September 15, 2009**, in Room L-118 (Lower Level), Founders Hall, Metropolitan State University. The Consultant and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

**Bidding Documents** as prepared by the Project Consultant; Lerch Bates Inc., are on file at the offices of the:

- 1) above named Project Consultant.
- 2) following Builders' Exchanges: Minneapolis Builders Exchange, Builders Exchange of St. Paul.
- 3) McGraw Hill Construction Plan Room
- 4) Reed Construction Data Plan Room
- 5) MEDA Minority Contractors Plan Room
- 6) National Association of Minority Contractors of Upper Midwest

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Phone: (612) 332-5471

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Consultant) for \$25.00 per set for shipping & handling to the Consultant. Such payments may be sent prior to September 14, 2009. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 shall be accompanied by a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

# State Contracts

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## Minnesota State Colleges and Universities (MnSCU) Rochester Community and Technical College Advertisement for Bids for Mass Notification System - Phase One

**Sealed Bids for:**           **Mass Notification System – Phase One**  
Rochester Community and Technical College  
Rochester, Minnesota

**will be received by:**   **June Meitzner**  
Student Services, Room 153  
Rochester Community and Technical College  
851 - 30<sup>th</sup> Ave. SE  
Rochester, Minnesota 55904-4999

Until 2:00 PM, local time, September 22, 2009 at which time the bids will be opened and publicly read aloud.

**Project Scope:** the project consists of the demolition of the existing fire alarm and installation of a mass notification system for, College Center, East Hall, Student Services, Goddard Library, Atrium, Singley Hall, Coffman Center, Endicott Hall, and Science/Technology.

A **MANDATORY Pre-Bid Meeting** will be held promptly at 10:00 AM, Monday, September 14, 2009, in Room CC412, College Center, Rochester Community and Technical College. Potential bidders arriving late to the meeting shall not be admitted. The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions. Bids submitted by Contractors not attending the Pre-Bid meeting will not be accepted.

**Bidding Documents** as prepared by the Project Architect/Engineer; Antal & Associates, Inc., are on file at the offices of the:

- 1) above named Project Architect/Engineer.
- 2) following Builders' Exchanges: Rochester, St. Paul, Minneapolis, South Central.
- 3) McGraw Hill Construction Plan Room
- 4) Reed Construction Data Plan Room
- 5) MEDA Minority Contractors Plan Room
- 6) National Association of Minority Contractors of Upper Midwest

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained at the following address:

Antal & Associates, Inc.  
c/o Albinson Reprographics  
1401 Glenwood Avenue  
Minneapolis, Minnesota 55405  
Phone: (612) 374-1120

A deposit of \$100.00 is required for each set.

Prospective Bidders requesting that Bidding Documents (complete sets only) be mailed to them, may send a separate non-refundable payment (check made out to the Architect) for \$50.00 per set for shipping & handling (in addition to the \$100.00 deposit) to the Architect in c/o Albinson Reprographics. Such deposits and payments may be sent prior to September 2, 2009. Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 shall be accompanied by a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

**Minnesota State Colleges and Universities (MnSCU)****Winona State University****Request for Proposals to Design, Construct and Install a Large Conference Room Table**

**NOTICE IS HEREBY GIVEN** that Winona State University is requesting proposals to design, construct and install a custom made, 32-35 person conference room table.

There will be an interested vendors meeting on Tuesday, September 15, 2009 at 11:00 am CT in the Facilities Services Conference Room, 175 West Mark Street at Winona State University, Winona, MN.

Proposal specifications will be available Tuesday, September 8, 2009 by contacting Jay McHenry at P.O. Box 5838, 203A Facilities Service Building, Winona, MN 55987, e-mail: [jmchenry@winona.edu](mailto:jmchenry@winona.edu) or by calling (507) 457-5046.

Sealed proposals must be received by Jay McHenry at P.O. Box 5838, or at 175 W. Mark St., 203A Facilities Service Building, Winona State University, Winona, MN 55987 by 2:00 PM CT on Tuesday, September 29, 2009.

