

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)

**Monday 18 June 2012
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State Register

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The *State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. The *State Register* contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoes Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-state Public Bids, Contracts and Grants

Printing Schedule and Submission Deadlines

Vol. 36 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)		Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts		Deadline for Proposed, Adopted and Exempt RULES	
# 49	Monday	25 June	Noon Tuesday	19 June	Noon Wednesday	13 June
Vol. 37 #1:	Monday	2 July	Noon Tuesday	26 June	Noon Wednesday	20 June
# 2	Monday	9 July	Noon Tuesday	3 July	Noon Wednesday	27 June
# 3	Monday	16 July	Noon Tuesday	10 July	NOON TUESDAY	3 JULY (FY-13)

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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. 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, but 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.

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 #40-52 inclusive, with final index (#1-52, or 53 in some years). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757.

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Proposed Rules

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

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

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

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 Natural Resources (DNR)

Division of Fish and Wildlife

Proposed Permanent Rules Relating to Fishing Contests

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 Amendments to Rules Relating to Fishing Contests, *Minnesota Rules*, parts 6212.2400, 6212.2525, 6212.2500, 6212.2600, and 6212.2700

Introduction. The Department of Natural Resources intends to adopt rules without a public hearing following the procedures 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. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on Friday, August 24, 2012, the Department will hold a public hearing starting at 1:00 p.m. on Thursday, September 6, 2012, at the following locations:

In person:

Lower Level Conference Room, DNR Central Office, 500 Lafayette Road, Saint Paul, Minnesota 55155-4010; and

Video-conference sites:

DNR Northwest Regional Office, 2115 Birchmont Beach Rd NE, Bemidji, MN 56601

DNR Brainerd Area Office, 1601 Minnesota Drive, Brainerd, Minnesota 56401

DNR Northeast Regional Office, 1201 East Highway 2, Grand Rapids, MN 55744

DNR Southern Regional Office, 261 Highway 15 South, New Ulm, MN 56073

To find out whether the Department will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person or check online at: <http://www.dnr.state.mn.us/input/rules/rulemaking.html> after August 24, 2012, and before September 6, 2012.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Linda Erickson-Eastwood at Fisheries Section, Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota 55155-4020, **phone:** (651) 259-5206, **e-mail:** linda.erickson-eastwood@state.mn.us. **TTY** users may call the Department of Natural Resources at (651) 296-5484 or 1-800-657-3929.

Proposed Rules

Subject of Rules and Statutory Authority. The proposed amendments to existing rules cover changes, additions, or clarifications of conditions for fishing contest operations and permits, including, permittee requirements, disposal of fish, off-site weigh-ins, high use periods, live release tournaments, pre-fishing, decontamination, and negative impacts to the resource. The statutory authority to adopt the rules is *Minnesota Statutes*, section 84.0895, subdivisions 3(a) and 3(c). A copy of the proposed rules is published in the *State Register*, posted on the DNR website at: <http://www.dnr.state.mn.us/input/rules/rulemaking.html>, and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Friday, August 24, 2012, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Department hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Friday, August 24, 2012. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. 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, the Department will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

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

Modifications. The Department may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Department follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Department encourages you to participate in the rulemaking process.

Cancellation of Hearing. The Department will cancel the hearing scheduled for September 6, 2012, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (651) 259-5073 after Friday, August 24, 2012, or check the DNR website at: <http://www.dnr.state.mn.us/input/rules/rulemaking.html> 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, the Department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Department will hold the hearing 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 Barbara L. Neilson is assigned to conduct the hearing. Judge Neilson can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7845 and FAX 651-361-7936.

Hearing Procedure. If the Department holds a hearing, 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 hearing record closes. 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. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge 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

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rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge before 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. The statement of need and reasonableness summarizes 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. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person or checking the DNR website: <http://www.dnr.state.mn.us/input/rules/rulemaking.html>,

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of 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 Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The Department will submit the rules and supporting documents 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 either to receive notice of this, to receive a copy of the adopted rules, or 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 that 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 that the agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by 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: 31 May 2012

Tom Landwehr, Commissioner
Department of Natural Resources

6212.2400 PERMIT REQUIREMENTS FOR FISHING CONTESTS.

Subpart 1. Fishing contest permits. Issuance of permits for fishing contests is provided for by *Minnesota Statutes*, section 97C.081. Permits may also be required, as provided by *Minnesota Statutes*, section 86B.121, by the sheriff of the county in which the contest is held. Application to obtain a permit must be made a minimum of 14 days prior to the contest on forms provided by the commissioner. Application information includes name of contest, name and address of permittee, name of sponsor, name and location of contest waters, public accesses to be used with a parking plan as provided in part 6212.2700, fish species included in the contest, weigh-in stations, fish handling and release procedures, disposition of harvested fish, estimated number of participants, contest dates and hours, entry fee, and prize values. Contest rules must be attached to the application. Application forms may be obtained from department fisheries offices or the department Web site. Completed applications must be submitted to the department regional office responsible for the management of the contest waters or the department's Saint Paul office if the contest includes waters in more than one region.

Subp. 2. Permittee requirements. The contest permittee must be an individual and a resident of the state. The permittee is responsible for conducting the contest and may not delegate responsibility to another party.

6212.2525 PERMITTED FISHING CONTESTS.

Subpart 1. Limitation on number of boats. Contest participation is limited to not more than one boat for each ten acres of contest water.

Subp. 2. Equipment requirements. The following boat live-well and fish-holding equipment requirements are mandatory for all live-release contests to minimize negative impacts to fish:

A. must have functional water pump or circulation system; and

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B. must be sufficiently sized to handle the anticipated number of fish allowed in the event.

Subp. 3. **Contest denials.** The commissioner shall not issue fishing contest permits for:

A. tagging or marking fish for special contest rewards;

B. contests that promote or allow fizzing (the act of inserting a needle into a fish's gas bladder);

C. contests where boat take-off procedures result in unsafe boating;

D. contests on waters where the commissioner determines the activity may compromise the fish management or research data being collected; or

E. contests on opening days, holidays, and other high-use periods that the commissioner determines result in unacceptable safety risks.

Subp. 4. **Permit conditions.**

A. For the purposes provided in Minnesota Statutes, section 97C.081, subdivision 4, the following conditions or restrictions may be specified in the permit:

(1) seasonal and daily restrictions;

(2) geographical restrictions;

(3) fish holding equipment;

(4) daily and possession limits;

(5) contest length;

(6) treatment, decontamination, and management practices, including those for transport and disposal of infested waters, to prevent the transport of pathogens and invasive species;

(7) use of live bait; or

(8) handling and transport.

B. The commissioner shall consider the following criteria when determining conditions to be included in the permit:

(1) whether the activity will advance knowledge, understanding, interpretation, or management of a fish species, fish community, or water body;

(2) impacts on other public uses, research efforts, educational events, or management activities;

(3) impacts to spawning fish or areas, rice beds, critical habitat, or the fish community;

(4) whether the activity is detrimental or helps achieve management objectives for the specific water body;

(5) whether water temperature, water quality conditions, or pathogens would lead to undue mortality of released fish;

(6) whether contest activities during high-use periods are anticipated to cause unacceptable safety risks;

(7) whether contest activities during high-use periods are anticipated to cause user conflicts;

(8) whether the water body is infested and what invasive species are present;

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(9) the type of tournament being conducted on an infested water body; or

(10) whether the applicants are coming from an area known to be infested with invasive species.

Subp. 5. **Restrictions on off-site weigh-ins.** The commissioner shall not issue fishing contest permits to conduct an off-site weigh-in if the contest organizer cannot prevent the transport of invasive species or pathogens from activities associated with the contest. To prevent the transport of invasive species or pathogens associated with conducting the contest, the permit shall require, at a minimum, draining and refilling water holding equipment with groundwater or treated water, as specified by the commissioner:

A. at the access site before leaving to go to another water body;

B. at the access site before going to the weigh-in location; and

C. at the weigh-in location.

Subp. 6. **Restrictions on live release weigh-ins.**

A. Except for weigh-ins when fish are immediately released, as defined in *Minnesota Statutes*, section 97A.015, subdivision 26c, at the location where caught, the commissioner shall not issue fishing contest permits for live release weigh-ins:

(1) when water temperature, water quality conditions, or pathogens may lead to undue mortality of released fish;

(2) for fishing contests involving muskellunge (*Esox masquinongy*), sturgeon (*Acipenseridae* family), or trout and salmon (*Salmonidae* family); or

(3) for fishing contests involving walleye, sauger, and their hybrids (*Sander* genus within the *Percidae* family) from:

(a) Memorial Day to Labor Day for all inland and border waters located in and south of Traverse, Grant, Douglas, Todd, Morrison, Mille Lacs, Kanabec, and Pine Counties, except Lake Mille Lacs; and

(b) from June 14 to Labor Day for all other inland and border waters, including Lake Mille Lacs.

B. The commissioner shall not issue fishing contest permits to release fish alive after an off-site weigh-in:

(1) when fish will be held more than 2-1/2 hours from the time they leave the contest waters until they are returned to contest waters;

(2) when 100 or more fish will be weighed-in for the contest;

(3) for fishing contests involving northern pike (*Esox lucius*); or

(4) for fishing contests involving bass (*Micropterus* genus within the *Centrarchidae* family) during July and August.

C. The commissioner may exempt fishing contests on the Canadian border waters from the requirements described in item B, subitems (2) and (4), if the contest was operating prior to January 1, 2008, and the contest is:

(1) held in consecutive years;

(2) not moved to a new location or water body; and

(3) not conducted with more than 65 participating boats or 130 participating anglers.

6212.2600 POSSESSION OF FISH.

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

Subp. 3. **Authority to hold and release fish.** In contests where fish may be returned to the contest ~~water~~ waters, the permittee may be authorized to hold healthy fish and release them immediately following weigh-in. Suitable release sites may be specified in the permit for the purposes provided in *Minnesota Statutes*, section 97C.081, subdivision 4. The commissioner shall consider the following criteria to determine when a specific release location should be included in the permit:

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A. water or habitat quality at or near release sites would result in undue mortality of released fish;

B. barriers such as dams or channels that may limit natural fish movement or redistribution;

C. genetics of the contest fish and the fish population where the contest fish are being released;

D. preferred fish habitat, home range of the contest fish, or where the fish was caught is beyond what the fish species has been reported in the scientific literature to reasonably navigate;

E. release of the contest fish at another location would lead to localized depletion of fish stocks from contest waters where the contest fish were caught and removed; or

F. release of contest fish may result in the spread of diseases or invasive species.

Subp. 4. Gifting and donating fish.

A. To prevent the waste of fish, a contest organizer may be permitted to accept from contest participants fish lawfully taken and possessed during a contest for gifting to a charitable or nonprofit organization as defined by the Internal Revenue Service or a charity that is registered with the Attorney General's Office, Charities Division, and listed on the attorney general's Web site. Contest organizers wanting to be permitted for gifting and donating fish must fill out the appropriate sections of the contest application.

B. A permitted contest organizer and representatives from the charitable or nonprofit organization must distribute the gifted fish at no cost or consideration.

C. The contest organizer must keep records regarding the fish donated by contestants for two years. The records must include:

(1) the names and addresses of contest participants donating the fish;

(2) the contest participant's license number or possession permit number under which the fish were lawfully taken or possessed;

(3) the number and species of fish donated;

(4) the date, location, and contest permit number associated with the donation; and

(5) the name of the designated representative for the charitable or nonprofit organization to which the fish are being donated and the date of the transfer to that person.

D. The following information must accompany the donated fish as the fish are transferred. Each representative of a charitable or nonprofit organization in possession of the fish must keep a copy of the documentation until the fish are consumed or otherwise destroyed:

(1) the contest organizer's name and address;

(2) the date, location, and contest permit number associated with the donation;

(3) the total number of each fish species that was donated;

(4) the date of transfer; and

(5) the charitable or nonprofit organization's name, designated representative, and address.

6212.2700 CONTEST OPERATION.

Subpart 1. **Restriction on use of public accesses.** No contest may preempt use of a boat ramp or parking spaces at public access to contest waters. Contests shall not use more than 50 percent of the parking spaces at state-owned sites unless authorized by the permit. A contest organizer who seeks to use more than 50 percent of the parking spaces at a state-owned site must submit a plan on how to manage parking, on a parking plan form provided by the commissioner, when the organizer submits the contest application.

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

Subp. 3. **Inspection and removal of ~~exotic organisms~~ invasive species.** Inspection and removal of ~~exotic organisms~~ invasive species, including, but not limited to, species such as zebra mussels or Eurasian water milfoil, as provided by *Minnesota Statutes*, ~~section 18.317~~ sections 84D.05, 84D.09, 84D.10, and 84D.13, from boats ~~and~~ trailers, and related equipment entering and leaving water accesses is required.

[For text of subp 4, see M.R.]

REPEALER. *Minnesota Rules*, part 6212.2500, is repealed.

Minnesota Board of Psychology

Proposed Permanent Rules Relating to the Practice of Psychology

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

Proposed Permanent Rules Relating to the Practice of Psychology: Definitions, Licensure, Continuing Education and Rules of Conduct *Minnesota Rules*, 7200.0110 through 7200.6100

Proposed Permanent Rules Relating to the Practice of Psychology, Chapter 7200. Repeal: *Minnesota Rules*, parts 7200.0100, subparts 1, 2, 3, 4a, 5, 5a, 5b, 5c, 5d, 6, 7, 8, 9, 9a, 9b, 11, 12, and 13; 7200.0300; 7200.0400; 7200.0400; 7200.0500; 7200.0650; 7200.0700; 7200.0810; 7200.1000; 7200.1100; 7200.1200; 7200.1300; subparts 2a, 3, and 4; 7200.1410; 7200.1450; 7200.1700; 7200.1800; 7200.1900; 7200.2100; 7200.2200; 7200.2300; 7200.2400; 7200.2500; 7200.2600; 7200.3000, subparts 1, 1a, 2, 3, 4, and 5; 7200.3400, subparts 2, 3, and 4; 7200.3605; 7200.3610, subparts 1, 1a, 2, 3, 4, and 5; 7200.3400, subparts 2, 3, and 4; 7200.3605; 7200.3610, subpart 2; 7200.3830, subparts 3, 4, 5, and 6; 7200.3840; 7200.4500, subpart 4; 7200.4600, subparts 2, 2a, 3, and 4; 7200.4700, subparts 6 and 12, 7200.4810, subpart 2; 7200.4900; 7200.5000; 7200.5200, subpart 5; 7200.5400; and 7200.6175.

Introduction. The Minnesota Board of Psychology intends to adopt rules without a public hearing following the procedures 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. If, however, 25 or more persons submit a written request for a hearing on the rules by **4:30 p.m. on July 18, 2012** the Board will hold a public hearing at Hennepin County Library, Minneapolis Central, 300 Nicollet Mall, in Pohlad Hall, Minneapolis, MN starting at **9:30 a.m. on Thursday, August 9, 2012 and 9:30 a.m. on Friday, August 10, 2012**. To find out whether the Board will adopt the rules without a hearing or if it will hold the hearing, you should contact Angelina M. Barnes after **July 18, 2012** and before **August 9, 2012**.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Angelina M. Barnes, JD at Minnesota Board of Psychology, 2829 University Avenue SE, Suite 320, Minneapolis, Minnesota 55414, **phone:** (612) 617-2230, **Fax:** (612) 617-2240, **e-mail:** angelina.barnes@state.mn.us **TTY** users may call the Minnesota Board of Psychology at: TTY (612) 627-3539

Subject of Rules and Statutory Authority. The proposed rules are about psychologist licensure, continuing education, rules of conduct and definitions. The statutory authority to adopt the rules is *Minnesota Statutes*, section 148.905, subdivision 1 (1); 148.905, subdivision 1(2); 148.905, subdivision 1(3); 148.905, subdivision 1(9), and 148.98.

A copy of the proposed rules is published in the *State Register*. A free copy of the rules is available upon request from the agency contact person listed above or on the Board's website at: www.psychologyboard.state.mn.us

Comments. You have until **4:30 p.m. on Wednesday, July 18, 2012** to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

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Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by **4:30 p.m. on Wednesday, July 18, 2012**. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. 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, the Board will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

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Modifications. The Board may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Board follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Board encourages you to participate in the rulemaking process.

Cancellation of Hearing. The Board will cancel the hearing scheduled for **August 9 and 10, 2012** if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at 612-617-2230 after **Wednesday, July 18, 2012** to find out whether the hearing will be held. On the scheduled day, you may check for whether the hearing will be held by calling (612) 617-2230 or going on-line at www.psychologyboard.state.mn.us

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Board will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Board will hold the hearing 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 Lipman is assigned to conduct the hearing. Judge Lipman can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7842, and **fax:** (651) 361-7936.

Hearing Procedure. If the Board holds a hearing, 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 hearing record closes. 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. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge 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. You may direct questions about the procedure to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge before 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. The statement of need and reasonableness summarizes 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. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person or view at: www.psychologyboard.state.mn.us

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Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of 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.

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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 that 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 that the agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by 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: 8 June 2012

Angelina M. Barnes, JD, Executive Director
Minnesota Board of Psychology

7200.0110 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of this chapter, the following terms have the meanings given them.

Subp. 2. **Applicant.** "Applicant" means an individual who has submitted to the board an application for licensure, registration, or admission to an examination.

Subp. 3. **Board.** "Board" means the Minnesota Board of Psychology.

Subp. 4. **Client.** "Client" means an individual or entity who is the recipient of any of the psychological services described in *Minnesota Statutes*, section 148.89, subdivision 5.

Subp. 5. **Competent practice.** "Competent practice" means the ability to provide services within the practice of psychology, as defined in the Psychology Practice Act, that:

A. are rendered with reasonable skill and safety;

B. meet minimum standards of acceptable and prevailing practice; and

C. take into account human diversity.

Subp. 6. **Continuing education.** "Continuing education" means postlicensure activities designed to contribute to competence in the practice of psychology.

Subp. 7. **Dependent on the provider.** "Dependent on the provider" means that the nature of a former client's emotional or cognitive condition and the nature of the services by the provider are such that the provider knows or should have known that the former client is unable to withhold consent to sexual or exploitative behavior by the provider.

Subp. 8. **Familial.** "Familial" means of, involving, related to, or common to a family member as defined in subpart 9.

Subp. 9. **Family member or member of the family.** "Family member" or "member of the family" means a spouse, parent, offspring, sibling, grandparent, grandchild, uncle, aunt, niece, or nephew, or an individual who serves in one of these roles.

Subp. 10. **Forensic.** "Forensic" means services within the practice of psychology, of which the purpose is to address questions and issues relating to parties to legal proceedings and to law and the legal system, including the courts, correctional agencies and facilities, attorneys, and administrative, judicial, and legislative agencies acting in an adjudicative capacity.

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Subp. 11. **Human diversity.** “Human diversity” means individual client differences that are associated with the client’s cultural group, including race, ethnicity, national origin, religious affiliation, language, age, gender, gender identity, physical and mental capabilities, sexual orientation, or socioeconomic status.