Winona State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

**Department of Employment and Economic Development (DEED)****Notice of Availability of a Contract for: Phase 1: Planning and Conducting a Comprehensive Needs Assessment; Phase 2 (Optional): Using the Comprehensive Needs Assessment Prepared in Phase 1 to Support the Completion of the Federally Required 3-year State Plan. *(The Phase 2 Contractor May or May Not be the Same Contractor Used for Phase 1.)***

**Phase 1:** The Minnesota Department of Employment and Economic Development is requesting proposals for the purpose of planning and conducting a Comprehensive Needs Assessment on behalf of Minnesota Vocational Rehabilitation Services and the Minnesota State Rehabilitation Council. The assessment describes the vocational rehabilitation needs of individuals with disabilities residing within Minnesota.

Work is proposed to start after 10/2/2009.  
Estimated Cost: \$50,000 to \$100,000

**Phase 2 (Optional):** The Minnesota Department of Employment and Economic Development is requesting proposals for the purpose of developing the State Plan. The State Plan (including the Comprehensive Needs Assessment) is submitted to the Department of Education, Office of Special Education and Rehabilitation Services, Rehabilitation Services Administration every 3 years with annual updates. The State Plan is submitted jointly by Vocational Rehabilitation Services and the State Rehabilitation Council. The State Plan includes strategies, goals, activities and measures to address the needs identified in the Comprehensive Needs Assessment.

Work is proposed to start after 12/1/2009.  
Estimated Cost: \$30,000 to \$50,000

**Eligible Responders** - Private organizations, for-profit or non-profit; educational institutions, private or public; and public agencies are all eligible to submit proposals.

# State Contracts

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Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:30 p.m. Central Standard Time on Friday October 2, 2009. **Late proposals will not be considered. Fax or e-mailed 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.

A Request for Proposals will be available by mail from this office through 9/29/2009. **A written request (by direct mail or fax) is required to receive the Request for proposal.**

The Request for Proposal can be obtained from:

Jeanne Berg  
Vocational Rehabilitation Services  
332 Minnesota Street, Suite E200  
St Paul, MN 55101  
**FAX:** (651) 297-5159  
**Phone:** (651) 259-7343

## Minnesota Department of Human Services (DHS) Health Care Administration (HCA) Electronic Prescribing Intermediary Services for Minnesota Health Care Programs (MHCP)

### Purpose and Objective

The purpose of this Request for Information (RFI) is to identify and obtain information from potential vendors experienced in acting as a full-service intermediary for electronic prescribing (“e-prescribing”), and providing connection to a comprehensive network for prescribers and pharmacies. Potential vendors should have the capability to integrate with the Minnesota Health Information Exchange (MN HIE). One of the state’s goals is to minimize the burden on health care providers by having a single system and response for coverage eligibility.

MN HIE is a not-for-profit limited liability corporation consisting of Minnesota health companies (both payers and providers) plus the Minnesota Department of Human Services. MN HIE is a statewide secure electronic network designed to share clinical and administrative data among providers in Minnesota and bordering states. Over 4 million Minnesota residents are included in MN HIE’s secure patient directory. Its purpose is to improve the health of all Minnesotans through more informed decision-making by the provider and patient at the point of care.

Response to this Request for Information is completely voluntary. The State is seeking information that it may use for future planning, policy development, and/or competitive contracting for professional/technical services. This RFI, and responses to it, does not in any way obligate the State, nor will it provide any advantage to respondents in potential future Requests for Proposals for competitive procurement. Respondents are responsible for all costs associated with the preparation and submission of responses to this RFI

All responses to this RFI are public, according to *Minnesota Statutes* § 13.03 unless otherwise defined by *Minnesota Statutes* 13.37 as “Trade Secrets.” If the Responder submits information that it believes to be trade secret/confidential materials, and the Responder does not want such data used or disclosed for any purpose other than the evaluation of this Response, the Responder must clearly mark every page of trade secret materials in its Response at the time the Response is submitted with the words “Trade Secret” or “Confidential,” and must justify the trade secret designation for each item in its Response (*be specific, do not make general statements of confidentiality. Include reference to specific facts, licenses, trademarks, etc., and any relevant statutes or other law, such as how the data meets the requirements of Minnesota Statutes §13.37, subd. 1(b).*). . If the State should decide to issue an RFP and award a contract based on any information received from responses to this RFI, all public information, including the identity of the responders, will be disclosed upon request.



## Request for Information Schedule

<i>State Register</i> Posting:	Tuesday, September 8, 2009
Deadline for e-mailed questions:	2:30 pm, Monday, September 14, 2009
Deadline for e-mailed responses:	4:00 pm, Monday, September 21, 2009
Final submission date:	2:30 pm, Tuesday, September 29, 2009

An e-mail response will be sent to everyone who submits questions by e-mail.

## Background

The Minnesota Department of Human Services (DHS) is one of the largest payers of health care costs in Minnesota. DHS provides health care services to more than 600,000 Minnesotans through a combination of federal and state health care programs, including Medical Assistance (Medicaid), General Assistance Medical Care (GAMC), and MinnesotaCare (a state and federally subsidized health care program for people who live in Minnesota and do not have access to health insurance). These combined health care programs are collectively referred to as Minnesota Health Care Programs (MHCP). MHCP expenditures in excess of \$5 billion annually are paid through the Department's Medicaid Management Information System (MMIS).

MHCP administration is a joint state-county-tribal effort, with county, state, and tribal human services agency staff performing the intake, eligibility determination and case management for MHCP clients. Program eligibility is determined by approximately 2500 workers in offices at the State, County and Tribal levels. Currently, health care eligibility is determined using two DHS legacy systems for the Medical Assistance and GAMC programs, and a combination of manual processes and legacy system entry for the MinnesotaCare program.

## Objectives

HCA is required by *Minnesota Statutes* § 62J.497 to implement an electronic prescribing program no later than January 1, 2011. The three (3) key components of this project are:

1. **Formulary:** Check prescribed drugs against the Minnesota Health Care Programs (MHCP) fee-for-service program formulary of covered drugs and communicate preferred/non-preferred status of drugs.
2. **Medication History:** Allow prescribers access to the patients' prescription medication histories from fee-for-service claims.
3. **Eligibility:** Allow access to patients' MHCP fee-for-service program eligibility for provider billing purposes.

## Goals

1. To electronically deliver patient-specific drug benefit information to prescribers so they can quickly and easily prescribe the most clinically and economically optimal treatment.
2. Provide enhanced patient safety and reduced costs due to medication errors.
3. Improve adherence to the Minnesota Health Care Plan preferred drug list
4. Reduce plan administrative costs.
5. Provide consistent, current and accurate patient benefit information.

## Benefits

"Effectively implementing e-prescribing statewide will:

1. Reduce medication errors and increase patient safety by routing prescriptions electronically. Illegible handwriting will be a thing of the past.
2. Improve quality and reduce adverse drug events through warning and alerts provided with e-prescribing clinical decision support systems.
3. Enhance medication management by enabling prescribing providers to more thoroughly examine medication history while prescribing.
4. Reduce costs by incenting prescribing providers to review and use patients' drug benefit formularies before prescribing non-covered medications. Greater adherence to a formulary means greater use of lower-cost generics and fewer call-backs to verify prescriptions, a timesaver that leads to greater efficiencies.
5. Reduce costs for pharmacists by reducing the time spent mediating between Pharmacy Benefit Managers (PBMs) and providers, and allow for more time to be spent on medication therapy management and other direct patient care services."
6. Non-standard dosages will be handled appropriately without the frequent errors that are common today.

# State Contracts

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Citing "A Practical Guide to Electronic Prescribing, Guide 3," *Minnesota e-Health*, June 2009 available at:  
<http://www.health.state.mn.us/e-health/summit/g3e-prescribing2009.pdf>.