Subp. 12. **Informed consent.** “Informed consent” means an agreement between a provider and a client that authorizes the provider to engage in a professional activity affecting the client that was made after the client was given sufficient information to decide knowingly whether to agree to the proposed professional activity according to part 7200.4720. The information shall be discussed in language that the client can reasonably be expected to understand. The consent shall be given without undue influence by the provider.

Subp. 13. **Internship.** “Internship” means an advanced predoctoral or postdegree remediated supervised professional experience beyond beginning and advanced practicum experiences and following completion of all doctoral degree coursework, excluding credits awarded for completion of the dissertation.

Subp. 14. **Multiple clients.** “Multiple clients” means two or more individuals or entities that are each a corecipient of psychological services. Multiple clients may include, but are not limited to, two or more family members, when each is the direct recipient of services; each client receiving group psychological services; a court and a client under court order to receive a psychological service; or an employer and employee when the employee receives services in order to provide the employer with information regarding an employment matter.

Subp. 15. **Multiple relationship.** “Multiple relationship” means a relationship between a provider and a client that is both professional and one or more of the following:

A. cohabitational;

B. familial;

C. one in which there is or has been personal involvement with a client or a family member of the client that is reasonably likely to adversely affect the client’s welfare or ability to benefit from services; or

D. one in which there is financial involvement, other than legitimate payment for professional services rendered, that is reasonably likely to adversely affect the client’s welfare or ability to benefit from services.

Subp. 16. **Objective.** “Objective” means a manner of administering a test and recording, scoring, and interpreting responses that is independent, insofar as is possible, of the subjective judgment of the particular examiner.

Subp. 17. **Practice foundation.** “Practice foundation” means that a continuing education activity is based upon observations, methods, procedures, or theories that are generally accepted by the professional community in psychology.

Subp. 18. **Practicum.** “Practicum” means supervised professional experience that is pre-internship and provides the opportunity to develop initial competence in the provision of psychological services.

Subp. 19. **Private information.** “Private information” means any information, including but not limited to, client records, test results, or test interpretations, developed during a professional relationship between a provider and a client.

Subp. 20. **Professional relationship.** “Professional relationship” means the relationship between a provider and the provider’s client.

Subp. 21. **Professional standards foundation.** “Professional standards foundation” means that a continuing education activity is based upon practice-related statutes, licensure rules, legal decisions, ethics codes, or practice guidelines in psychology or related disciplines.

Subp. 22. **Psychologist or licensed psychologist.** “Psychologist” or “licensed psychologist” means an individual who is licensed by the board to engage in the independent practice of psychology, or an individual exempted by statute.

Subp. 23. **Public statements.** “Public statements” means any statements, communications, or representations by providers to the public regarding themselves or their professional services or products. Public statements include but are not limited to advertising, representations in reports or letters, descriptions of credentials and qualifications, brochures and other descriptions of services, directory

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listings, personal resumes or curricula vitae, comments for use in the media, Web sites, grant and credentialing applications, or product endorsements.

Subp. 24. **Report.** “Report” means any written or oral professional communication, including a letter, regarding a client or subject that includes one or more of the following: historical data, behavioral observations, test interpretations, opinions, diagnostic or evaluative statements, or recommendations. The testimony of a provider as an expert or fact witness in a legal proceeding also constitutes a report. For purposes of this chapter, letters of recommendation for academic or career purposes are not considered reports.

Subp. 25. **Research subject.** “Research subject” means an individual participating in a research study for the period of time during which the individual is providing data for the study.

Subp. 26. **Rules of conduct.** “Rules of conduct” means the rules contained in parts 7200.4500 to 7200.5750.

Subp. 27. **Scientific foundation.** “Scientific foundation” means that a continuing education activity is based upon quantitative or qualitative research, such as, but not limited to, published peer-reviewed experiments or correlational, observational, or ethnographic studies, or upon research presented at professional meetings.

Subp. 28. **Sexual contact.** “Sexual contact” means any of the following, whether or not occurring with the consent of a client or former client: (1) sexual intercourse, cunnilingus, fellatio, anal intercourse, or any intrusion, however slight, into the genital or anal openings of the client’s or former client’s body by any part of the provider’s body or by any object used by the provider for this purpose, or any intrusion, however slight, into the genital or anal openings of the provider’s body by any part of the client’s or former client’s body or by any object used by the client or former client for this purpose, if agreed to by the provider; (2) kissing of, or the intentional touching by the provider of the client’s or former client’s genital area, groin, inner thigh, buttocks, or breast or the clothing covering any of these body parts; (3) kissing of, or the intentional touching by the client or former client of the provider’s genital area, groin, inner thigh, buttocks, or breast or the clothing covering any of these body parts if the provider agrees to the kissing or intentional touching.

Sexual contact includes requests by the provider for conduct described in subitems (1) to (3).

Subp. 29. **Significant risks and benefits.** “Significant risks and benefits” means those risks and benefits that are known or reasonably foreseeable by the provider, including the possible range and likelihood of outcomes, and that are necessary for the client to know in order to decide whether to give consent to proposed services or to reasonable alternative services.

Subp. 30. **Sponsor.** “Sponsor” means an individual or entity that organizes a sponsored continuing education activity.

Subp. 31. **Standardized test.** “Standardized test” means a test that is administered, recorded, and scored in a uniform and objective manner, is interpreted by means of normative data, and includes a manual or other published information that fully describes its development, rationale, validity, reliability, and normative data.

Subp. 32. **Student.** “Student” means an individual over whom the provider has evaluative academic authority, including an individual who is enrolled in a graduate program in psychology at an educational institution or who is taking a psychology course for credit. This does not apply to an individual who is taking a psychology course to receive continuing education credit from a board or who is auditing a course.

Subp. 33. **Supervisee.** “Supervisee” means an individual whose supervision is required to obtain credentialing by a board of psychology or to comply with a board order.

Subp. 34. **Test.** “Test” means any instrument, device, survey, questionnaire, technique, scale, inventory, or other process which is designed or constructed for the purpose of measuring, evaluating, assessing, describing, or predicting personality, behavior, traits, cognitive functioning, aptitudes, attitudes, skills, values, interests, abilities, or other psychological characteristics of individuals.

Subp. 35. **Unprofessional conduct.** “Unprofessional conduct” means any conduct that fails to conform to the minimum standards of acceptable and prevailing practice.

Subp. 36. **Variance.** “Variance” means board-authorized permission to comply with a rule in a manner other than that generally

specified in the rule.

Subp. 37. **Waiver.** “Waiver” means board-authorized permission not to comply with a rule.

Subp. 38. **Written informed consent.** “Written informed consent” means informed consent that is in writing and signed by the client.

7200.0200 LICENSURE PROCESS.

The process of obtaining licensure by from the board is ~~divided into two~~ involves three separate parts: ~~admission to examination and admission to licensure~~ specified educational requirements, including academic and experiential training; specified board examinations; and specified postdegree supervised employment experiences for licensure.

7200.0550 EXAMINATION REQUIREMENTS FOR LICENSURE.

Subpart 1. **Two examinations.** To qualify for licensure, an applicant is required to pass two examinations:

A. a national standardized examination in psychology specified by the board; and

B. a professional responsibility examination specified by the board.

Subp. 2. **Passing scores.** The passing score for a national standardized examination is the recommended score defined by the Association of State and Provincial Psychology Boards for that examination. The passing score for the professional responsibility examination is specified by the board.

Subp. 3. **Requirements for admission to examination.** An applicant shall not apply for the national standardized examination or the professional responsibility examination until after the requirements for the degree have been completed. In order to be admitted to examination an applicant shall:

A. file with the board a completed application for admission to examination that includes an affirmation that the statements made on the application are true and correct to the best of the knowledge and belief of the applicant, and that is accompanied by payment in a manner specified by the board. This payment covers the current nonrefundable examination application fee;

B. provide official transcripts of all graduate work, including verification of the degree granted, to be submitted directly to the board from the institution granting the degree. Official transcripts shall be received in the board office prior to processing the application;

C. for an application based upon the equivalent of a master’s degree in a doctoral program, provide for that equivalency to be verified in writing directly to the board by the degree program director or equivalent. Verification shall be received in the board office prior to processing the application; and

D. have met the applicable requirements of part 7200.1300 and the requirements of part 7200.1500 or 7200.1600, if applicable.

Subp. 4. **Denial of admission to examination.** An applicant who has failed to meet the requirements in subpart 3, items A to C, shall be denied admission to the examination and informed in writing of the denial and the reasons for it. An applicant who has been denied admission to an examination may reapply and shall pay the current nonrefundable application fee with each application.

Subp. 5. **Passing national examination while in another jurisdiction.** An applicant for licensure who has passed the national standardized examination required in subpart 1, item A, in another jurisdiction is considered to have met the requirements of this part with respect to that examination, provided performance on the examination in another jurisdiction is at least at the same level deemed satisfactory by Minnesota board standards at the time of application.

Subp. 6. **Failure to pass or take examination.** An applicant who has failed an examination or failed to appear for an examination may reapply to take the examination, subject to any limitations imposed by the Association of State and Provincial Psychology Boards or the test vendor. The applicant shall pay the current nonrefundable application fee with each application.

7200.0600 REQUIREMENTS FOR LICENSURE.

To be eligible for licensure, an applicant must:

A. meet the requirements for admission to the examinations specified in part ~~7200.0300~~ 7200.0550, subpart 3;

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B. file with the board a notarized application for licensure, which includes an affirmation that the statements made in the application are true and correct to the best knowledge and belief of the applicant, ~~and which is accompanied by~~ includes the current nonrefundable licensure application fee;

C. ~~for licensure as a licensed psychologist only, have completed two years of postdegree supervised employment as stated in parts 7200.0800 and 7200.2000 to 7200.2600~~ have completed the supervised employment requirements in part 7200.2000, which is independently verified by the board;

D. ~~for licensure as a licensed psychologist only, provide evidence of having met the supervision requirements of parts 7200.0800 and 7200.2000 to 7200.2600 and Minnesota Statutes, section 148.925, subdivisions 1 and 2, paragraph (b), by means of a signed, notarized statement from the supervisor of each employment that includes the time period during which the applicant was supervised, the number of hours of face-to-face supervision per week, and verification that the supervision meets the requirements of parts 7200.0800 and 7200.2000 to 7200.2600;~~

E. ~~D.~~ have performed satisfactorily on all parts of the examination examinations listed in part 7200.3000 7200.0550; and

F. ~~E.~~ provide evidence of having met the requirements of Minnesota Statutes, section 148.91, subdivision 4, and of not having engaged in conduct prohibited by parts 7200.4500 to 7200.5700, by means of endorsements names for endorsement from at least two individuals with meeting the qualifications stated in part 7200.0900 who can attest that the applicant has met the requirements of Minnesota Statutes, section 148.907, subdivision 2, clause (5).

7200.0800 SUPERVISED EMPLOYMENT FOR LICENSED PSYCHOLOGISTS.

The application for licensure as a licensed psychologist must include for each postdegree supervised employment the setting, nature, and extent, the time period involved, the number of hours per week engaged in professional duties, the number of hours of face-to-face individual, in-person supervision which may include interactive, visual, or electronic communication, per week; provided by the primary supervisor, the number of hours of designated supervision per week, as defined by statute, and the name, address, and qualifications of the supervisor.

7200.0900 REQUIREMENTS FOR ENDORSEMENT.

For an endorsement to meet the requirements of part 7200.0600, item F E, the endorser must be a licensee of the board, an individual who is licensed to practice psychology by another state whose licensure standards are similar to the standards of this state jurisdiction, or an individual whose education and experience meet the licensure standards of Minnesota Statutes, section 148.91 and parts 7200.0100 to 7200.6000. In addition, with a doctoral degree in psychology. The endorser must have observed the applicant while the applicant was engaged in the practice of psychology within the previous three years. The endorser cannot be an employee or family member of the applicant; a current member of the board; or an individual who has not observed the work of the applicant in the professional environment of the applicant.

An applicant who has not received sufficient endorsements may submit the names of additional endorsers.

7200.1300 EDUCATIONAL REQUIREMENT REQUIREMENTS FOR LICENSURE.

Subpart 1. **Licensed psychologist.** The educational requirement for licensure as a licensed psychologist is a doctoral degree with a major in psychology. The degree shall be obtained in an institution accredited by a regional accrediting association to grant the doctoral degrees degree being submitted for licensure and shall meet the standards the board has established by rule.

Subp. 2. **Licensed psychologist by waiver Grandparenting provision.** Notwithstanding the provisions of subpart 1, the educational requirement for licensure as a licensed psychologist for any person applicant who has met the requirements of Minnesota Statutes, section 148.921 148.907, subdivision 2 3, paragraph (b), clause (1), is a master of arts or science master's degree, including a master master's equivalent in a doctoral program, with a major in psychology obtained in an institution accredited by a regional accrediting association. The applicant must have been accepted into the program by November 1, 1991, whether or not the applicant had enrolled in a class by that date. An applicant who entered the program by November 1, 1991, and who later transferred to another program leading to a degree in psychology is considered having met the admission requirements of Minnesota Statutes, section 148.907, subdivision 3, paragraph (b), clause (1).

Subp. 2a. [See repealer.]

Subp. 3. [See repealer.]

Subp. 4. [See repealer.]

Subp. 5. **Degree requirements.** The doctoral degree must be from a program that is an organized sequence of study in psychology and must meet the requirements in items A and B.

A. The degree must include the completion of graduate credits as specified in subitems (1) to (3).

(1) A minimum of the specified number of graduate semester or quarter credits of coursework earned in each of the foundational areas of psychology listed in units (a) to (g). Coursework relating to the application of psychological principles to the identification or solution of problems, as described in subitems (2) and (3), cannot be used to meet the requirements of units (a) to (g):

(a) research design, statistics, and psychological measurement theory, six semester credits or nine quarter credits required, of which at least one semester or 1-1/2 quarter credits must be in each of the following areas: research design, statistics, and psychological measurement theory;

(b) biological bases of behavior, three semester credits or five quarter credits required;

(c) cognitive-affective bases of behavior, three semester credits or five quarter credits required;

(d) social bases of behavior, three semester credits or five quarter credits required;

(e) personality theory and human development, three semester credits or five quarter credits required;

(f) human diversity, three semester credits or five quarter credits required; and

(g) professional ethics and standards of conduct, three semester credits or five quarter credits required.

(2) A minimum of six additional semester credits or nine quarter credits earned in the application of psychological principles to problem identification. The coursework must be in the areas of assessment, evaluation, or data collection, or a combination of these areas. Graduate credits in the foundational areas of psychology, as described in subitem (1), cannot be used to meet this requirement.

(3) A minimum of six additional semester credits or nine quarter credits in the application of psychological principles to problem solution. The coursework must be in the areas of psychological intervention or data analysis or a combination of these areas. Graduate credits in the foundational areas of psychology, as described in subitem (1), cannot be used to meet this requirement.

B. A minimum of 24 semester credit hours or 384 clock hours must be earned in residence from the educational institution through in-person psychological instruction with multiple program faculty and students. Acceptable academic residency experience shall be accumulated over a period of 12 consecutive months.

C. The applicant shall complete a predegree supervised experience in psychology. The experience must meet the criteria in subitems (1) to (10).

(1) For licensure based on a doctoral degree, the internship shall be an organized training program subject to:

(a) a minimum of an 1,800-hour predoctoral internship in psychology;

(b) a minimum of 20 hours per week of supervised experience;

(c) completion in no fewer than 12, and within 30, consecutive months;

(d) a minimum of two hours of regularly scheduled supervision per week up to 40 hours worked;

(e) a minimum of one hour of supervision for each 20 hours, or portion of this, worked beyond 40 hours per week; and

(f) one hour per week of supervision provided by the primary supervisor on an individual, in-person basis. Supervision beyond the one hour per week may be conducted on an individual or group basis by the primary supervisor or designated supervisor.

(2) For licensure based on a master's degree or a master's equivalent in a doctoral program, the practicum must be an organized

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training program subject to:

(a) a 600-hour practicum in psychology;

(b) a minimum of 15 hours per week of supervised experience;

(c) completion in no fewer than six, and within 12, consecutive months;

(d) a minimum of one hour of regularly scheduled supervision for each 20 hours, or portion thereof, worked; and

(e) all supervision shall be provided by the primary supervisor on an individual, in-person basis.

(3) Hours that qualify as predegree supervised professional experience may include those spent in supervision, research, teaching, record keeping, report writing, staff meetings, client care conferences, and required training sessions, as well as hours spent in direct client contact.

(4) The primary supervisor may designate other master's or doctoral prepared mental health professionals to provide training and supervision in specific skills for all or part of the required supervision beyond one hour per week.

(5) The primary supervisor shall establish procedures that adequately provide communication with designated supervisors regarding the supervisee's training experiences. The primary supervisor shall retain supervisory responsibility for all of the supervised professional experience, which must include discussions that incorporate the applicable ethical and practice standards of psychology.

(6) All supervisors shall be readily available for supervision, including both regularly scheduled supervisory meetings with the supervisee and additional contacts as needed. All supervisors needed shall know the rules, policies, and procedures at the supervisee's work site or agency, and shall personally review the work of the supervisee on a regular basis.

(7) The primary supervisor shall be competent in supervision, including the areas supervised and the populations served, and shall know the prevailing ethical and practice standards of psychology.

(8) The primary supervisor shall be:

(a) a Minnesota licensed psychologist;

(b) an individual who is credentialed as a psychologist in another jurisdiction; or

(c) an individual who has a doctoral degree with a major in psychology and who is employed by a regionally accredited educational institution or by a federal, state, county, or local government, institution, agency, or research facility.

(9) The supervisor shall not be in a multiple relationship with the supervisee as defined in part 7200.0110, subpart 15, such as being an employee of the supervisee or a member of the supervisee's family.

(10) Reports by the supervisee shall be cosigned by the supervisor or issued with a cover letter stating that the report has been reviewed and approved by the supervisor.

D. The requirement in item C is considered met if the predegree internship completed by the applicant has been accredited by the American Psychological Association (APA) or the program is a member of the Association of Predoctoral Psychology Internship Centers (APPIC).

E. The applicant's official transcript of the degree on which licensure is based shall document successful completion of the requirements of items A and C. If not documented by the transcript, the applicant shall document successful completion of the requirements described in item C by a letter sent directly to the board from the degree program director or equivalent that certifies successful completion of the 1,800-hour doctoral internship or the 600-hour master's practicum.

Subp. 6. **Completion of APA or CPA accredited program.** The requirements of subpart 5, items A and B, are considered met for applicants based on a doctoral degree if the applicant provides acceptable evidence that the degree was earned in a doctoral program that

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was accredited by the APA or CPA at the time the degree was conferred.

7200.1455 INCOMPLETE EDUCATIONAL REQUIREMENTS.

A. An applicant with a doctoral or master's degree in psychology or a master's equivalent in a doctoral program in psychology whose degree program does not meet the educational requirements for licensure, may complete them postdegree as follows:

(1) an applicant may earn up to 12 semester credits or equivalent toward the educational requirements for licensure that may be completed outside of an organized sequence of study; or

(2) an applicant who needs more than 12 semester credits or equivalent must complete them as part of an organized sequence of study.

B. Acceptable documentation for item A, subitem (1), consists of an official transcript sent directly to the board documenting the successful completion of educational requirements and acceptable documentation for item A, subitem (2), consists of a letter from the degree program director or equivalent certifying that the program is an organized sequence of study.