## Proposal Content

Information provided in response to the RFI must describe in detail:

- How your system will interoperate with the Minnesota Health Information Exchange's Secure Patient Directory and Record Locator Service.
- Examples of similar services provided to other accounts of similar size and configuration.
- The basic process and functional features of the system or solution.
- The nature and number of prescribers and pharmacies (both chain and independent) included in your electronic prescribing network.
- Your user interface and how each affected entity (e.g. prescribers, pharmacies and payers) interacts with the system.
- The steps taken to ensure that your network is available 24/7/365.
- The system's or solution's incorporation of or reliance on other tools or applications, if any, and the nature of any such incorporation or reliance.
- Scalability and evolution potential.
- Vendor capability to provide ongoing technical support.
- Training programs for administrative, technical and user staff.
- Funding strategies that minimize general fund expenditures.
- Associated critical success factors, such as:
  - Project Plan and management
  - Application
  - Platform
- Historical data, such as:
  - Length of time the system or application has been in production
  - Number and type of customers previously or currently served
  - Previous customization of the system or application, if any
- Customization of the system or application, such as:
  - Whether the system or application can be customized and, if so, how the customization can be achieved
  - Degree of complexity in customizing the system or application with respect to operating platforms, functionality, database structures, etc.

Please include pricing in your response, separating out costs for implementation, ongoing charges, and MN HIE interface work. In your response to this RFI, please specify how and/or within what parameters each of the products can meet the requirements outlined above. HCA may wish to determine that the solution(s) is/are currently operating successfully in comparable sites. A list identifying the names of at least three sites along with the name of a contact person and current contact information at each site for products presented is requested.

## Procedures and Instructions

Responses: Provide six copies of your response in hard copy. Include a name, title, address, telephone number and e-mail address of whom to contact in the event there are questions regarding your submission. Sessions may be scheduled to permit oral presentation of or further questions for selected responses. *Responses are requested to be submitted by 2:30 pm, Tuesday, September 29, 2009.*

Respondents are responsible for all costs associated with the preparation and submission of responses to this RFI. All submissions, questions, concerns or communications regarding this RFI should be addressed to or e-mailed to:

Derek Ellis  
Minnesota Department of Human Services  
Health Care Operations  
Mailing Address: PO Box 64493  
Delivery Address: 444 Lafayette Blvd.  
Saint Paul MN 55164-0993  
**E-mail:** [Derek.Ellis@state.mn.us](mailto:Derek.Ellis@state.mn.us)

## **Minnesota State Lottery Request for Proposals for Sponsorship Agreements**

### **Description of Opportunity**

The Minnesota State Lottery develops sponsorship agreements throughout the year with organizations, events, and sports teams to create excitement for lottery players, to interest new players and increase the visibility of lottery games. The Lottery encourages and continually seeks new sponsorship agreements to help achieve current Lottery marketing goals.

### **Proposal Content**

A sponsorship proposal presented to the Lottery should meet the following three criteria:

**1. Maximize Lottery Visibility** – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of \$35,000-\$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.

**2. Enhance Lottery Image-** – the event, sports or tie-in proposal should inherently project the attitude that the Lottery is a fun and socially acceptable part of the community. The Lottery’s presence should fit well within the lineup of other sponsors. The Lottery is interested in creating opportunities whereby the sponsorship can translate into sales revenue, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers or from joint programs with the sponsor’s media partners.

**3. Provide Promotional Extensions** – the event, sports or tie-in proposal should offer exciting, value-added ways to interact with our players and have opportunities to motivate attendees, listeners and viewers to participate in and purchase Lottery games. The proposal must include proper staffing availability or other considerations to help the Lottery implement any appropriate promotional extension ideas.

Proposals should address all pertinent elements of the sponsorship and how the Lottery criteria as stated above and on the Evaluation Form are to be met. To view or print copies of the Request for Proposal go to: <http://www.mnlottery.com/vendorops.html>

This Solicitation does not obligate the state to award a contract or pursue a proposed sponsorship opportunity, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

### **Questions**

Questions concerning this Solicitation should be directed to:

John Mellein, Marketing Director  
Minnesota State Lottery  
2645 Long Lake Road  
Roseville, MN 55113  
**Telephone:** (651) 635-8230  
**Toll-free:** (888) 568-8379 ext. 230  
**Fax:** (651) 297-7496  
**TTY:** (651) 635-8268  
**E-mail:** [johnm@mnlottery.com](mailto:johnm@mnlottery.com)

Other personnel are not authorized to answer questions regarding this Solicitation.

### **Response Delivery**

All responses must be in writing and delivered to the contact noted above. Proposals will be accepted on an ongoing basis.

# State Contracts

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## Department of Transportation (Mn/DOT)

### Engineering Services Division

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

This document is available in alternative formats for persons with disabilities by calling Juanita Voigt at (651) 366-4774 for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop the Consultant Pre-Qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT’s Consultant Services web site, indicated below, to see which highway related professional/technical services are available for application. Applications are accepted on a continual basis. All expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

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

Send completed application material to:

Juanita Voigt  
Consultant Services  
Office of Technical Support  
Minnesota Department of Transportation  
395 John Ireland Blvd. Mail Stop 680  
St. Paul, MN 55155

## Department of Transportation (Mn/DOT)

### Engineering Services Division

#### Notice Concerning Professional/Technical Contract Opportunities and Taxpayers’ Transportation Accountability Act Notices

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

New Public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice. Mn/DOT is also posting notices as required by the Taxpayers’ Transportation Accountability Act on the above referenced website.

**Department of Transportation (Mn/DOT)  
Office of Environmental Services  
Historian Vacancy**

The Office of Environmental Services has a Historian (State Program Administrator Coordinator) vacancy. The position will manage statewide cultural resource contracts and provide consultant training and liaison activities related to federally funded transportation projects and historical properties within a strong collegial atmosphere. Act on behalf of the Federal Highway Administration (FHWA) in conducting inventories and evaluations of historic properties, including actual site work, analysis, development of mitigation plans and federal cultural resource clearances for projects or oversee consultants (contracts) performing these activities. Work extensively with other Mn/DOT staff and closely with SHPO, Historical Society, Counties, Cities and other stakeholders to carry out the Section 106 process.

Applicants must have education and experience sufficient to meet or exceed the Secretary of the Interior's PROFESSIONAL QUALIFICATION STANDARDS, as set forth in federal statute 36 CFR Part 61, in order to act on behalf of the FHWA, as outlined below.

**History:**

A Graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of the following: At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization or agency, museum, or other professional institution;

Or – Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

OR

**Architectural History:**

Graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:

At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution;

Or – Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

In addition, applicants must have three years advanced professional experience conducting architectural survey work and historic context preparation.

The salary is \$25.51 – 37.93/hour; or \$53,265 – \$79,198/year. Benefits include employer paid medical, dental and life insurance; defined benefit pension plan; optional life insurance, STD and LTD is also available.

The full posting can be viewed at the following weblink:

*<https://statejobs.doer.state.mn.us/JobPosting/cc77d037038b811c3432d1a3d5f0adb1/View>*

If you have any questions regarding this advertisement, or if you are having problems viewing the weblink, you may contact:

Christine Fisher, Human Resources

**E-mail:** *Christine.fisher@dot.state.mn.us*

**Phone:** (651) 366-3410

**NOTE:** Curriculum Vitae are due by no later than **Tuesday, September 15, 2009.**

# State Contracts

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## Department of Transportation (Mn/DOT) Modal Planning & Program Management Division Office of Investment Management & Performance Measures Request for Proposals (RFP): Greater Minnesota Transit Implementation Plan

The Transit Needs Implementation Plan will be conducted by Mn/DOT's Office of Transit staff. In relation to this project, the successful responder will serve as an extension of Mn/DOT's Office of Transit, providing required support throughout the planning process. The project objectives are as follows:

1. Engage and educate stakeholders and the general public about the Plan development.
2. Gather information on transit service and transit investment needs through market research and public input.
3. Identify investment needs required to achieve and satisfy transit goals as established in the 2009 Greater Minnesota Transit Plan.
4. Identify priorities for available funding.
5. Provide a plan for allocating unmet transit service needs at the county level taking into account the diversity of transit systems across Greater Minnesota.
6. Meet the intent of the legislative mandate.