7200.1500 INSTITUTIONAL ACCREDITATION.

For a degree to meet the standards for licensure, the institution granting the degree must be regionally accredited at the time the degree is granted.

7200.1550 AMERICAN PSYCHOLOGICAL ASSOCIATION ACCREDITED PROGRAMS.

The requirements of part 7200.1300, subpart 4, items A and B, subitems (1) through (4); are met for an application based on a doctoral degree if the applicant provides acceptable evidence that the degree was earned in a doctoral program that was accredited by the American Psychological Association at the time of graduation. Acceptable evidence consists of documentation provided directly to the board by the American Psychological Association or by certification by letter sent directly to the board from the applicant's degree program director or equivalent.

7200.1600 DEGREES FROM FOREIGN INSTITUTIONS.

Subpart 1. **Canadian institutions.** A degree from a Canadian institution regulated by the provincial government shall be accepted as meeting standards required for accreditation of a equivalent to a degree obtained from a regionally accredited domestic institution.

Subp. 2. **Other foreign institutions.** When a degree from a foreign institution other than a Canadian institution is offered as meeting the requirements of part 7200.1300, at least two board members shall evaluate the institution granting the degree and recommend admission of the applicant to examination if: An applicant for licensure trained in an educational institution outside of the United States or Canada shall demonstrate to the satisfaction of the board that the applicant possesses a doctorate degree in psychology that meets the requirements of part 7200.1300. The applicant shall provide the board with a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES) and any other documentation the board deems necessary. The applicant shall be responsible for the expenses incurred as a result of the evaluation.

A: the institution is chartered, authorized, or monitored by an agency of the central government of the country in which the institution is located;

B: the institution offers organized advanced degree programs leading to the equivalent of a master's or doctoral degree in psychology as specified in part 7200.1300, and the programs and courses are equivalent to programs and courses offered by regionally accredited domestic institutions as determined by a comparison of subject matter and number of hours necessary to receive credit for a program or course;

C: the program leading to the advanced degree must have been in existence for at least ten years and must be recognized by the central government of the country in which the institution is located as entitling the holder of the degree to practice psychology in that country; and

D: the major meets the requirements of part 7200.1300.

Subp. 3. **Translation costs services.** Upon board request, an applicant shall obtain translations of any documents relevant to

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licensure. The translator must be approved by the board. The cost of translating any transcript or other documentation shall be borne by the applicant.

7200.2000 PROFESSIONAL SUPERVISED EMPLOYMENT REQUIREMENTS FOR LICENSURE AS A LICENSED PSYCHOLOGIST.

To meet the requirements for professional employment, the employment of the applicant, which may include voluntary service, must:

A. Involve the application of psychological principles as stated in the definition of “practice of psychology” in *Minnesota Statutes*, section 148.89, subdivision 5:

B. Be under supervision as provided in *Minnesota Statutes*, section 148.925, subdivisions 1, 2, paragraph (b), and 3. The supervisor must not be an employee or a member of the family of the applicant. The independent practice of psychology for a fee in this state is not allowed before licensure and shall not be credited toward the employment requirement for licensure:

C. Hours spent in supervision, research, charting, report writing, staff meetings, patient care conferences, and required training sessions, as well as hours spent in direct client contact, count as hours of employment for the purposes of part 7200.0600, item C.

D. Be performed competently as judged by the supervisor.

Subpart 1. **General.** All applicants shall complete one full year of postdegree supervised employment or the equivalent in part-time employment. Employment shall consist of a minimum of 1,800 hours of actual work experience that are accrued in no less than 12 months and in no more than 30 months from the first date of employment. Postdegree employment for licensure as a licensed psychologist shall comply with subparts 2 and 3.

Subp. 2. **Supervision.** All postdegree employment shall be supervised. Supervision of postdegree employment for licensure shall meet the requirements in items A to I.

A. The supervision shall be provided according to *Minnesota Statutes*, section 148.925, subdivisions 1 to 3, 5, and 6.

B. A minimum of one hour of regularly scheduled supervision per week up to 20 hours worked and a minimum of one hour of supervision for each 20 hours, or a portion, worked beyond 20 hours per week. Hours worked beyond 50 in a week shall not count to the total required hours.

C. One hour per week of supervision shall be provided by the primary supervisor on an individual, in-person basis. The primary supervisor may designate other master’s or doctoral prepared mental health professionals to provide training and supervision in specific skills for the required supervision beyond one hour per week, which may be conducted on an individual or group basis.

D. The primary supervisor shall establish procedures that adequately provide for communication with designated supervisors regarding the supervisee’s training experiences. In complying with *Minnesota Statutes*, section 148.925, the primary supervisor shall retain supervisory responsibility for all supervised professional experience. Supervisory sessions with the primary supervisor shall include discussions that incorporate the applicable ethical and practice standards of psychology.

E. Both primary and designated supervisors shall be readily available for supervision, including both regularly scheduled supervisory meetings with the supervisee and ad hoc contacts as needed, and shall know the rules, policies, procedures, and populations served at the supervisee’s work site. Both supervisors shall personally review the work of the supervisee on a regular basis.

F. Primary supervisors shall meet the competency and other requirements of supervision in *Minnesota Statutes*, section 148.925.

G. The supervisor shall not be in a multiple relationship with the supervisee, as defined in part 7200.0110, subpart 15.

H. The primary supervisor shall certify that the supervision requirements for licensure have been met.

I. An applicant who completes the required amount of postdegree supervised employment shall continue to receive supervision for any professional services meeting the definition of the practice of psychology until notified of licensure by the board.

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Subp. 3. **Eligible employment.** Employment may be paid or unpaid and shall consist of the practice of psychology as defined in *Minnesota Statutes*, section 148.89, subdivision 5.

A. Employment that qualifies may include time spent in supervision, research, teaching, case management, program development, administration or evaluation, staff consultation, peer review, primary or secondary prevention, attendance at workshops, seminars, or other scientific or professional training activities, record keeping, report writing, staff meetings, client care conferences, required training sessions, and direct client contact.

B. Employment that does not qualify includes employment required as preparation for the master's or doctoral degree, or a professional training program completed in association with earning a master's or doctoral degree, such as an internship, assistantship, associateship, clerkship, or practicum.

C. Employment between the time all requirements for the degree were met and the time of conferral of the degree may be credited toward the employment requirements for licensure if the date of completion of all degree requirements is verified directly to the board in writing by the degree program director or equivalent.

D. The employment shall be performed competently as judged by the supervisor.

7200.2030 APPLICANT'S RESPONSIBILITY.

It is the applicant's responsibility to demonstrate to the board that the applicant has met all requirements for licensure under the *Minnesota Psychology Practice Act*.

7200.2035 LICENSURE BY MOBILITY.

Subpart 1. **General.** Applicants for licensure by mobility shall meet all requirements for licensure under the *Minnesota Psychology Practice Act*.

Subp. 2. **Certification or diplomate.** The educational requirements of part 7200.1300, the national standardized examination requirement of part 7200.0550, subpart 1, item A, and the postdegree employment requirements of part 7200.2000 shall be considered met if, at the time of application, the applicant provides acceptable evidence of certification as a current holder of the Certificate of Professional Qualification (CPQ) issued by the Association of State and Provincial Psychology Boards (ASPPB) or of a diplomate from the American Board of Professional Psychology (ABPP). An applicant seeking to qualify for licensure under this part who is a graduate of a program that is not APA accredited and earned the degree after adoption of this rule, shall meet the human diversity requirement of part 7200.1300, subpart 5, item A, subitem (1), unit (f).

7200.2040 DENIAL OF LICENSURE.

An applicant who fails to meet all requirements for licensure under the *Minnesota Psychology Practice Act* shall be denied licensure and informed in writing of the denial and the reason for it. An application submitted following denial is a new application and must be accompanied by the current licensure application fee. An applicant who has been denied licensure may reapply and shall pay the current nonrefundable application fee with each application.

7200.3100 DISPLAY OF LICENSE.

~~A license shall be displayed on the premises of the primary location of the professional practice of the licensee. Upon request, a provider shall present the license for review.~~

7200.3200 TERM OF LICENSE.

A license is valid for the period beginning with the date on which the license is originally granted or granted after termination pursuant to part ~~7200.3600~~ or 7200.3700 and ending two years later on the last day of the month in which the license is granted. Thereafter the license is renewable for periods of two years, ending with the last day of the month in which the license is granted.

7200.3250 NOTIFYING BOARD OF ADDRESS CHANGE.

Licensees and applicants shall designate to the board a public mailing address for all board correspondence. Licensees and applicants shall notify the board in writing within 30 days of a change of mailing address. Licensees shall also designate a public telephone number.

7200.3300 NOTICE OF LICENSE RENEWAL.

At least one month before the renewal date, a renewal notice identifying the renewal date and the amount of the current nonrefundable

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renewal fee shall be sent provided to each licensee to the last known address of the licensee in the file of the board. Failure to receive the notice shall not relieve the licensee of the obligation to pay the renewal fee renew the license according to part 7200.3400, subpart 1.

7200.3400 RENEWAL DEADLINE; APPLICATION AND FEE.

Subpart 1. **Payment of renewal date, information required fee.** The biennial renewal fee shall be remitted to the board Applications for renewal and fee must be received by the board or postmarked on or before the last day of the last month during which the license is valid.

The renewal fee shall accompany a completed notarized renewal application including a list of the continuing education activities since initial licensure or the preceding renewal, whichever applies, and an affirmation that the statements on the renewal application are true and correct to the best knowledge and belief of the licensee. The continuing education list must include the names of the sponsors, the dates and title of the activity, and the number of hours credited. The license renewal certificate shall not be issued unless the licensee has demonstrated that the requirements of parts 7200.3820 to 7200.3840 have been met. Each licensee is responsible for keeping documentation of the licensee's attendance at sponsored continuing education activities or completion of individually designed activities for two years after the renewal date.

Subp. 2. [See repealer.]

Subp. 3. [See repealer.]

Subp. 4. [See repealer.]

7200.3500 LATE FEES.

An application for renewal postmarked or received after the last day of the last month during which the license is in effect is valid only upon payment of must be accompanied by both the current renewal fee and current the late fee.

7200.3510 TERMINATION NOTICE FOR NONRENEWAL OF LICENSE.

Subpart 1. **Notice.** Within 30 days after the renewal date, a licensee who has not renewed the license, including submission of a completed application and affirmation of continuing education requirements, shall be notified by registered or certified letter sent to the last known address of the licensee in the file of the board that the renewal is overdue and that failure to pay the current renewal fee and current late fee within 60 days after the renewal date will result in termination of the license. A second notice shall be sent at least seven days before a board meeting occurring 60 days or more after the renewal date to each licensee who has not remitted the renewal fee and late fee failed to renew.

Subp. 2. **Termination of license.** The board shall terminate the license of a licensee whose license renewal is at least 60 days overdue and to whom notification has been sent as provided in subpart 1. Failure of a licensee to receive notification is not grounds for later challenge of the termination. The former licensee shall be notified of the termination by registered or certified letter within seven days after the board action, in the same manner as provided in subpart 1.

7200.3610 RELICENSURE FOLLOWING TERMINATION.

Subpart 1. **Relicensure requirements.** A former licensee whose license has been voluntarily terminated or terminated as provided in part 7200.3605 7200.3510, subpart 2, may be relicensed after complying with all laws and rules required of applicants for examination and licensure and verifying that the former licensee has not engaged in the private practice of psychology in this state since the date of termination, except according to the exemptions from licensure in *Minnesota Statutes*, section 148.96, subdivision 3. The verification must be accompanied by a notarized affirmation that the statement is true and correct to the best knowledge and belief of the former licensee. The fee for relicensure following termination is the licensure fee in effect at the time of application for relicensure, and statutes and rules governing relicensure are the statutes and rules in effect at the time the initial license was granted.

Subp. 2. [See repealer.]

7200.3620 PRACTICING WITHOUT A LICENSE.

A former licensee seeking relicensure following termination as provided in part 7200.3605 7200.3510, subpart 2, who has engaged in the independent practice of psychology in this state since the date of termination is subject to disciplinary action at the time the new license is granted or to denial of licensure.

7200.3700 VOLUNTARY TERMINATION.

A license may be voluntarily terminated at any time upon written notification to the board, unless a complaint is pending against the licensee. The notification must be received by the board prior to termination of the license for failure to renew. The board retains jurisdiction over a former licensee for complaints received after termination regarding conduct that occurred while licensed. A former licensee may be licensed again only after complying with all laws and rules, as provided in part 7200.3610, subpart 1, for relicensure after following termination.

7200.3810 PURPOSE OF CONTINUING EDUCATION.

The purpose of mandatory continuing education is to:

- A. promote the health and well-being, safety, and welfare of the residents of Minnesota who receive services from licensees; and
- B. promote the professional development competence of providers of these services.

The continued professional growth development and maintenance of competence in providing psychological services, including the ability to address competently the psychological needs of individuals from culturally diverse populations, are ongoing activities and are the ethical responsibilities of each licensee.

7200.3820 CONTINUING EDUCATION REQUIREMENTS.

Except as provided in part 7200.3840; As a requirement for license renewal, each licensee ~~must~~ shall have completed during the preceding renewal period a minimum of 40 hours of continuing education activities approved by the board according to part 7200.3830.

7200.3825 CALCULATION OF CONTINUING EDUCATION CREDIT.

Unless otherwise stated, one continuing education hour equals 60 minutes. Credit is given in one-half hour increments to the nearest one-half or full hour.

7200.3830 ~~APPROVAL OF~~ ELIGIBLE CONTINUING EDUCATION ACTIVITIES.

Subpart 1. **Continuing education activities eligible for approval.** The activities in items A to G are ~~designated as sponsored activities that may be used to meet continuing education requirements eligible for approval,~~ provided they meet the definition and purpose of continuing education in part 7200.0100 parts 7200.0110, subpart 4a, and pertain to psychology or enhance psychological skills 6, and 7200.3810.

A. Developing and teaching an academic course in psychology in an institution accredited by a regional accrediting association. Continuing education hours may be earned only for the first time the licensee teaches the course. One academic credit, ~~unit, or hour~~ equals ten continuing education hours. Acceptable documentation is verification from the ~~dean or head of the department of degree program director or the equivalent at the institution that the licensee taught the course for the first time and of the number of academic credits, units, or hours assigned by the institution.~~

B. Attending presentations based on scientific, practice, or professional standards foundations. Attendance may include participation by means of audio or audio-visual electronic communication. Acceptable documentation of completion is a certificate of attendance. For activities that do not provide a certificate of attendance, acceptable documentation of completion is a registration receipt with a printed program or brochure.

C. Completing home study and computer-based courses offered by a vendor. Acceptable documentation of completion includes verification by the vendor that the licensee has passed all post-tests, or a completion certificate issued by the vendor. Hours of credit listed by the vendor shall be used in determining the hours to be credited by the board.

~~B; D.~~ Completing satisfactorily a graduate level course in psychology offered by an institution accredited by a regional accrediting association. The course need not be submitted for prior approval by either the sponsor or the individual licensee. Acceptable documentation is an academic transcript showing graduate credits earned. One academic credit, unit, or hour equals 20 eight continuing education hours. Audited courses earn four continuing education hours per academic credit.

~~C; E.~~ Developing a presentation for workshops, seminars, symposia, colloquia, invited speaker sessions, meetings of professional or scientific organizations, or postdoctoral institutes and presenting a presentation based on scientific, practice, or professional standards foundations. Acceptable documentation of completion is a printed program or agenda, or copies of the presentation materials or slides. One presentation hour of development equals one three continuing education hour and up to three hours of development time may be claimed

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hours for each hour of presentation. Continuing education hours may be earned only for ~~development~~ for the licensee's first presentation ~~on the subject developed of the content.~~

~~F. Developing taped or computerized materials based on scientific, practice, or professional standards foundations. Acceptable documentation of completion is a copy of the materials. Three continuing education hours may be claimed for each hour of published running time.~~

~~D; G. Authoring, editing, or reviewing a psychological publication. Continuing education hours may be earned only in the year of publication or first distribution. Acceptable documentation includes a publication cover sheet, masthead, table of contents, or marketing materials. The maximum hours earned are as follows:~~

~~(1) author of a professional or scientific book; equals 40 hours, and acceptable documentation is a copy of the title page and other pages that document the date of publication;~~

~~(2) author of a professional or scientific book chapter or peer-reviewed journal article, equals 20 hours, and acceptable documentation is the table of contents showing the title and author and other pages that document the date of publication;~~

~~(3) author of a professional or scientific article in an edited newsletter of a professional association equals five hours, and acceptable documentation is a copy of the article and the publication cover sheet;~~

~~(3) (4) editor of a professional or scientific book; or peer-reviewed journal equals 30 hours, and acceptable documentation is a copy of the title page and any pages that document the date of publication;~~

~~(4) editor of a professional or scientific journal, 30 hours;~~

~~(5) editor-in-chief of a professional or scientific journal equals 40 hours, and acceptable documentation is a copy of the journal masthead and pages that document the dates that the licensee is the editor-in-chief;~~

~~(5) (6) journal article review, one hour three hours per manuscript, and for this activity only, continuing education hours may be earned in the year the review is received by the editor, and acceptable documentation is a letter from the editor verifying the review has been provided; and~~

~~(6) other professional or scientific activities not covered in subitems (1) to (5), including preparation of products such as tests, videotaped materials, and computer programs. Up to 40 hours may be credited, the amount to be determined by the board using the amounts in subitems (1) to (4) as guidelines.~~

~~(7) author of a test based on scientific foundations equals 30 hours, and acceptable documentation is a copy of the test and the test manual.~~

~~E. Attendance at workshops, seminars, symposia, colloquia, invited speaker sessions, postdoctoral institutes, or scientific or professional programs offered at meetings of local, state, regional, national, or international professional or scientific organizations, or audited graduate courses at an institution accredited by a regional accrediting association. Acceptable documentation includes a certificate of attendance or a transcript. For activities which do not provide a certificate of attendance or transcript, documentation includes a registration receipt with a printed program.~~

~~F. Completion of audio-visual or other home study courses. Acceptable documentation includes transcripts, personal notes, or posttests. Three hours of activity equals one continuing education hour.~~

~~G. Service on board oral examination panels. One day of service equals eight continuing education hours. Continuing education hours may be credited once per renewal period.~~

Subp. 2. **Sponsor Request for board approval.**

~~A. A sponsor or licensee may request in writing board approval at any time for activities intended to meet continuing education requirements in subpart 1. The sponsor or licensee shall be notified within 45 days after receipt of a request that includes the information~~

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~~required in subpart 4~~ whether the activity has been approved or denied. ~~The board may approve all, a portion, or none of the submitted activity according to this part. The request shall be in writing, and in the case of a sponsor application for approval, it shall be accompanied by the applicable fee. Sponsor and licensee requests shall include the following:~~

- ~~(1) the name and address of the sponsor;~~
- ~~(2) the names, academic degrees, and credentials of the presenters, if appropriate;~~
- ~~(3) the title of the activity and an outline of topics covered;~~
- ~~(4) an agenda that specifies the timetable of instruction and other didactic activities;~~
- ~~(5) the location and dates of the activity;~~
- ~~(6) a statement of the educational objectives and targeted participants;~~
- ~~(7) the mechanism for monitoring and clarifying attendance;~~
- ~~(8) upon request, an explanation of how the activity contributes to the development or maintenance of the licensee's competence;~~
~~and~~
- ~~(9) upon request, documentation of the scientific, practice, or professional standards foundation for the topics covered.~~

~~B. When an activity is approved, the sponsor shall include the board's approval log number on the activity's brochure and certificate of attendance. The sponsor's brochures advertising approved activities shall include the information required under item A, subitems (1) to (7).~~

~~Materials advertising approved activities may include the statement: "THIS PROGRAM HAS BEEN APPROVED BY THE MINNESOTA BOARD OF PSYCHOLOGY FOR (NUMBER) CONTINUING EDUCATION HOURS." Materials advertising nonapproved activities that have not been approved may not include such a statement or otherwise imply board approval. Violation of this subpart by a sponsor who is a licensee is grounds for disciplinary action.~~

Subp. 3. ~~[See repealer.]~~

Subp. 4. ~~[See repealer.]~~

Subp. 5. ~~[See repealer.]~~

Subp. 6. ~~[See repealer.]~~

7200.3845 AUTOMATIC APPROVAL.

Any activity approved for continuing education credit by the American Psychological Association (APA), the Association of State and Provincial Psychology Boards (ASPPB), or other national professional organization as determined by the board, shall automatically be approved for continuing education credit without further application by the sponsor or licensee.

7200.3850 DOCUMENTATION AND REPORTING COMPLIANCE.

Subpart 1. **Renewal requirements.** Every two years, when the licensee applies for renewal of the license, the licensee must complete and submit an affidavit of continuing education compliance showing that the licensee has completed a minimum of 40 approved continuing education hours since the last renewal. The licensee's renewal application shall be deemed incomplete and void upon failure to submit the affidavit when required.

Subp. 2. **Record retention.** All licensees shall retain original documentation of attendance and completion of continuing education hours for a period of eight years after the renewal date.

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7200.3860 CONTINUING EDUCATION AUDIT.

The board shall randomly audit a percentage of renewing licensees each month for compliance with continuing education requirements.

A. During the first ten days of the month following the renewal date, the board shall send a notice to the licensee that the licensee has been selected for an audit of continuing education hours. The notice shall include the reporting period selected for audit.

B. Selected licensees shall submit copies of the original documentation of continuing education hours completed during the reporting period. Upon specific request, the licensee shall submit original documentation. Failure to submit required documentation shall result in the renewal application being considered incomplete and void and constitute grounds for termination for nonrenewal of the license and disciplinary action.

C. The continuing education list must include the names of the sponsors, the dates and titles of the activity, the number of hours credited, and supportive documentation. A license renewal certificate shall not be issued unless the licensee has demonstrated that the requirements in parts 7200.3820 to 7200.3830 have been met.

D. If the licensee fails to meet the continuing education requirements by the renewal date, the license renewal is deemed late and the licensee will not be permitted to renew electronically. The renewal application must then be submitted in writing along with all documentation, renewal fee, and renewal late fee. The licensee may request a time-limited variance to fulfill the continuing education requirements after the renewal date. The variance request must meet the requirements of part 7200.6000, subpart 1, and must include a written plan listing the activities including the dates and the number of hours for each activity offered to meet the requirement. Continuing education activities completed after the renewal date pursuant to the written plan shall count toward meeting only the requirements of the previous renewal period. A variance granted under this part expires six months after the renewal date.

E. A provider who has submitted a request for a time-limited variance for continuing education requirements according to item D, or whose continuing education is under review by the board, may continue to practice until the board has taken action on the variance request, or the review is complete.

7200.4500 RULES OF CONDUCT.

Subpart 1. **Scope.** The rules of conduct ~~constitute the code of ethics as required by *Minnesota Statutes*, section 148.98 and~~ apply to the conduct of all ~~licensees and applicants~~ providers, including conduct during the period of education, training, and employment ~~which that~~ is required for licensure.

Subp. 2. **Purpose.** The rules of conduct constitute the standards ~~against~~ by which the professional conduct of ~~a psychologist the~~ provider is measured.

Subp. 3. **Violations.** A violation of the rules of conduct ~~constitutes unprofessional or unethical conduct and~~ is a sufficient reason for disciplinary action, corrective action, or denial of licensure.

Subp. 4. [See repealer.]

Subp. 5. **Conflicts between rules and organizational demands.** If the organizational requirements at the provider's work setting conflict with the rules of conduct, the provider shall clarify to the employer the nature of the conflict, make known the requirement to comply with the rules of conduct, and resolve the conflict in a manner that results in compliance with the rules of conduct.

7200.4600 COMPETENCE COMPETENT PROVISION OF SERVICES.

Subpart 1. ~~**Limits on Competent practice.** A psychologist~~ Providers shall limit practice to the ~~areas of competence in which proficiency has been gained through education and training or experience and which have been stated in writing to the board by the psychologist~~ services that they can provide competently as defined in part 7200.0110, subpart 5.

Subp. 2. [See repealer.]

Subp. 2a. [See repealer.]

Subp. 3. [See repealer.]

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Subp. 3a. **Developing new services.** While the provider is developing a new service, the provider shall obtain professional education, training, continuing education, consultation, supervision, experience, or a combination thereof necessary to ensure that the service is provided competently. If a complaint is submitted alleging a violation of this subpart, the provider has the burden of proof to demonstrate that the provider took the necessary steps to ensure the competent provision of services during the period of development.

Subp. 4. [See repealer.]

7200.4700 PROTECTING THE PRIVACY OF CLIENTS.

Subpart 1. **In general Safeguarding private information.** ~~A psychologist~~ The provider shall safeguard the private information obtained in the course of the practice, teaching, or research of psychology. ~~With the exceptions listed in subparts 2, 4, 5, 10, and 12, Private information is may be disclosed to others only with the informed written consent of the client according to part 7200.4710 and with the exceptions in subparts 2 to 13.~~

Subp. 2. **Limited disclosure to others without written consent.** Private information may be disclosed without the ~~informed written~~ consent of the client when disclosure is necessary to protect against a clear and substantial risk of imminent serious harm being inflicted by the client on the client or another individual, ~~including the provider.~~ In such case the private information is to be disclosed only to ~~appropriate professional workers, public authorities law enforcement agencies,~~ the potential victim, ~~or~~ the family of the client, ~~or appropriate third parties in a position to prevent or avert the harm.~~

Subp. 3. **Dual Services to multiple clients.** Whenever psychological services are ~~requested or paid for by one client for another~~ provided to multiple clients, the ~~psychologist must~~ provider shall initially inform ~~both clients~~ each client of the ~~psychologist's~~ provider's responsibility to treat any information gained in the course of rendering the services as private information, ~~including any limitations to each client's right to privacy.~~

Subp. 3a. **Obtaining collateral information.** Prior to obtaining collateral information about a client from other individuals, the provider shall inform the other individuals that the information obtained may become part of the client's records and may be accessed or released by the client, unless prohibited by law. A provider is not required to give prior informed consent to other individuals when those individuals are credentialed health care providers acting in their professional capacities.

Subp. 4. **Minor clients.** At the beginning of a professional relationship, ~~a psychologist must~~ the provider shall inform a minor client, ~~to the extent that the client can understand,~~ that the law imposes ~~a limit~~ limitations on the right of privacy of the minor with respect to the minor's communications with ~~a psychologist~~ the provider.

Subp. 5. **Limited access to client records.** ~~A psychologist~~ The provider shall limit access to client records ~~and.~~ The provider shall make reasonable efforts to inform ~~every individual,~~ or cause to be informed, individuals associated with the provider's agency or facility of the psychologist, such as a staff member ~~members,~~ student ~~students,~~ volunteer ~~volunteers,~~ or community ~~aide aides,~~ that access to client records shall be limited only to the ~~psychologist provider~~ with whom the client has a professional relationship, ~~an individual~~ individuals associated with the agency or facility whose duties require access, and ~~an individual~~ individuals authorized to have access by the ~~informed~~ written ~~informed~~ consent of the client.

Subp. 6. [See repealer.]

Subp. 7. **Case reports.** ~~Case reports or other clinical materials~~ All client information used in teaching, presentations, professional meetings, or publications shall be disguised ~~so that no to prevent~~ identification of the ~~individual occurs~~ client unless the provider has obtained a signed release of information.

Subp. 7a. **Supervision and consultation.** When a provider shares private information about a client for purposes of consultation or supervision, all client information that might identify the client shall be disguised unless the provider has obtained a signed release of information.

Subp. 7b. **External supervision.** When a provider shares private information about a client for the purposes of supervision, the provider shall obtain a signed release of information.

Subp. 8. **Observation and recording.** Diagnostic interviews or therapeutic sessions with a client may be observed or electronically
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recorded only with ~~the informed~~ written informed consent ~~of the client~~, except as otherwise provided by law or court order.

Subp. 9. ~~Records to remain private~~ **Continued privacy of client information.** ~~A psychologist~~ The provider shall continue to maintain ~~as private~~ the privacy of client information, including the records of a client, after the professional relationship between the ~~psychologist provider~~ and the client has ceased.

Subp. 10. ~~Release of private information~~ **Court-ordered or other mandated disclosures.** ~~A psychologist may release~~ The proper disclosure of private information upon a court order or to conform with state or federal law, rule, or regulation shall not be considered a violation of the Psychology Practice Act.

Subp. 11. ~~Abuse or neglect of children and minors or vulnerable adults.~~ In the course of professional practice, ~~a psychologist~~ the provider shall ~~not violate any law~~ comply with all laws concerning the reporting of abuse or neglect of children and minors or vulnerable adults.

Subp. 12. [See repealer.]

Subp. 13. **Communication to initiate services.** When the provider is initially contacted to establish psychological services to a potential client, the provider or another individual designated by the provider may, with oral consent from the potential client, contact third-party payers or guarantors to determine payment or benefits information or to arrange for precertification of services when required by the individual's health plan.

7200.4710 ACCESSING AND RELEASING PRIVATE INFORMATION.

Subpart 1. **Right to access and release private information.** A client has the right to access and release private information maintained by the provider, including client records as provided in *Minnesota Statutes*, sections 144.291 to 144.298, relating to the provider's psychological services to that client, except as otherwise provided by law or court order.

Subp. 2. **Release of private information.** When a client initiates a request for the release of private information, the provider shall comply with *Minnesota Statutes*, sections 144.291 to 144.298. However, if the provider initiates the release of private information to a third party, a written authorization for release of information must be obtained that minimally includes:

A. the name of the client;

B. the name of the individual or entity providing the information;

C. the name of the individual or entity to which release is to be made;

D. the specific information to be released;

E. the purpose of the release, such as whether the release is to coordinate professional care with another provider, to obtain insurance payments for services, or for other specified purposes;

F. the time period covered by the release;

G. a statement that the release is valid for one year, except as otherwise allowed by law, or for a lesser period that is specified in the release;

H. a declaration that the individual signing the statement has been told of and understands the nature and purpose of the authorized release;

I. a statement that the release may be rescinded, except to the extent that the release has already been acted upon or that the right to rescind consent has been waived separately in writing;

J. the signature of the client or the client's legally authorized representative, whose relationship to the client shall be stated; and

K. the date on which the release is signed.

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Subp. 3. Multiple client records. Whenever psychological services are provided to multiple psychotherapy clients, each client has a right to access only that part of the records that includes information provided directly by the client or authorized by the client to be part of the record, unless otherwise directed by law or court order. Upon a request by one client to access or release multiple client records, that part of the records that contains information that has not been provided directly or by authorization of the requesting client shall be redacted unless written authorization to disclose this information has been obtained from the other client. Alternatively, the provider may, at the beginning of the service, obtain written informed consent from the clients stating that each client has the right to access or authorize release of all information that is part of the record.

Subp. 4. Board investigations. The provider shall release to the board and its agents private information that the board and its agents consider to be germane to the investigation of all matters pending before the board that relate to its lawful regulation activities. Redacting identifying information of individuals in the record is not required when providing information to the board as part of a board investigation.

7200.4720 INFORMED CONSENT.

Subpart 1. Obtaining informed consent for services. The provider shall obtain informed consent for services to a client. The informed consent may be oral or written, except as provided in subpart 2. The informed consent shall include:

A. the goals, purpose, and procedures of the proposed service;

B. a discussion of factors that may impact the duration of the service;

C. the applicable fee schedule;

D. the limits to the client's privacy;

E. the significant risks and benefits of the service;

F. information and uncertainty of benefits, if the proposed service, method, or procedure is of an experimental, emerging, or innovative nature;

G. where applicable, advisement to the client that the provider is developing a new service; and

H. alternatives to the service, if any.

Subp. 2. Written informed consent. Written informed consent shall be required for forensic services, except as otherwise provided by law or court order, or as required by part 7200.4710, subpart 3.

Subp. 3. Modification to service. If the nature or purpose of a service changes substantially, it is necessary to obtain informed consent again.

Subp. 4. Emergency or crisis services. When emergency or crisis services are provided, the provider shall not be required to obtain informed consent. If services continue after the emergency or crisis has abated, informed consent shall then be obtained.

7200.4740 TERMINATION OF SERVICES.

Subpart 1. Right to terminate services. Either the provider or client may terminate professional services unless prohibited by law or court order.

Subp. 2. Mandatory termination of services. The provider shall promptly terminate services to a client, except as otherwise provided by law or court order, whenever:

A. the provider's objectivity or effectiveness is impaired, unless a resolution can be achieved as permitted in part 7200.4810; or

B. the client is unlikely to benefit from continued professional services by the provider.

Subp. 3. Notification of termination. Whenever the provider initiates a termination of professional services, the provider shall promptly inform the client in a manner that minimizes harm. This requirement shall not apply when the termination is due to the successful completion of a predefined service such as an assessment or time-limited therapy.

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Subp. 4. **Recommendation upon termination.** Upon the termination of psychological services, the provider shall:

A. offer to make a recommendation to the client for appropriate mental health services whenever the provider believes they are needed by the client; or

B. provide such a recommendation upon the request of the client.

Subp. 5. **Exception to required recommendation.** The requirements of subpart 4 shall not apply whenever an assessment of an individual for a third party is conducted in which a recommendation for mental health services is not part of the requested service.

7200.4750 RECORD KEEPING.

Subpart 1. **Record-keeping requirements.** Providers shall maintain accurate and legible records of their services for each client. Records shall minimally contain:

A. client personal data;

B. an accurate chronological listing of all client visits, fees charged to the client or a third-party payer, and payments received;

C. documentation of services, including, where applicable:

(1) assessment methods, data, and reports;

(2) an initial treatment plan and any subsequent revisions;

(3) the name of the individual providing the services;

(4) case notes for each date of service, including any interventions;

(5) consultations with collateral sources;

(6) diagnoses or problem descriptions;

(7) documentation that informed consent for services was given, including written informed consent documents, where applicable;

(8) documentation of supervision or consultation received; and

(9) the name of the individual who is clinically responsible for the services provided;

D. copies of all correspondence relating to the client; and

E. copies of all client authorizations for release of information and any other documents pertaining to the client.

Subp. 2. **Duplicate records.** The provider need not maintain client records that duplicate those maintained by the agency, clinic, or other facility at which services are provided.

Subp. 3. **Records retention.** The provider shall retain a client's records for a minimum of eight years after the date of the provider's last professional service to the client, except as otherwise provided by law. If the client is a minor, the records retention period shall not commence until the client reaches the age of 18, except as otherwise provided by law.

7200.4810 IMPAIRED OBJECTIVITY; OR EFFECTIVENESS.

Subpart 1. **Psychological services prohibited** Situations involving impaired objectivity or effectiveness. A psychologist must not provide psychological services to a client or potential client when the psychologist's objectivity or effectiveness is Items A to F involve impaired objectivity or effectiveness and are prohibited as specified.

A. The provider shall not provide psychological services to a client if doing so would create a multiple relationship. If an unforeseen

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multiple relationship arises after services have been initiated, the provider shall promptly terminate the professional relationship. This item shall not apply if the psychological services involve teaching or research, if such a relationship cannot reasonably be avoided.

B. The provider shall not provide to a client psychotherapy or assessment services and concurrently either supervision or teaching. If an unforeseen situation arises in which both types of services are required or requested by the client or a third party, the provider shall decline to provide one or both of the services.

C. The provider shall not provide concurrently to a client two or more types of psychological services in which a fundamental conflict arises between the psychological services. If the conflict cannot be resolved in the manner required in subpart 2a, the provider shall decline to provide one or more of the services that give rise to the conflict.

D. The provider shall not provide psychotherapy services to multiple clients whose psychotherapy goals are fundamentally irreconcilable. If this situation arises after services have been initiated, the provider shall promptly terminate services to one or both clients.

E. The provider shall not provide psychological services to a client when the provider is biased for or against the client for any reason that interferes with the provider's impartial judgment, except if the provider is resolving the impairment in the manner required in subpart 2a.

F. The provider shall not provide services to a client when there is a fundamental divergence or conflict of service goals, interests, values, or attitudes between the client and the provider that adversely affects the professional relationship, except if the provider is resolving the impairment in the manner required in subpart 2a.

Subp. 2. [See repealer.]

Subp. 2a. **Resolution of impaired objectivity or effectiveness.** When an impairment occurs that is listed in subpart 1, item C, E, or F, the provider may provide services only if the provider actively pursues a resolution of the impairment and is able to do so in a manner that minimizes the potential for adverse effects on the client or potential client. If the provider attempts to resolve the impairment, it shall be by means of relevant professional education, training, study, continuing education, consultation, psychotherapy, intervention, supervision, or discussion with the client or potential client, or an appropriate combination thereof. If resolution of the impairment is not possible, the provider shall terminate services.

Subp. 3. **Termination of services due to impaired objectivity or effectiveness.** Whenever a psychologist's objectivity or effectiveness becomes impaired during a professional relationship with a client, the psychologist must notify the client orally and in writing that the psychologist can no longer see the client professionally and must assist the client in obtaining Termination of services from another professional required by subpart 2a must conform with the requirements of part 7200.4740.

Subp. 4. **Burden of proof.** If a complaint is submitted to the board alleging a violation of this part, the provider has the burden of proof to demonstrate that there was no impaired objectivity or effectiveness or that the provider was compliant with subpart 2a.

7200.4850 PROVIDER IMPAIRMENT.

The provider shall not offer psychological services to clients when the provider is unable to offer such services with reasonable skill and safety as a result of a physical or mental illness or condition, including, but not limited to, substance abuse or dependence.