The full RFP can be viewed on the Consultant Services Web Page at: <http://www.dot.state.mn.us/consult/files/notices/notices.html>.

If you have any questions regarding this advertisement, or are having problems viewing the RFP on the Consultant Services Web Page, you may contact:

Ashley Duran, Contract Administrator  
**E-mail:** [ashley.duran@dot.state.mn.us](mailto:ashley.duran@dot.state.mn.us)  
**Telephone:** (651) 366-4627

Note: RESPONSES WILL BE DUE ON *WEDNESDAY, OCTOBER 7, 2009 AT 2:00 PM CENTRAL DAYLIGHT TIME*

## Non-State Bids, 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 commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the 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.

## University of Minnesota (U of M) Subscribe to Bid Information Service (BIS)

The University of Minnesota offers 24-hour/day, 7-day/week access to all Request for Bids/Proposals through its web-based Bid Information Service (BIS). Subscriptions to BIS are free. Visit our website at [bidinfo.umn.edu](http://bidinfo.umn.edu) or call the BIS Coordinator at (612) 625-5534.

Request for Bids/Proposals are also available to the public each business day from 8:00 a.m. to 4:30 p.m. in the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Minneapolis, Minnesota 55454.



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- **Minnesota Education Director,** \$24.95
- **Way of the Whitetail,** \$19.95
- **Land of Amber Waters:** The History of Brewing in Minnesota, \$39.95
- **All-Outdoors Atlas - Northeastern Minnesota,** \$29.95  
    **Southern Minnesota,** \$29.95  
    **Central and Northwest Minnesota,** \$29.95
- **St. Paul's Architecture,** \$34.95
- **Butterfly Gardening,** \$4.00
- **OSHA Part 1926 Construction,** \$39.98
- **OSHA Part 1910 General,** \$49.95
- **Trail Planning Guide** - Stock Number 323, \$19.95
- **Fish Cleaning Made Easy** - DVD on Fish Cleaning - Learn to clean 9 species of fish, Stock Number 226, \$14.99
- **No More Gallant a Deed** - A Civil War Memoir of the First Minnesota Volunteers, by James A. Wright, edited by Steven J. Keillor, \$34.95
- **Minnesota's Indian Mounds and Burial Sites:** A Synthesis of Prehistoric and Early Historic Archaeological Data, by Constance M. Arzigian and Katherine P. Stevenson, \$44.95
- **Mike Lynch's Minnesota Starwatch** - The Essential Guide to Our Night Sky, \$24.95
- **Minnesota's State Capitol** - The Arts and Politics of a Public Building, \$16.95
- **A Birders's Guide to Minnesota,** by Kim R. Eckert, \$20.00
- **Celebrate Saint Paul** - 150 Years of History, \$49.95

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

**PREPAYMENT REQUIRED. Prices and availability subject to change.**

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

Stock No.	Title	Quantity	Unit Price	Total

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Name \_\_\_\_\_

Street Address (Not deliverable to P.O. boxes) \_\_\_\_\_

City ( ) State Zip \_\_\_\_\_

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

Credit card number: \_\_\_\_\_

Expiration date: \_\_\_\_\_ Signature: \_\_\_\_\_

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\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
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\$100.01-\$1,000	\$ 17.00*
<small>*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.</small>	
More than \$1,000	Call

Product Subtotal \_\_\_\_\_

Shipping \_\_\_\_\_

Subtotal \_\_\_\_\_

Sales tax \_\_\_\_\_

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

**TOTAL** \_\_\_\_\_

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