7200.4905 CLIENT WELFARE.

Subpart 1. **Bill of rights.** The provider shall display prominently on the premises of the professional practice or make available as a handout the bill of rights of clients which must include a statement that consumers of psychological services have the right:

A. to expect that the provider has met the minimum qualifications of education, training, and experience required by state law for licensure;

B. to examine public records maintained by the Board of Psychology that contain the credentials of the provider;

C. to report complaints to the Board of Psychology;

D. to be informed of the cost of professional services before receiving the services;

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E. to privacy as defined and limited by rule and law;

F. to be free from being the object of unlawful discrimination while receiving psychological services;

G. to have access to their records as provided in *Minnesota Statutes*, sections 144.291 to 144.298, except as otherwise provided by law or a prior written agreement;

H. to be free from exploitation for the benefit or advantage of the provider;

I. to terminate services at any time, except as otherwise provided by law or court order;

J. to know the intended recipients of psychological assessment results;

K. to withdraw consent to release assessment results, unless that right is prohibited by law or court order or is waived by prior written agreement;

L. to a nontechnical description of assessment procedures; and

M. to a nontechnical explanation and interpretation of assessment results, unless that right is prohibited by law or court order or is waived by prior written agreement. The handout must include the Board of Psychology's current mailing address, Web site address, and telephone number.

Subp. 2. Stereotyping. The provider shall consider the client as an individual and shall not impose on the client any stereotypes of behavior, values, or roles related to human diversity.

Subp. 3. Misusing client relationship. The provider shall not misuse the relationship with a client due to a relationship with another individual or entity.

Subp. 4. Prohibiting exploitation of client. The provider shall not exploit in any manner the professional relationship with a client for the provider's emotional, financial, sexual, or personal advantage or benefit. This prohibition is extended indefinitely to former clients who are vulnerable or dependent on the provider. If a complaint is submitted to the board alleging violation of this subpart with respect to a former client, the provider has the burden of proof to demonstrate that the former client was not vulnerable or dependent.

Subp. 5. Sexual behavior with client. A provider shall not engage in any sexual behavior with a client, including:

A. sexual contact with the client; or

B. any physical, verbal, written, interactive, or electronic communication, conduct, or act that may be reasonably interpreted to be sexually seductive, demeaning, or harassing to the client.

Subp. 6. Sexual behavior with former client. The prohibitions against sexual behavior with clients established in subpart 5 also apply to former clients for a period of two years following the date of the last psychological service, whether or not the provider has formally terminated the professional relationship. This prohibition is extended indefinitely for a former client who is vulnerable or dependent on the provider. If a complaint is submitted to the board alleging a violation of this subpart with respect to a former client, the provider has the burden of proof to demonstrate that the former client was not vulnerable or dependent.

7200.4910 WELFARE OF STUDENTS, SUPERVISEES, AND RESEARCH SUBJECTS.

Subpart 1. General. Providers who teach, evaluate, supervise, or conduct research have authority over their students, supervisees, or research subjects, and must protect the welfare of these individuals.

Subp. 2. Protections. To protect the welfare of students, supervisees, or research subjects, providers shall not:

A. impose any stereotypes of behavior, values, or roles related to race, ethnicity, national origin, religious affiliation, language, age, gender, physical disabilities, mental capabilities, sexual orientation or identity, or socioeconomic status;

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B. exploit or misuse in any manner the professional relationship for the emotional, financial, sexual, or personal advantage or benefit of the provider or another individual or entity;

C. engage in any sexual behavior with a current supervisee, including sexual contact, as defined in part 7200.0110, subpart 28, or any physical, verbal, written, interactive, or electronic communication, conduct, or act that may be reasonably interpreted to be sexually seductive, demeaning, or harassing;

D. engage in any deceptive or fraudulent behavior;

E. disclose evaluative information except for legitimate professional or scientific purposes; or

F. engage in any other unprofessional conduct.

7200.4950 MEDICAL AND OTHER HEALTH CARE CONSIDERATIONS.

Subpart 1. **Coordinating services.** With authorization from the client, the provider shall coordinate services for the client with other health care professionals, consistent with the best interests of the client.

Subp. 2. **Medications.**

A. If competent to do so, providers may discuss prescription or nonprescription medications and their effects with a client or the client's physician or other prescribing health care provider, or in a report.

B. Providers shall make clear in medication discussions with a client or in a report that the ultimate decision whether to prescribe, alter, or discontinue a medication lies solely with a physician or other prescribing health care provider.

7200.5010 CONCLUSIONS AND REPORTS.

Subpart 1. **Bases for assessments.** An assessment process must be appropriate and sufficient for the purposes for which it is intended.

Subp. 2. **Bases for conclusions.** Providers shall base their conclusions on information and procedures sufficient to substantiate those conclusions.

Subp. 3. **Administration and interpretation of tests.** Providers shall use psychological tests as follows:

A. standardized tests shall be used preferentially over nonstandardized tests;

B. all tests shall be administered and responses shall be recorded, scored, and interpreted based on practice or scientific foundations;

C. whether a test is used in a nonstandard manner, the limitations of the test and the reasons for its nonstandard use shall be clearly stated in the report;

D. a test's reliability, validity, and normative data shall be taken into account in its selection, use, and interpretation; and

E. the reliability and validity of test statements and interpretations in reports shall be the responsibility of the provider, including when automated testing services are used.

Subp. 4. **Reports.** Reports shall include:

A. a description of all sources of information upon which the provider's conclusions are based;

B. any reservations or qualifications concerning the validity or reliability of the opinions and conclusions formulated and recommendations made, taking into account the conditions under which the procedures were carried out, including any nonstandard use of a test, the limitations of scientific procedures and psychological descriptions, base rate and baseline considerations, and the impossibility of absolute predictions;

C. a statement concerning any discrepancy, disagreement, or inconsistent or conflicting information regarding the circumstances of the case that may have a bearing on the provider's conclusions;

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D. a statement of the nature of and reasons for any use of a procedure that differs from the purposes, populations, or referral questions for which it has been designed or validated, or that is administered, recorded, scored, or interpreted in other than a standard and objective manner; and

E. a statement indicating if any test interpretations or report conclusions are not based on direct contact between the provider and the client.

7200.5100 PUBLIC STATEMENTS.

Subpart 1. **Prohibition against false or misleading information.** Public statements ~~by providers~~ shall not include false or misleading information. ~~They may describe fees, professional qualifications, and services provided, but they may not evaluate services as to their quality or uniqueness and may not contain testimonials by quotation or implication~~ False or misleading information means any public statement that contains a material misrepresentation or omission of fact. The provider shall make reasonable efforts to ensure that public statements by others on behalf of the provider are truthful and shall make reasonable remedial efforts to bring a public statement into compliance with this part when the provider becomes aware of a violation.

Subp. 2. **Misrepresentation.** ~~A psychologist may~~ The provider shall not misrepresent directly or by implication professional qualifications ~~such as including education, training, experience, or areas of competence, credentials, certification by a specialty board, or areas of specialization. A psychologist may~~ The provider shall not misrepresent, directly or by implication, professional affiliations; ~~or the purposes; and characteristics of institutions and organizations with which the psychologist provider is professionally associated.~~

Subp. 3. **Limit on use of degree.** ~~A psychologist~~ An applicant for licensure or a provider licensed by virtue of a master's degree who has a doctorate from an institution that is not accredited by a regional accrediting association or whose doctoral major does not meet the education requirements for licensure ~~may~~ shall not use the term "Doctor," "Ph.D.," "Psy.D.," or "Ed.D." with the ~~psychologist's~~ provider's name in any situation or circumstance ~~related to~~ involving the practice of psychology.

Subp. 4. **Testimonials.** Providers shall not solicit or use testimonials by quotation or implication from current clients or from former clients who are vulnerable to undue influence.

Subp. 5. **Use of specialty board designations.** Providers may represent themselves as having an area of specialization from a specialty board, such as a designation as diplomate or fellow, if the specialty board used at minimum the following criteria to award the designation and the provider minimally meets the following four criteria:

A. specified educational requirements defined by the specialty board;

B. specified experience requirements defined by the specialty board;

C. a work product evaluated by other specialty board members; and

D. an in-person examination by a committee of specialty board members or a comprehensive written examination in the area of specialization.

7200.5200 FEES AND STATEMENTS.

Subpart 1. **Disclosure of cost on request fees.** ~~A psychologist~~ The provider shall, ~~when asked by a client about the cost of professional services,~~ disclose the cost of fees for professional services provided to a client before providing the services.

Subp. 2. **Itemized fee statement.** ~~A psychologist~~ Upon request, the provider shall itemize fees for all services for which the client or a third party is billed and make the itemized statement available to the client. The statement shall identify at least minimally the date on which the service was provided, the nature of the service, and the name of the individual providing the service, ~~and the name of the individual who is professionally responsible for the service.~~

Subp. 3. **No misrepresentation Representation of billed services.** ~~A psychologist~~ The provider shall not directly or by implication misrepresent to the client or to a third party billed for services the nature of the services; ~~or the extent to which the psychologist provider has provided the services; or the individual who is professionally responsible for the services provided.~~

Subp. 4. **Claiming fees to be claimed only by provider.** ~~A psychologist~~ The provider shall not claim a fee for psychological services

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unless the ~~psychologist~~ provider is either the direct provider of the services or the individual who is ~~professionally clinically~~ responsible for the provision of the services ~~and under whose direction the services were provided.~~

Subp. 5. ~~[See repealer.]~~

Subp. 6. ~~[Repealed, 14 SR 74]~~

7200.5300 AIDING AND ABETTING UNLICENSED PRACTICE.

~~A psychologist~~ The provider shall not aid or abet:

A. an unlicensed individual engaging in the practice of psychology; or

B. a psychological practitioner an applicant or student in engaging in the independent practice of psychology. However, a licensed psychologist who supervises a psychological practitioner or an individual preparing for licensure as a licensed psychologist according to Minnesota Statutes, section 148.97, subdivision 3, clause (2); by the board is not in violation of this part if the supervised individual is not engaging in the independent practice of psychology and, if preparing for licensure as a licensed psychologist, is salaried or offering services pro bono supervision is conducted according to the Psychology Practice Act. Properly qualified individuals who administer and score psychological instruments under the direction of a licensee who maintains responsibility for the service are not considered to be in violation of this part. The licensee assumes responsibility for adequate training, experience, and oversight to ensure proper qualifications to administer and score the instruments.

7200.5500 VIOLATION OF LAW.

~~A psychologist~~ The provider shall not violate any law in which the facts giving rise to the violation involve the ~~provision practice of~~ psychological services psychology as defined in the Psychology Practice Act. ~~In determining whether a violation involves the provision of psychological services the board shall consider:~~

A. the nature and seriousness of the violation the psychologist is alleged to have committed;

B. the relationship of the alleged violation to the purposes of regulating the practice of psychology; and

C. the relationship of the violation to the ability, capacity, fitness, or integrity of the psychologist in rendering psychological services.

In any board proceeding alleging a violation of this rule the proof of a conviction of a crime shall constitute proof of the underlying factual elements necessarily underlying that conviction.

7200.5600 DECEPTION OR FRAUD.

~~A psychologist must~~ The provider shall not engage in any conduct likely to deceive or defraud the public or the board.

7200.5700 UNPROFESSIONAL CONDUCT.

~~A psychologist must~~ The provider shall not engage in any unprofessional conduct. ~~Unprofessional conduct is any conduct violating parts 7200.4600 to 7200.5600 or violating those standards of professional behavior that have become established by consensus of the expert opinion of psychologists as reasonably necessary for the protection of the public interest.~~

7200.5750 COMPLAINTS TO BOARD.

Subpart 1. **Mandatory reporting requirements.** The provider shall file a complaint with the board when the provider has reason to believe that another provider:

A. is unable to practice with reasonable skill and safety as a result of a physical or mental illness or condition, including but not limited to substance abuse or dependence, except that this mandated reporting requirement is deemed fulfilled by a report made to the health professionals services program (HPSP) under Minnesota Statutes, section 214.33, subdivision 1;

B. is engaging in or has engaged in sexual behavior with a client or former client in violation of part 7200.4905, subpart 5, unless the information is obtained in the course of treating the other provider for the sexual behavior;

C. has failed to report abuse or neglect of minors or vulnerable adults in violation of part 7200.4700, subpart 11; or

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D. has employed fraud or deception in obtaining or renewing a psychology license.

Subp. 2. **Communicating complaints to board.** A provider who knows or has reason to believe that the conduct of another provider is in violation of the Psychology Practice Act other than conduct listed in subpart 1 may file a complaint with the board.

Subp. 3. **Right to file complaint.** A provider shall not attempt to induce a client or another individual, either by request or other means, to waive the right to file a complaint with the board.

7200.6100 FEES.

The nonrefundable fees for licensure payable to the board are as follows:

- A. application for admission to national standardized examination, \$150;
- B. application for professional responsibility examination, \$150;
- C. application for licensure as a licensed psychologist, \$500;
- D. renewal of license for a licensed psychologist, \$500;
- E. late renewal of license for a licensed psychologist, \$250;
- ~~F. application for licensure as a licensed psychological practitioner, \$250;~~
- ~~G. renewal of license for a licensed psychological practitioner, \$250;~~
- ~~H. late renewal of license for a licensed psychological practitioner, \$125;~~
- ~~F. application for converting from master's to doctoral level licensure, \$150; and~~
- ~~F. application for guest licensure, \$150.~~

REVISOR INSTRUCTION. The revisor of statutes shall make any necessary cross-reference changes required by implementing the repealer. The revisor may also make any grammatical changes necessary.

REPEALER. Minnesota Rules, parts 7200.0100, subparts 1, 2, 3, 4a, 5, 5a, 5b, 5c, 5d, 6, 7, 8, 9, 9a, 9b, 11, 12, and 13; 7200.0300; 7200.0400; 7200.0500; 7200.0650; 7200.0700; 7200.0810; 7200.1000; 7200.1100; 7200.1200; 7200.1300, subparts 2a, 3, and 4; 7200.1410; 7200.1450; 7200.1700; 7200.1800; 7200.1900; 7200.2100; 7200.2200; 7200.2300; 7200.2400; 7200.2500; 7200.2600; 7200.3000, subparts 1, 1a, 2, 3, 4, and 5; 7200.3400, subparts 2, 3, and 4; 7200.3605; 7200.3610, subpart 2; 7200.3830, subparts 3, 4, 5, and 6; 7200.3840; 7200.4500, subpart 4; 7200.4600, subparts 2, 2a, 3, and 4; 7200.4700, subparts 6 and 12; 7200.4810, subpart 2; 7200.4900; 7200.5000; 7200.5200, subpart 5; 7200.5400; and 7200.6175, are repealed.

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Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

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 Natural Resources (DNR) Adopted Expedited Emergency Game and Fish Rules: Wild Turkey and Prairie Chicken Hunting

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97A.434, 97A.435, 97B.711 and 97B.716.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that population and harvest data needed for setting quotas and areas are only available on an annual basis. Rule changes related to the elimination of the lottery for fall turkey licenses are in response to consistently undersubscribed permit areas and will be part of an upcoming permanent rule package.

Dated: May 16, 2012

Tom Landwehr, Commissioner
Department of Natural Resources

6236.0300 TURKEY HUNT DRAWING.

Subpart 1. Spring license application drawings.

A. Applications for ~~all~~ spring hunts must be made according to this part and according to application instructions provided by the commissioner. Each person must apply at an electronic license system agent or the Department of Natural Resources License Center. Drawings will be conducted by the department to determine persons who will be eligible to purchase licenses for each season. The drawings will be subject to the quotas established by the commissioner. Preference in the respective drawings is given to applicants based upon the number of times they have correctly applied for a license for that hunt but have been unsuccessful. A person selected by the drawings is eligible to purchase a license to hunt turkey. Upon issuance of a turkey license for the spring ~~or fall~~ season, all accumulated preference for that season is lost, except as provided in subpart 6.

B. No application is needed to purchase a fall turkey license.

Subp. 2. **Participation in application drawings.** Applicants may ~~complete an application for either the spring or fall turkey hunt or both.~~ A person may not apply more than once for a hunt, whether as an individual or as a member of a group. Qualifying individuals may apply for the resident landowner-tenant turkey drawing. All of the information in items A to H must be supplied on the application forms.

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

F. The application deadlines are as follows: deadline for the

~~(1) spring season: is the second Friday in January; and,~~

~~(2) fall season: the last Friday in July.~~

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

[For text of subps 3 to 6, see M.R.]

6236.0400 OBTAINING LICENSE.

The following provisions apply to persons who have applied for a turkey license:

A. Only successful applicants will be notified.

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B. Successful applicants will receive a license application with instructions for obtaining their licenses. Persons who do not return the license application and the fee according to the provisions specified on the license application or who do not provide all the requested information will be disqualified.

C. Persons may purchase fall turkey licenses without an application. A turkey permit area must be selected.

6236.0700 FALL TURKEY SEASON.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Open areas.** Wild turkey permit areas are open for the fall turkey season as prescribed by the commissioner. Turkey licenses are valid for taking turkeys only in the wild turkey permit area specified on the license. The following wild turkey permit areas are open for the 2012 fall season: 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, and 512.

[For text of subp 5, see M.R.]

6236.0810 WILD TURKEY PERMIT AREA DESCRIPTIONS.

Subpart 1. **Designations.** Wild turkey permit areas are ~~comprised of registration blocks with the same numbers, as established in part 6232.4700;~~ designated and described by the permit area numbers and boundary descriptions in this part.

A: ~~wild turkey permit area 425 consists of registration blocks 425 and 435;~~

B: ~~wild turkey permit area 451 consists of registration blocks 451, 452, and 453; and~~

C: ~~wild turkey permit area 454 consists of registration blocks 454 and 455.~~

Subp. 2. **Permit area 501.** Wild turkey permit area 501 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of the southern and eastern boundaries of the state; thence along the southern boundary to U.S. Highway 63, Fillmore County; thence along U.S. Highway 63 to State Trunk Highway (STH) 30, Olmsted County; thence along STH 30 to County State-Aid Highway (CSAH) 13, Olmsted County; thence along CSAH 13 to STH 57, Dodge County; thence along STH 57 to U.S. Highway 52; thence along U.S. Highway 52 to STH 19; thence along STH 19 to U.S. Highway 61; thence along U.S. Highway 61 to U.S. Highway 63; thence along U.S. Highway 63 to the eastern boundary of the state; thence along the eastern boundary to the point of beginning.

Subp. 3. **Permit area 502.** Wild turkey permit area 502 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 42 and County State-Aid Highway (CSAH) 4, Wabasha County; thence along CSAH 4 to CSAH 10, Olmsted County; thence along CSAH 10 to CSAH 9, Olmsted County; thence along CSAH 9 to CSAH 22, Winona County; thence along CSAH 22 to STH 74; thence along STH 74 to U.S. Highway 14; thence along U.S. Highway 14 to CSAH 33, Winona County; thence along CSAH 33 to STH 248; thence along STH 248 to CSAH 31, Winona County; thence along CSAH 31 to CSAH 28, Winona County; thence along CSAH 28 to CSAH 25, Winona County; thence along CSAH 25 to U.S. Highway 61; thence along U.S. Highway 61 to CSAH 14, Wabasha County; thence along CSAH 14 to STH 42; thence along STH 42 to the point of beginning.

Subp. 4. **Permit area 503.** Permit area 503 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of the southern boundary of the state and U.S. Highway 63, Fillmore County; thence along the southern boundary of the state to State Trunk Highway (STH) 22, Faribault County; thence along STH 22 to County State-Aid Highway (CSAH) 29, Faribault County; thence along CSAH 29 to CSAH 3, Waseca County; thence along CSAH 3 to STH 30; thence along STH 30 to STH 22, Blue Earth County; thence along STH 22 to Minnesota Highway 14; thence along U.S. Highway 14 to STH 60, Blue Earth County; thence along STH 60 to CSAH 26, Blue Earth County; thence along CSAH 26 to CSAH 15, Le Sueur County; thence along CSAH 15 to STH 99, Le Sueur County; thence along STH 99 to CSAH 11, Le Sueur County; thence along CSAH 11 to CSAH 26, Le Sueur County; thence along CSAH 26 to CSAH 11, Le Sueur County; thence along CSAH 11 to STH 19, Le Sueur County; thence along STH 19 to Interstate Highway 35 (I-35); thence

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along I-35 to CSAH 70, Scott County; thence along CSAH 70 to CSAH 23, Dakota County; thence along CSAH 23 to STH 50, Dakota County; thence along STH 50 to STH 3, Dakota County; thence along STH 3 to CSAH 66, Dakota County; thence along CSAH 66 to U.S. Highway 52; thence along U.S. Highway 52 to CSAH 46, Dakota County; thence along CSAH 46 to CSAH 47, Dakota County; thence along CSAH 47 to U.S. Highway 61; thence along U.S. Highway 61 to U.S. Highway 10; thence along U.S. Highway 10 to the east boundary of the state; thence along the east boundary of the state to U.S. Highway 63; thence along U.S. Highway 63 to U.S. Highway 61; thence along U.S. Highway 61 to STH 19, Goodhue County; thence along STH 19 to U.S. Highway 52; thence along U.S. Highway 52 to STH 57; thence along STH 57 to CSAH 13, Dodge County; thence along CSAH 13 to STH 30, Dodge County; thence along STH 30 to U.S. Highway 63, Olmsted County; thence along U.S. Highway 63 to the point of beginning.

Subp. 5. **Permit area 504.** Wild turkey permit area 504 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of the southern boundary of the state and State Trunk Highway (STH) 22; thence along the southern boundary of the state to the western boundary of the state; thence along the western boundary of the state to County State-Aid Highway (CSAH) 24, Lac qui Parle County; thence along CSAH 24 to U.S. Highway 75, Lac qui Parle County; thence along U.S. Highway 75 to CSAH 24, Lac qui Parle County; thence along CSAH 28 to STH 119; thence along STH 119 to CSAH 20, Lac qui Parle County; thence along CSAH 20 to CSAH 31, Lac qui Parle County; thence along CSAH 31 to U.S. Highway 212, Lac qui Parle County; thence along U.S. Highway 212 to CSAH 19, Lac qui Parle County; thence along CSAH 19 to CSAH 8, Yellow Medicine County; thence along CSAH 8 to STH 67, Yellow Medicine County; thence along STH 67 to CSAH 43, Yellow Medicine County; thence along CSAH 43 to STH 23, Yellow Medicine County; thence along STH 23 to CSAH 2, Yellow Medicine County; thence along CSAH 2 to STH 67, Yellow Medicine County; thence along STH 67 to CSAH 1, Yellow Medicine County; thence along CSAH 1 to CSAH 9, Redwood County; thence along CSAH 9 to STH 273, Redwood County; thence along STH 273 to STH 19, Redwood County; thence along STH 19 to STH 67, Redwood County; thence along STH 67 to STH 68; thence along STH 68 to STH 4; thence along STH 4 to CSAH 24, Brown County; thence along CSAH 24 to CSAH 11, Brown County; thence along CSAH 11 to CSAH 20, Brown County; thence along CSAH 20 to STH 257; thence along STH 257 to STH 15; thence along STH 15 to CSAH 19, Brown County; thence along CSAH 19 to CSAH 22, Blue Earth County; thence along CSAH 22 to CSAH 6, Blue Earth County; thence along CSAH 6 to STH 60; thence along STH 60 to STH 22; thence along STH 22 to STH 30; thence along STH 30 to CSAH 3, Waseca County; thence along CSAH 3 to CSAH 29, Faribault County; thence along CSAH 29 to STH 22; thence along STH 22 to the point of beginning.

Subp. 6. **Permit area 505.** Wild turkey permit area 505 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of the western boundary of the state and County State-Aid Highway (CSAH) 24, Lac qui Parle County; thence along CSAH 24 to U.S. Highway 75, Lac qui Parle County; thence along U.S. Highway 75 to CSAH 28, Lac qui Parle County; thence along CSAH 28 to State Trunk Highway (STH) 119; thence along STH 119 to CSAH 20, Lac qui Parle County; thence along CSAH 20 to CSAH 31, Lac qui Parle County; thence along CSAH 31 to U.S. Highway 212; thence along U.S. Highway 212 to CSAH 19, Lac qui Parle County; thence along CSAH 19 to CSAH 8, Yellow Medicine County; thence along CSAH 8 to STH 67, Yellow Medicine County; thence along STH 67 to CSAH 43, Yellow Medicine County; thence along CSAH 43 to STH 23; thence along STH 23 to CSAH 2, Yellow Medicine County; thence along CSAH 2 to STH 67; thence along STH 67 to CSAH 1, Yellow Medicine County; thence along CSAH 1 to CSAH 9, Redwood County; thence along CSAH 9 to STH 273; thence along STH 273 to STH 19, Redwood County; thence along STH 19 to STH 67, Redwood County; thence along STH 67 to STH 68, Redwood County; thence along STH 68 to STH 4, Brown County; thence along STH 4 to CSAH 24, Brown County; thence along CSAH 24 to CSAH 11, Brown County; thence along CSAH 11 to CSAH 20, Brown County; thence along CSAH 20 to STH 257, Brown County; thence along STH 257 to STH 15, Brown County; thence along STH 15 to CSAH 19, Brown County; thence along CSAH 19 to CSAH 22, Blue Earth County; thence along CSAH 22 to CSAH 6, Blue Earth County; thence along CSAH 6 to STH 60, Blue Earth County; thence along STH 60 to CSAH 26, Blue Earth County; thence along CSAH 26 to CSAH 15, Le Sueur County; thence along CSAH 15 to STH 99, Le Sueur County; thence along STH 99 to CSAH 11, Le Sueur County; thence along CSAH 11 to CSAH 26, Le Sueur County; thence along CSAH 26 to CSAH 11, Le Sueur County; thence along CSAH 11 to STH 19, Le Sueur

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County; thence along STH 19 to Interstate Highway 35 (I-35); thence along I-35 to CSAH 70, Dakota County; thence along CSAH 70 to CSAH 8, Scott County; thence along CSAH 8 to STH 13, Scott County; thence along STH 13 to STH 282; thence along STH 282 to CSAH 9, Scott County; thence along CSAH 9 to Valley View Drive, Scott County; thence along Valley View Drive to 195th Street, Scott County; thence along 195th Street to the east boundary of the Minnesota River Valley State Park; thence along the east and north boundary of said park to the east bank of the Minnesota River; thence along the east bank of the Minnesota River to CSAH 45, Carver County; thence along CSAH 45 to CSAH 50, Carver County; thence along CSAH 50 to CSAH 43, Carver County; thence along CSAH 43 to CSAH 11, Carver County; thence along CSAH 11 to STH 5; thence along STH 5 to CSAH 30, Carver County; thence along CSAH 30 to CSAH 92, Hennepin County; thence along CSAH 92 to CSAH 6, Hennepin County; thence along CSAH 6 to CSAH 20, Carver County; thence along CSAH 20 to the east bank of the south fork of the Crow River; thence along the east bank of the south fork of the Crow River to STH 25; thence along STH 25 to STH 5; thence along STH 5 to U.S. Highway 212; thence along U.S. Highway 212 to STH 5; thence along STH 5 to CSAH 9, Sibley County; thence along CSAH 9 to CSAH 3, Nicollet County; thence along CSAH 3 to STH 22; thence along STH 22 to CSAH 1, Nicollet County; thence along CSAH 1 to STH 15; thence along STH 15 to STH 19; thence along STH 19 to STH 4; thence along STH 4 to CSAH 4, Renville County; thence along CSAH 4 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 212; thence along U.S. Highway 212 to STH 23; thence along STH 23 to CSAH 4, Chippewa County; thence along CSAH 4 to STH 7; thence along STH 7 to STH 29; thence along STH 29 to STH 7; thence along STH 7 to CSAH 25, Big Stone County; thence along CSAH 25 to CSAH 10, Big Stone County; thence along CSAH 10 to CSAH 21, Big Stone County; thence along CSAH 21 to STH 28; thence along STH 28 to the western boundary of the state; thence along the western boundary of the state to the point of beginning.

Subp. 7. **Permit area 506.** Wild turkey permit area 506 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 28 and the western boundary of the state; thence along the western boundary of the state to U.S. Highway 10; thence along U.S. Highway 10 to STH 9; thence along STH 9 to Interstate Highway 94 (I-94); thence along I-94 to STH 29; thence along STH 29 to STH 104; thence along STH 104 to U.S. Highway 12; thence along U.S. Highway 12 to the east bank of the south fork of the Crow River; thence along the east bank of the south fork of the Crow River to STH 25; thence along STH 25 to STH 5; thence along STH 5 to U.S. Highway 212; thence along U.S. Highway 212 to STH 5; thence along STH 5 to County State-Aid Highway (CSAH) 9, Sibley County; thence along CSAH 9 to CSAH 3, Nicollet County; thence along CSAH 3 to STH 22; thence along STH 22 to CSAH 1, Nicollet County; thence along CSAH 1 to STH 15; thence along STH 15 to STH 19; thence along STH 19 to STH 4; thence along STH 4 to CSAH 4, Renville County; thence along CSAH 4 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 212; thence along U.S. Highway 212 to STH 23; thence along STH 23 to CSAH 4, Chippewa County; thence along CSAH 4 to STH 7; thence along STH 7 to STH 29; thence along STH 29 to STH 40; thence along STH 40 to STH 7; thence along STH 7 to CSAH 25, Big Stone County; thence along CSAH 25 to CSAH 10, Big Stone County; thence along CSAH 10 to CSAH 21, Big Stone County; thence along CSAH 21 to STH 28; thence along STH 28 to the western boundary of the state; thence along the western boundary of the state to the point of beginning.

Subp. 8. **Permit area 507.** Wild turkey permit area 507 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State-Aid Highway (CSAH) 17, Clearwater County, and U.S. Highway 2; thence along U.S. Highway 2 to State Trunk Highway (STH) 92; thence along STH 92 to CSAH 27, Clearwater County; thence along CSAH 27 to the Mahnomen County line; thence along the Mahnomen County line to CSAH 3, Mahnomen County; thence along CSAH 3 to STH 113; thence along STH 113 to CSAH 13, Mahnomen County; thence along CSAH 13 to CSAH 21, Becker County; thence along CSAH 21 to CSAH 132, Becker County; thence along CSAH 132 to CSAH 26, Becker County; thence along CSAH 26 to U.S. Highway 59; thence along U.S. Highway 59 to U.S. Highway 10; thence along U.S. Highway 10 to STH 9; thence along STH 9 to Interstate Highway 94 (I-94); thence along I-94 to STH 29; thence along STH 29 to STH 104; thence along STH 104 to U.S. Highway 12; thence along U.S. Highway 12 to the south fork of the Crow River; thence along the south fork of the Crow River to its confluence with the Mississippi River; thence along the Mississippi River to

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U.S. Highway 169; thence along U.S. Highway 169 to STH 95; thence along STH 95 to STH 23; thence along STH 23 to the Mississippi River; thence along the east bank of the Mississippi River to the confluence with the Crow Wing River; thence along the north bank of the Crow Wing River to CSAH 36, Cass County; thence westerly and northerly along CSAH 36 to STH 210; thence along STH 210 to CSAH 18, Cass County; thence along CSAH 18 to CSAH 77, Cass County; thence along CSAH 77 to CSAH 15, Cass County; thence along CSAH 15 to County Road (CR) 107, Cass County; thence along CR 107 to the city limits of Lake Shore, Cass County; thence along the south, west, and north boundaries of the city limits of Lake Shore to CSAH 29, Cass County; thence along CSAH 29 to STH 371; thence along STH 371 to STH 200; thence along STH 200 to STH 371; thence along STH 371 to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning.

Subp. 9. **Permit area 508.** Wild turkey permit area 508 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 2 and State Trunk Highway (STH) 371; thence along U.S. Highway 2 to STH 6; thence along STH 6 to STH 200; thence along STH 200 to U.S. Highway 2; thence along U.S. Highway 2 to the eastern boundary of the state; thence along the eastern boundary of the state to STH 95; thence along STH 95 to STH 23; thence along STH 23 to the Mississippi River; thence along the east bank of the Mississippi River to the confluence with the Crow Wing River; thence along the north bank of the Crow Wing River to County State-Aid Highway (CSAH) 36, Cass County; thence westerly and northerly along CSAH 36 to STH 210; thence along STH 210 to CSAH 18, Cass County; thence along CSAH 18 to CSAH 77, Cass County; thence along CSAH 77 to CSAH 15, Cass County; thence along CSAH 15 to County Road (CR) 107, Cass County; thence along CR 107 to the city limits of Lake Shore, Cass County; thence along the south, west, and north boundaries of the city limits of Lake Shore to CSAH 29, Cass County; thence along CSAH 29 to STH 371; thence along STH 371 to STH 200; thence along STH 200 to STH 371; thence along STH 371 to the point of beginning.

Subp. 10. **Permit area 509.** Wild turkey permit area 509 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 10 and the western boundary of the state; thence along the western boundary of the state to the northern boundary of the state; thence along the northern boundary of the state to State Trunk Highway (STH) 310; thence along STH 310 to STH 89; thence along STH 89 to County State-Aid Highway (CSAH) 54, Marshall County; thence along CSAH 54 to a point due west of the northwestern corner of the Red Lake Indian Reservation; thence east to said corner; thence along the western boundary of the Red Lake Indian Reservation to the west shore of the Sandy River, Clearwater County; thence along the west shore of the Sandy River to Township Road (TR) 279th Avenue or Bailey's Road; thence along TR 279th Avenue or Bailey's Road south to TR Clover Road; thence along TR Clover Road to CSAH 11, Clearwater County; thence along CSAH 11 to CSAH 4, Clearwater County; thence along CSAH 4 to CSAH 14, Clearwater County; thence along CSAH 14 to CSAH 3, Clearwater County; thence along CSAH 3 to CSAH 17, Clearwater County; thence along CSAH 17 to U.S. Highway 2; thence along U.S. Highway 2 to STH 92; thence along STH 92 to CSAH 27, Clearwater County; thence along CSAH 27 to the Mahnomen County line; thence along the Mahnomen County line to CSAH 3, Mahnomen County; thence along CSAH 3 to STH 113; thence along STH 113 to CSAH 13, Mahnomen County; thence along CSAH 13 to CSAH 21, Becker County; thence along CSAH 21 to CSAH 132, Becker County; thence along CSAH 132 to CSAH 26, Becker County; thence along CSAH 26 to U.S. Highway 59; thence along U.S. Highway 59 to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Subp. 11. **Permit area 510.** Wild turkey permit area 510 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 10 and the eastern boundary of the state; thence along U.S. Highway 10 to U.S. Highway 61; thence along U.S. Highway 61 to County State-Aid Highway (CSAH) 47, Dakota County; thence along CSAH 47 to CSAH 46, Dakota County; thence along CSAH 46 to U.S. Highway 52; thence along U.S. Highway 52 to CSAH 66, Dakota County; thence along CSAH 66 to State Trunk Highway (STH) 3; thence along STH 3 to STH 50; thence along STH 50 to CSAH 23, Dakota County; thence along CSAH 23 to CSAH 70, Scott County; thence along CSAH 70 to CSAH 8, Scott County; thence along CSAH 8 to STH 13, Scott County; thence along STH 13 to CSAH 9, Scott County; thence along CSAH 9 to Valley View Drive, Scott County; thence along Valley View Drive to 195th Street, Scott County; thence along 195th Street to the eastern boundary

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of the Minnesota River Valley State Park; thence along the eastern and northern boundary of said park to the east bank of the Minnesota River; thence along the east bank of the Minnesota River to CSAH 45, Carver County; thence along CSAH 45 to CSAH 50, Carver County; thence along CSAH 50 to CSAH 43, Carver County; thence along CSAH 43 to CSAH 11, Carver County; thence along CSAH 11 to STH 5; thence along STH 5 to CSAH 30, Carver County; thence along CSAH 30 to CSAH 92, Hennepin County; thence along CSAH 92 to CSAH 6, Hennepin County; thence along CSAH 6 to CSAH 20, Carver County; thence along CSAH 20 to the east bank of the south fork of the Crow River; thence along the east bank of the south fork of the Crow River to its confluence with the Mississippi River; thence along the Mississippi River to U.S. Highway 169; thence along U.S. Highway 169 to STH 95; thence along STH 95 to the eastern boundary of the state; thence along the eastern boundary of the state to the point of beginning.

Subp. 12. **Permit area 511.** Wild turkey permit area 511 is that portion of the state posted as the Carlos Avery Wildlife Management Area in Anoka and Chisago Counties.

Subp. 13. **Permit area 512.** Wild turkey permit area 512 is that portion of the state posted as the Mille Lacs Wildlife Management Area in Mille Lacs and Kanabec Counties.

6237.0200 PRAIRIE CHICKEN HUNT DRAWING.

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

Subp. 2. **Participation in application drawings.**

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

F. The application deadline is the last Friday ~~in July~~ nearest August 17.

[For text of subps 3 to 6, see M.R.]

6237.0400 TAKING PRAIRIE CHICKENS.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Open areas.** Prairie chicken permit areas are open for the prairie chicken season as prescribed by the commissioner. Prairie chicken licenses are valid only in the prairie chicken permit area specified on the license. The following prairie chicken permit areas, as described in part 6237.0550, are open with the prescribed quotas for the 2012 season:

A. 801A: ten permits;

B. 802A: ten permits;

C. 803A: ten permits;

D. 804A: 17 permits;

E. 805A: 20 permits;

F. 806A: 17 permits;

G. 807A: 25 permits;

H. 808A: 20 permits;

I. 809A: 20 permits;

J. 810A: 27 permits; and

K. 811A: ten permits.

[For text of subp 5, see M.R.]

Expedited Emergency Rules

REPEALER. The expedited emergency amendments to *Minnesota Rules*, part 6236.0810, published in the *State Register*, volume 36, page 635, on December 5, 2011, and volume 36, page 1181, on April 9, 2012, are repealed.

EFFECTIVE PERIOD. The expedited emergency amendments to *Minnesota Rules*, part 6236.0300, are effective July 2, 2012. The emergency amendments to *Minnesota Rules*, parts 6236.0300, 6236.0400, 6236.0700, 6236.0810, 6237.0200, and 6237.0400, expire December 31, 2012. After the emergency amendments expire, the permanent rules as they read prior to those amendments again take effect, except as they may be amended by permanent rule.

Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Emergency Executive Order 12-08: Declaring a Peacetime Emergency in Carlton and St. Louis Counties

I, MARK DAYTON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

WHEREAS, from Wednesday, May 23 through Monday, May 28, 2012 severe thunderstorms produced rainfall amounts in excess of seven inches in Carlton and St. Louis Counties. This heavy and persistent rainfall caused major damage to Trunk Highway 210;

WHEREAS, compromised drainage and washouts have damaged the roadway and reduced traffic to one lane with total road closure possible as erosion continues. This road segment is approximately nine miles long from Thompson, Minnesota to Trunk Highway 23. The road winds along the St. Louis River valley. The road provides access to the Minnesota Power Dam at Fond du Lac and Jay Cooke State Park;

WHEREAS, the extensive road damage undermines safe transportation and has created a danger to persons utilizing this state highway that runs through these recreational areas and into the State of Wisconsin;

Executive Orders

WHEREAS, the resources of the State of Minnesota are inadequate to meet the demands generated by the damage; and the Minnesota Department of Transportation intends to apply for emergency funding from the Federal Highway Administration for assistance with repairs;

NOW, THEREFORE, I hereby order that:

1. A peacetime emergency pursuant to *Minnesota Statutes* 2010, section 12.31 exists in the Counties of Carlton and St. Louis.
2. The Minnesota Department of Transportation, in cooperation with appropriate federal agencies, is directed to provide the assistance necessary to respond to and recover from this emergency.

Pursuant to *Minnesota Statutes* 2010, section 4.035, subdivision 2, this Emergency Executive Order is effective immediately and must be filed with the Secretary of State and published in the *State Register* as soon as possible after its issuance. This peacetime emergency can be extended by the Executive Council or the legislature in accordance with *Minnesota Statutes* 2010, section 12.31, subdivision 2.

IN TESTIMONY WHEREOF, I have set my hand on this 8th day of June 2012.

Signed: **Mark Dayton**
Governor

Filed According to Law:

Signed: **Mark Ritchie**
Secretary of State

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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Minnesota Comprehensive Health Association (MCHA)

Notice of Annual Meeting of Members and Annual Board Meeting 26 June 2012

NOTICE IS HEREBY GIVEN that the Annual Meeting of Members of the Minnesota Comprehensive Health Association (MCHA), will be held at 1:00 p.m. on Tuesday, June 26, 2012 at the MCHA Executive Office, 5775 Wayzata Blvd, Suite 910., St. Louis Park, MN, to be immediately followed by the Annual Meeting of the Board of Directors.

For additional information, please call Mary McCaffrey at (952) 593-9609.

Department of Human Services (DHS)

Health Care Administration

Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program and the MinnesotaCare Program

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of certain statutory changes made to the Medical Assistance (MA) Program and the MinnesotaCare Program that the 2012 Minnesota Legislature enacted during the regular session.

This notice is published pursuant to 42 *United States Code* §1396a(a)(13)(A) (§1902(a)(13)(A) of the Social Security Act), which requires the Department to publish final institutional payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. It is also published pursuant to *Code of Federal Regulations*, title 42, part 447, section 205 (42 CFR §447.205), which requires publication of a notice when there is any significant proposed change in the methods and standards for setting payment rates for Medicaid services.

The legislative changes are estimated to result in a net increase of \$1.2 million in the MA program for state fiscal year 2012 (July 1, 2011 through June 30, 2012), and a net increase of \$29 million in the MA program for state fiscal year 2013 (July 1, 2012 through June 30, 2013). Legislative changes are expected to have minimal effect on the Medicaid portion of the MinnesotaCare program in these two years: only an increase of \$5,000 in state fiscal year 2013.

The actual text of most of the 2012 legislative changes is contained in *Minnesota Laws 2012*, Regular Session, Chapters 169, 216 and 247. These are available by calling the House of Representatives Public Information Office at (651) 296-2146 (voice) or (651) 296-9896 (TTY) or 1-800-657-3550 (Greater Minnesota) or 1-800-627-3529 (TTY); or the Senate Information Office at (651) 296-0504 (voice) or (651) 296-0250 (TTY); for Greater Minnesota call 1-888-234-1112 (voice) or 1-888-234-1216 (TTY). These laws are also available on the internet at: <http://www.revisor.leg.state.mn.us>

It is important to note that not all changes made to these programs by the 2012 legislature are mentioned in this notice.

Information relating to implementation of these provisions will be sent to local human services agencies through bulletins and manual updates, to recipients and enrollees through written notice, and to health care providers through newsletters and updates to the *Minnesota Health Care Programs Provider Manual*, available at:

http://www.dhs.state.mn.us/main/groups/business_partners/documents/pub/DHS_id_000221.hcsp

Changes were made to the following program areas:

- I. MA and MinnesotaCare Services and Payment Rates
- II. MA Institutional Payment Rates
- III. MA Home and Community-Based Waivers and Payment Rates

I. MA and MinnesotaCare Services and Payment Rates

Effective July 1, 2012, or upon federal approval, whichever is later, MA covers services provided by community paramedics when services are provided in accordance with certain requirements. The payment rate for services provided by community paramedics is \$9.50 (Cite 36 SR 1577)

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per 15-minute unit. *Minnesota Laws 2012*, Chapter 169, Section 1.

Effective August 1, 2012, licensed pharmacists outside Minnesota providing medication therapy management to Minnesota residents are eligible for payment under MA. *Minnesota Laws 2012*, Chapter 216, Article 13, Section 10.

Effective August 1, 2012, over-the-counter medications must be dispensed in the quantity which is the lower of: the number of dosage units contained in the manufacturer's original package or the number of dosage units required to complete the patient's entire course of therapy. Effective August 1, 2012, active pharmaceutical ingredients and excipients selected by the commissioner are included in the Medical Assistance formulary. *Minnesota Laws 2012*, Chapter 216, Article 13, Section 7.

Effective July 1, 2012, access to mental health services are expanded by allowing physician assistants supervised by a psychiatrist to bill for evaluation and medication management provided to individuals with MA in an inpatient hospital setting. *Minnesota Laws 2012*, Chapter 247, Article 1, Section 8.

Effective July 1, 2012 payments for mental health services provided by physician assistants to individuals with MA are 80.4% of the base rate paid to psychiatrists. *Minnesota Laws 2012*, Chapter 247, Article 1, Section 9.

Effective January 1, 2012, the commissioner may approve a waiver of the family deductible under MA and MinnesotaCare for health plans and county-based purchasing plans. *Minnesota Laws 2012*, Chapter 247, Article 1, Sections 10 and 18.

Effective July 1, 2012, the commissioner may waive collection of the family deductible for individuals receiving long-term care and waiver services and allow providers to assume responsibility for payment. *Minnesota Laws 2012*, Chapter 247, Article 1, Section 10.

Effective July 1, 2012, MA covers pediatric care coordination services for children with complex medical or psychiatric condition who are at risk of frequent hospitalizations, are not already receiving care coordination services. Care coordination services include, but are not limited to health care home services. *Minnesota Laws 2012*, Chapter 247, Article 1, Section 11.

Effective July 1, 2012, or upon federal approval, whichever is later, critical access dental clinics located within a health professional shortage area outside of the seven-county metropolitan area may bill for the critical access payments for services provided by an enrolled provider off site at a private dental clinic as a result of a referral made from the clinic. *Minnesota Laws 2012*, Chapter 247, Article 1, Section 17.

Effective May 1, 2012, the Emergency MA program covers dialysis and certain cancer treatment from May 1, 2012 through June 30, 2013. *Minnesota Laws 2012*, Chapter 247, Article 1, Section 29.

Effective July 1, 2012, the performance targets for managed care organizations participating in MA and MinnesotaCare are revised. In setting clinical or utilization performance targets, the commissioner must consider evidence-based research and reasonable interventions applicable to the populations served. Targets must be developed with input from clinical experts and from stakeholders. Regarding the performance targets for reducing emergency department visits, the commissioner must consider the difference in health risk from the baseline year to the measurement year. The commissioner must also structure the performance payment so that the department returns a portion of withheld funds commensurate with achieved reductions in emergency room utilization less than the targeted amount. *Minnesota Laws 2012*, Chapter 247, Article 1, Sections 12 and 23.

Effective upon federal approval, the distribution formula for medical education payments is revised for state fiscal year 2013 to provide a one-time payment to Gillette Children's Specialty Healthcare prior to the distribution required by Minnesota Statutes, section 62J, subdivision 4, paragraph (a) for public program volume and supplemental public program volume. *Minnesota Laws 2012*, Chapter 247, Article 2, Section 15.

Effective July 1, 2012, an assessment under *Minnesota Rules*, part 9530.6615, does not need to be completed for an individual being committed as a chemically dependent person, as defined in section 253B.02, and for the duration of a civil commitment under section 253B.065, 253B.09, or 253B.095 in order for a county to access consolidated chemical dependency treatment funds under section 254B.04. *Minnesota Laws 2012*, Chapter 247, Article 5, Section 3.

II. MA Institutional Payment Rates

Pursuant to the Governor's 2012 supplemental budget, the Department proposed changes to payment rates for intermediate care facilities for persons with developmental disabilities (ICFs/DD), published in the March 26, 2012 State Register. The Minnesota Legislature considered the Department's proposed changes, gathered information, and held public hearings at which residents' advocates, trade associations, providers, facility employee union representatives, and the general public was invited to attend. The legislature considered the public's input and enacted legislation changing the rate-setting systems as follows:

Intermediate Care Facilities for Persons with Developmental Disabilities (ICFs/DD)

Effective July 1, 2012, the implementation of a 1.67% rate and grant reduction for ICFs/DD is postponed from July 1, 2012 until July 1, 2013. In the event certain provisions of the long-term care realignment waiver are approved after July 1, 2013, the rate reduction will be prorated. *Minnesota Laws 2012*, Chapter 247, Article 4, Sections 39 and 42.

Nursing Facilities

Effective July 1, 2012, the law requiring all Medicaid certified nursing facilities to participate in the Medicare program is repealed. There is a new requirement that any nursing facility that is not certified to participate in Medicare must refer and document the referral of dual eligible recipients to a facility that is certified for Medicare. *Minnesota Laws 2012*, Chapter 247, Article 4, Sections 31, 33 and 51. Effective July 1, 2012, nursing facilities may be designated as "Critical Assess Nursing Facilities." The designation is to be determined on a competitive basis and the number to be designated is limited based on the amount of funding appropriated. One-time funding was appropriated during the most recent legislative session. The program will end and financial benefits removed if additional funding is not appropriated. *Minnesota Laws 2012*, Chapter 247, Article 4, Section 32; and Article 6, Section 2, Subdivision 4, Paragraph (f).

Effective October 1, 2012, the construction index used to adjust the investment per bed limits used in setting nursing facility property payment rate adjustments following completion of construction projects will only be used if the change is positive. *Minnesota Laws 2012*, Chapter 247, Article 4, Sections 29 and 30.

Effective July 1, 2012, funds are appropriated for nursing facility moratorium exception construction projects. *Minnesota Laws 2012*, Chapter 247, Article 4, Sections 2, 30, and 51.

Effective August 1, 2012, a technical correction is made to the method used for setting payment rates for nursing facilities that are approved to add new beds because they are in a hardship area. *Minnesota Laws 2012*, Chapter 216, Article 9, Section 1.

For more information contact Laura Sayles at 651-431-5668

III. MA Home and Community-Based Waivers and Continuing Care Services Payment Rates

Effective April 24, 2012, the commissioner must determine and publish initial frameworks and values to generate research payment rates for providers serving individuals receiving home and community-based services, for purposes of implementation on January 1, 2014. Certain payment criteria are required in developing a payment methodology for home and community-based waivers other than the Elderly Waiver. Stakeholders must be consulted in the development of the payment criteria. The commissioner must report to the legislature by February 15, 2013 with proposed legislation for specific payment methodology frameworks, process for calculation, and specific values. *Minnesota Laws 2012*, Chapter 216, Article 18, Section 27.

Effective July 1, 2012, implementation of a reduction in the payment rate for personal care assistant services provided by a relative is postponed until July 1, 2013. The commissioner is prohibited from recovering the difference between 100 percent and 80 percent of the payment rate to PCAs from October 26, 2011 through March 23, 2012. *Minnesota Laws 2012*, Chapter 247, Article 4, Sections 18 and 43; Chapter 247, Article 6, Section 2.

Effective July 1, 2012, and contingent upon approval of federal funding for the alternative care program under the long-term care realignment waiver, the commissioner shall adjust the payment rate reduction for foster care and customized living for individuals with lower needs from ten to five percent for services rendered on the later of July 1, 2012, or the first day of the month following federal approval. This adjustment applies to two home and community-based waivers, Community Alternatives for Disabled Individuals and the waiver for persons with developmental disabilities. *Minnesota Laws 2012*, Chapter 247, Article 4, Section 43.

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Department of Human Services (DHS)

Health Care Administration

Request for Comments on *Reform 2020* Section 1115 Medicaid Waiver

DHS is announcing a 30-day comment period on the *Reform 2020* Section 1115 Medicaid waiver Request. The 2011 Minnesota Legislature directed the Department of Human Services (DHS) to develop a proposal to reform the Medical Assistance Program. Goals of the reform include: community integration and independence; improved health; reduced reliance on institutional care; maintained or obtained employment and housing; and long-term sustainability of needed services through better alignment of available services that most effectively meet people's needs.

In order to accomplish this goal, the legislature designated twelve separate initiatives to be examined. Several of these initiatives will result in the need for a waiver request under section 1115 of the Social Security Act. DHS has developed the section 1115 Medicaid waiver request entitled *Reform 2020* in order to implement several key components of the overall Medicaid reform initiative.

A copy of the waiver request can be found at

<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-6535A-ENG> or
http://www.dhs.state.mn.us/dhs16_169839.

To request a paper copy of the waiver request, please contact Quitina Cook at (651) 431-2191.

Written comments may be submitted to the following email mailbox: *Reform2020Comments@state.mn.us*. DHS would like to be able to provide copies of comments received in a format that is accessible for persons with disabilities. Therefore, we request that comments be submitted in Microsoft Word format or incorporated within the email text. If you would also like to provide a signed copy of the comment letter, you may submit a second copy in pdf format or mail it to the address below. Comments must be received by July 17, 2012.

David Godfrey, Medicaid Director
Minnesota Department of Human Services
P.O. Box 64998
St. Paul, Minnesota 55164

In addition to the opportunity to submit written comments during the 30 day public comment period, public hearings will be held to provide stakeholders and other interested persons the opportunity to comment on the waiver request. If you would like to attend a hearing via telephone, please send an email request to *Reform2020Comments@state.mn.us* to obtain the call-in information. If you would like to attend a hearing in person, the time and location for the two public hearings are provided below. If you plan to testify by telephone or in person, please send an email to *Reform2020Comments@state.mn.us*.

Public Hearing #1

Date: Friday, June 22, 2012
Time: 2:00 - 5:00 pm
Location: MDH, Snelling Office Park, Mississippi Room, 1645 Energy Park Drive, St. Paul, MN 55108.

Public Hearing #2

Date: Monday, June 25, 2012
Time: 9:00am - Noon
Location: DHS, Elmer L. Andersen Human Services Building, Room 2370/80, 540 Cedar St., St. Paul, MN 55164.

Minnesota Department of Natural Resources (DNR)**Notice of Hearing on Sale of State Land in Scott County Township 115, Range 23 West**

NOTICE IS HEREBY GIVEN, that pursuant to *Minnesota Statutes*, section 97A.135, subd. 2a, a hearing will be held by the Department of Natural Resources, at the DNR Central Office, 4th floor Main Conference Room, 500 Lafayette Road, St. Paul, Minnesota, on July 9, 2012 at 9:00 a.m.

The purpose of the hearing is for public input regarding the sale of state land situated in the County of Scott, and described as:

All of the following:

That part of the Northwest Quarter of the Northeast Quarter and Government Lot 2, Section 1, Township 115 North, Range 23 West, shown as Parcel 6 on Minnesota Department of Transportation Right of Way Plat Numbered 70-40 as the same is on file and of record in the office of the Registrar of Titles in and for Scott County, Minnesota; the title thereto being registered as evidenced by Certificate of Title No. 8309; containing 4.91 acres, more or less;
Subject to the following restriction and reservation:

The State of Minnesota Department of Natural Resources reserves an access and trail easement in perpetuity running over and across said Parcel 6 as shown on said Minnesota Department of Transportation Right of Way Plat numbered 70-40 and shown as an access and trail easement on said plat.

Minnesota Statutes, section 97A.135, subd. 2a, requires that a public hearing be held before lands within a Wildlife Management Area can be disposed of through sale or exchange. The parcel is designated as part of Raguet Wildlife Management Area.

It is proposed that this parcel of land be offered for sale by the Department of Natural Resources in a transfer of custodial control to the Department of Transportation. This parcel is no longer needed for public purposes. If, after public hearing, the disposal of the land is in the public interest, the Commissioner of Natural Resources may vacate the parcel from Wildlife Management Area designation.

Questions regarding this proposal can be directed to Patricia Kandakai at (651) 259-5398 or patricia.kandakai@state.mn.us.

Dated June 11, 2012

Kathy A. Lewis, Assistant Director
Division of Lands and Minerals
Minnesota Department of Natural Resources

Minnesota Department of Natural Resources (DNR)**Notice of Meeting of the Land Exchange Board, July 12, 2012**

The Land Exchange Board will hold a meeting on July 12, 2012, at 10:00 a.m., in Room 123 of the State Capitol, 75 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN. The purpose of the meeting is to consider a request from the United States Fish and Wildlife Service to approve an easement acquisition of land in Mahnomon County.

Official Notices

Minnesota Pollution Control Agency (MPCA)

Watershed Division

Public Notice of Availability of the Draft North Fork & Lower Crow Bacteria, Turbidity and Dissolved Oxygen TMDL Study Report and Request for Comment

Public Comment Period Begins:

June 18, 2012

Public Comment Period Ends:

July 18, 2012

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Draft North Fork & Lower Crow Bacteria, Turbidity and Dissolved Oxygen Total Maximum Daily Load (TMDL). The draft TMDL Report for North Fork & Lower Crow is available for review at <http://www.pca.state.mn.us/bkzqa2c>. Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA) for approval. Comments must be received by the MPCA contact person by the public comment period end date shown above.

Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing an impairment and allocates necessary reductions among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities for achieving the necessary reductions.

The North Fork and Lower Crow River are located in central Minnesota, west of the Mississippi River. Portions of eight counties are included in the project area of approximately 185,000 acres. This report addresses eight (8) impairments on seven (7) reaches in the North Fork & Lower Crow River watershed. Impairments included in this report are five dissolved oxygen reaches, two turbidity reaches and one *E. coli* reach.

Agency Contact Person: Written or oral comments, petitions, questions, or requests to receive a draft of the TMDL Report, and requests for more information should be directed to:

Maggie Leach

Minnesota Pollution Control Agency

7678 College Road, Suite 105

Baxter, MN 56425

Phone: (218) 316-3895

Minnesota Toll Free: 1-800-657-3864

Fax: (218) 828-2594

E-mail: margaret.leach@state.mn.us

TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

Preliminary Determination on the Draft TMDL Report: The MPCA Commissioner has made a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report is available for review at the MPCA office at the address listed above, and at the MPCA website: <http://www.pca.state.mn.us/bkzqa2c>.

Suggested changes will be considered before the final TMDL Report is sent to the EPA for approval.

Written Comments: You may submit written comments on the conditions of the draft TMDL Report or on the Commissioner's preliminary determination. Written comments must include the following:

1. A statement of your interest in the draft TMDL Report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

Petition for Public Informational Meeting: You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

Petition for Contested Case Hearing: You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that:

1. There is a material issue of fact in dispute concerning the application or draft TMDL Report;
2. The MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and
3. There is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

MPCA Decision: You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) consider the TMDL Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the Board for decision if:

1. The Commissioner grants the petition requesting the matter be presented to the Board;
2. One or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or
3. A timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board, will make the final decision on the draft TMDL Report.

Dated: June 2012

Official Notices

Department of Transportation (Mn/DOT) Engineering Services Division, Office of Construction and Innovative Contracting Notices of Suspension and Debarment

NOTICE OF SUSPENSION

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be suspended for a period of sixty (60) days, effective June 8, 2012 until August 7, 2012:

- Marlon Louis Danner and his affiliates, South St. Paul, MN
- Danner, Inc. and its affiliates, South St. Paul, MN
- Bull Dog Leasing, Inc. and its affiliates, Inver Grove Heights, MN
- Danner Family Limited Partnership and its affiliates, South St. Paul, MN
- Ell-Z Trucking, Inc. and its affiliates, South St. Paul, MN
- Danner Environmental, Inc. and its affiliates, South St. Paul, MN

NOTICE OF DEBARMENT

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective February 24, 2010 until February 24, 2013:

- Joseph Edward Riley, Morris, MN
- John Thomas Riley, Morris, MN

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective March 25, 2011 until March 25, 2014:

- Philip Joseph Franklin, Leesburg, VA
- Franklin Drywall, Inc. and its affiliates, Little Canada, MN
- Master Drywall, Inc. and its affiliates, Little Canada, MN

Minnesota Statute section 161.315 prohibits the Commissioner, counties, towns, or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred, including:

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity, which is sold or transferred by a debarred person to a relative or any other party over whose actions the debarred person exercises substantial influence or control, remains ineligible during the duration of the seller’s or transfer’s debarment.

Department of Transportation (Mn/DOT) Modal Planning & Program Management Division Office of Capital Programs and Performance Measures Notice of Solicitation for Public Review and Comment on the Draft State Transportation Improvement Program (STIP) for State Fiscal Years 2013-2014- 2015-2016 (July 1, 2012 thru June 30, 2016)

The Minnesota Department of Transportation is offering an opportunity for public review and comment on a draft list of projects to be included in the *State Transportation Improvement Program* (STIP) for state fiscal years **2013-2014-2015-2016 (July 1, 2012 thru June 30, 2016)**. The program of transportation projects annually utilizes about **\$545** million federal funds, **\$460** million of state trunk

highway funds, trunk highway bonds, plus funds from local agencies and other sources. Projects include local road and bridge projects utilizing federal funds; transit capital investments; state highway road and bridge projects; enhancement projects; congestion mitigation and air quality projects; scenic byway projects; and other projects intending to utilize federal highway funds, federal transit funds, or state trunk highway funds. The draft list of projects in the *State Transportation Improvement Program* is available for review at Department of Transportation District Offices:

District 1 – Duluth, 1123 Mesaba Avenue, Duluth, MN 55811 (Phone 218-725-2700)
District 2 – Bemidji, 3920 Highway 2 West, Bemidji, MN 56601 (Phone 218-755-6500)
District 3 – Baxter, 7694 Industrial Park Road, Baxter, MN 56425-8096 (Phone 1-800-657-3971)
District 4 – Detroit Lakes, 1000 Hwy. 10 West, Detroit Lakes, MN 56501 (Phone 1-800-657-3984)
District 6 – Rochester, 2900 48th Street NW, Rochester, MN 55901-5848 (507-286-7500)
District 7 – Mankato, 2151 Bassett Dr, Mankato, MN 56001-6888 (1-800-657-3747)
District 8 – Willmar, 2505 Transportation Road, Willmar, MN 56201 (1-800-657-3792)
Metro Division – Water's Edge Building, 1500 W. Co. Rd. B2, Roseville, MN 55113 (651-234-7500)
Or the Office of Capital Programs and Performance Measures, Mail Stop 440, 395 John Ireland Boulevard,
Third Floor South, St. Paul, MN 55155.

You have 30 days to submit written comments. Comments must be received by 4:30 p.m. on **July 19, 2012**. Comments are encouraged and should identify the portion of the STIP addressed, reason for the comment, and any change proposed.

Please direct all correspondence to: Deb Peña
Office of Capital Programs and Performance Measures
Minnesota Department of Transportation
Mail Stop 440
395 John Ireland Boulevard
St. Paul, MN 55155
E-mail: Debbie.Pena@state.mn.us
Phone: (651) 366-3775
Fax: (651) 366-3790

Department of Transportation (Mn/DOT)

Office of Civil Rights

Notice of Intent to Solicit Outside Information and Opinion on Proposed Disadvantaged Business Enterprise (DBE) Program Annual Statewide Goal for Federal Fiscal Years 2013 through 2015

NOTICE IS HEREBY GIVEN that the Minnesota Department of Transportation's (MnDOT) Office of Civil Rights proposes to set the statewide Disadvantaged Business Enterprises (DBE) participation goal for years 2013 through 2015 at 11.4% (8.6% Race Conscious and 2.8% Race Gender Neutral) for Federal Highway Administration (FHWA) and 3.4% (2.57% Race Conscious and .83 Race Gender Neutral) for Federal Transit Administration (FTA). The MnDOT Office of Civil Rights (OCR) will hold public meetings to discuss the goal methodology on the dates, locations and times listed below:

June 21, 2012 - 9:00 a.m. to 11:30 a.m.
MnDOT Duluth Headquarters
1123 Mesaba Avenue,
Duluth, MN 55811
Map (PDF)

June 25, 2012 – 1:00 p.m. to 3:30 p.m.
MnDOT Training and Conference Center, Conference Room 4

Official Notices

1900 West County Road I
Shoreview, MN 55126
<http://www.dot.state.mn.us/hr/trngctr/roadmap.html>

June 27, 2012 – 9:00 a.m. to 11:30 p.m.
MnDOT Rochester Headquarters
2900 48th Street NW
Rochester, MN 55901-5848
District Headquarter's map - Rochester

More information can be found on MnDOT OCR website at <http://www.dot.state.mn.us/civilrights/>. The statewide goal and its rationale are available for public inspection through July 12, 2012 during normal business hours of 8:00 a.m. to 4:30 p.m. at the Office of Civil Rights, Transportation Building, 395 John Ireland Blvd., St. Paul, MN 55155. Public comments will be accepted until July 26, 2012. Written comments should be submitted to: E-mail: DBEAnnualGoal2013-2015@state.mn.us

Or mail:

Mary Prescott, Director
Office of Civil Rights
Minnesota Department of Transportation
395 John Ireland Blvd., M.S. 170
St. Paul Minnesota 55155

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 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 days.

Vendors and Consultants

The state spends \$2-3 billion a year on contracts. The *State Register* is one of the best ways to advertise your contracts - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$10.20 each 1/10 of a page, you cannot go wrong.

Subscribers receive a list of **all current contracts and grants**, as well as LINKS to the *State Register*, Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. To view, open the *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**
- **E-mailed to you, on Friday**
- **LINKS, LINKS, LINKS**
- **"Contracts & Grants" Open for Bid**
- **Easy Access to State Register Archives**

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 Loretta J. Diaz, our subscriptions manager, at (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us.

Minnesota Department of Administration (Admin)**Notice of Contract for a Staffing Firm to Identify, Place and Manage Qualified Personnel for Business Consultants for Minnesota Multistate Contracting for Pharmacy Members**

The Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) is soliciting proposals for the services of a staffing firm(s) to identify, place and manage qualified personnel to serve as a Regional Business Consultant, and perform tasks related to sustaining and developing customer relationships of assigned MMCAP members within the geographic territory they propose to cover. MMCAP would anticipate dividing the U.S. into 4 to 6 regions. It is expected that meetings with members and prospective members will be largely face-to-face requiring the Contractor to travel extensively. MMCAP reserves the right to make multiple awards to responding individual consultants, consultant staffing firms, or a combination of both. Respondents should clearly define the geographic area they are proposing to cover and should indicate full time or part time commitment.

The Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) is a group purchasing organization operated by the State of Minnesota serving government-authorized healthcare facilities. (For detailed information visit: www.mmcap.org .) The goal of MMCAP is to provide member organizations the combined purchasing power to receive the best prices available for pharmaceuticals, medical supplies, and related products.

To request a copy of the RFP, send an e-mail to: mn.multistate@state.mn.us — in the subject line insert “Regional Business Consultant RFP”.

Or write to:

Regional Business Consultant RFP
Minnesota Multistate Contracting Alliance for Pharmacy
c/o Minnesota Department of Administration
50 Sherburne Avenue
Suite 112 Administration Building
St. Paul, MN 55155

Proposals submitted in response to the Request for Proposals in this notice must be received at the email address or physical address above no later than 2:00 p.m., Central Time, August 29, 2012.

Late proposals will not be considered.

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

Department of Administration (Admin)**State Designer Selection Board****Notice of Availability of Request for Proposal (RFP) for Northland Community and Technical College, Thief River Falls - Airport Renovation
(State Designer Selection Board Project No. 12-06)**

The Department of Administration, Real Estate and Construction Services (“State”), through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposal is available on the Department of Administration, Real Estate and Construction Services website:

<http://www.admin.state.mn.us/recs/cs/cs-sa.html>

State Contracts

A **MANDATORY pre-proposal meeting** is scheduled for July 10, 2012 at 1:00 PM CT at the Commons Area located within the Main Building at the Aviation Campus, 13892 Airport Drive, Thief River Falls, MN 56701. The meeting will include a tour of the proposed project areas and review of the Scope of Work. Project questions shall be referred to the appropriate person(s) as listed in the Request for Proposal.

Proposals must be delivered to Kathy Grochowski, Executive Secretary, State Designer Selection Board, 309 Administration Building, 50 Sherburne Ave., St. Paul, MN 55155, phone: (651) 201-2389, not later than 12:00 noon C.T., Monday July 16, 2012. Late responses will not be considered.

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.

Department of Administration (Admin) State Designer Selection Board Notice of Availability of Request for Proposal (RFP) for Bemidji State University Business Building Renovation (State Designer Selection Board Project No. 12-07)

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

A full Request for Proposals and a copy of the pre-design are available on the Minnesota State Colleges Universities website:

<http://www.finance.mnscu.edu/facilities/index.html>

click on "Announcements." A pre-proposal meeting is scheduled for 1:00 p.m. C.T., June 26, 2012 at Bridgeman Hall, Room 100, Bemidji State University, 1500 Birchmont Drive, Bemidji, MN 56601. Project questions shall be referred to the appropriate person(s) as listed in the Request for Proposal.

Proposals must be delivered to Kathy Grochowski, Executive Secretary, State Designer Selection Board, 309 Administration Building, 50 Sherburne Ave., St. Paul, MN 55155, phone: (651) 201-2389, not later than 12:00 noon C.T., Monday, July 9, 2012. Late responses will not be considered.

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.

State Department of Administration/ Minnesota State Colleges and Universities (MnSCU) Notice of Availability of Request for Proposal (RFP) for Designer Selection for Itasca Community College Academic Classroom Expansion and Renovation State Designer Selection Board Project No. 12-08

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Itasca Community College, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals and a copy of the pre-design are available on the Minnesota State Colleges Universities website:

<http://www.finance.mnscu.edu/facilities/index.html>,

click on "Announcements." An informational meeting is scheduled for 10:00 AM, Wednesday, June 27, 2012 in **Continued Learning Conference Center, Backes Student Center, Itasca Community College, 1851 East Highway 169, Grand Rapids, MN 55744**. All firms interested in this meeting should contact Karen Kedrowski, at (218) 748-2418 or kkedrowski@nhed.edu to sign up to attend the meeting. Project questions will also be taken by this individual.

Proposals must be delivered to Kathy Grochowski, Executive Secretary, State Designer Selection Board, 200 Department of Administration, Real Estate and Construction Service, Administration Building, Room 309, 50 Sherburne Ave., St. Paul, MN 55155, phone: (651) 201-2389) not later than 12:00 Noon CT, July 9, 2012. Late responses will not be considered.

Minnesota State Colleges and Universities 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 Department of Agriculture (MDA) Farm Advocate Program Notice of Requests for Proposals for Minnesota Farm Advocates

The Minnesota Department of Agriculture announces the availability of contracts for farm advocates for the period of July 1, 2012 through June 30, 2013. Applicants must be familiar with or experienced in farm financial planning (cash flows through financial statements); be knowledgeable of farmers' borrowers' rights and responsibilities with the ability to comprehend state and federal rules and regulations governing agricultural credit; have good communication skills (written, oral and listening); and have compassion for and interest in helping farmers. Preference will be given to applicants with a farm background.

The deadline for information is June 22, 2012 at 4 pm.

For more information, contact:

Jim Boerboom, Deputy Commissioner
Minnesota Department of Agriculture
625 Robert St. No.
St. Paul, MN 55155
Phone: (651) 201-6395
E-mail: jim.boerboom@state.mn.us

Minnesota State Colleges and Universities (MnSCU) Bemidji State University Notice of Request for Proposals for Grants Development Consulting Service

NOTICE IS HEREBY GIVEN that Bemidji State University will receive sealed proposals for Grants Development Consulting Service for 360° Manufacturing and Applied Engineering Center of Excellence.

Specifications will be available June 18, 2012, at the following Bemidji State University website:
http://www.bemidjistate.edu/offices/procurement_logistics/rfps_bids/

Sealed proposals must be received by July 9, 2012, by 2 PM at the following location:
Belinda Lindell, Director of Procurement & Logistics
Bemidji State University, Deputy 204, Box 8
1500 Birchmont Drive NE,
Bemidji, MN 56601

State Contracts

Bemidji State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received. This Request for Proposal does not obligate the University to complete a proposed contract, and the University reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU) Lake Superior College Advertisement for Sealed Bids for LSC Boiler Improvements

Sealed Bids for: LSC Boiler Improvements
Lake Superior College
Duluth, MN 55802

will be received by: Gary Adams, Director of Physical Plant
Room W2580
Lake Superior College
2101 Trinity Road
Duluth, MN 55802

Until 1:00 PM, local time, June 26, 2012 at which time the bids will be opened and publicly read aloud.

Project Scope: The project consists of the removal of an existing firebox hot water boiler, the installation of two new condensing boilers, the installation of a boiler room combustion air system and associated piping revisions, the removal of an existing hot water storage tank system and replacement with a new condensing gas hot water heater and electric backup, new category IV stacks, the creation of a new corridor, test and balancing and temperature control work.

A Pre-Bid Meeting will be held at 10:00 AM, Wednesday, June 20, 2012, in Room W2580, Lake Superior College. 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 are as prepared by the Project Architect/Engineer; LHB, 21 West Superior Street, Duluth, MN 55802.

Interested parties may view the Bidding Documents at no cost on the website:

<http://www.finance.mnscu.edu/facilities/design-construction/index.html>

and click on "Announcements", then click on "**Advertisement for Bids (E-Plan Room)**". Bidding Documents can be downloaded for a non-refundable charge of \$10.00. Planholders are parties that have downloaded the plans and specifications. Planholders will be notified via email as addenda are issued. Parties that download the plans and specifications and need to have them printed elsewhere are solely responsible for those printing costs. The sales of paper copies for projects listed on this site are not available. Contact QuestCDN.com at (952) 233-1632 or info@questcdn.com for assistance in viewing or downloading with this digital project information.

Minnesota State Colleges and Universities (MnSCU) Ridgewater College, Willmar Notice of Availability of Request for Proposal (RFP) for Owner Representative Selection for Technical Instruction Lab Renovation

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Ridgewater College is soliciting proposals from interested, qualified consultants for Owner Representative services for the above referenced project.

State Contracts

A full Request for Proposals is available on the Minnesota State Colleges and Universities website:

<http://www.finance.mnscu.edu/facilities/index.html> click on "Announcements."

A project informational meeting is scheduled for 10:00 am, Tuesday, June 26, 2012 in the Fine Arts Building, Large Outreach Room, Room F102, on the Ridgewater College campus, 2101 - 15th Avenue N.W., Willmar, MN 56201. All firms interested in this meeting should contact Kip Oveson, at Kip.Oveson@ridgewater.edu to sign up to attend the meeting. Project questions will also be taken by this individual.

Proposals must be delivered to Teren Novotny, Purchasing Clerk, Ridgewater College, Room H121, 2101 - 15th Avenue N.W., Willmar, MN 56201, not later than 2:00 pm, CDT, Monday, July 9, 2012. Late responses will not be considered.

Minnesota State Colleges and Universities 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)

St. Cloud Technical & Community College

Formal Request for Proposal for Academic Course Feedback System Compatible with All Course Delivery Methods

Response Due Date and Time: Thursday, June 28, 2012 at 2:00 p.m. Central Time

The complete Request for Proposal will be available on Monday, June 11th, 2012 on the website <http://www.sctcc.edu/rfp>.

Title of Project: Academic Course Feedback System

Geographic Location Requirements: St. Cloud Technical & Community College, 1540 Northway Drive, St. Cloud, MN 56303

Responses must be received at the location listed below:

St. Cloud Technical & Community College
1540 Northway Drive
St. Cloud, MN 56303
Susan Meyer, Purchasing Agent, Room 1-401
Phone: (320) 308-5973
Fax: (320) 308-5027
E-mail: smeyer@sctcc.edu

Contact for questions: Kristina Keller, Phone: (320) 308-5538, e-mail: kkeller@sctcc.edu

Your response to this Request for Proposal (RFP) must be returned sealed. Sealed responses must be received no later than the due date and time specified above. Late responses cannot be considered and the responses will be rejected.

The laws of Minnesota and MnSCU Board of Trustees policies and procedures apply to this RFP.

All attached General RFP Terms and Conditions, Specifications and Special Terms and Conditions are part of the RFP and will be incorporated into any contract(s) entered into as a result of this RFP.

All responses to this RFP must be prepared as stated herein and properly signed. **Address all correspondence and inquiries regarding this RFP to the Contact person above. This is a request for responses to an RFP and is NOT a purchase order.**

State Contracts

Minnesota State Colleges and Universities (MnSCU) Minnesota State College Southeast Technical Request for Proposal for Repaving of Parking Lot at the Red Wing Campus

Minnesota State College Southeast Technical is requesting proposals for Repaving of Parking Lot at the Red Wing Campus.

A copy of the Request for Proposal may be obtained by contacting Michael Kroening, Vice President of Finance and Administration, MSC Southeast Technical, 1250 Homer Road, Winona, MN 55987; Phone: (507) 453-2752; E-mail: mkroening@southeastmn.edu.

Sealed Proposals must be submitted no later than Wednesday July 11, 2012, 3:00 P.M., CT. All proposals must be sealed and marked "Parking Lot Project", Attn: Michael Kroening, 1250 Homer Road, Winona, MN 55987.

The college reserves the right to reject any or all proposals, to waive any information or irregularities in the bidding and to make the award serving the best interest of the college.

Department of Corrections (DOC) Notice of Availability of Contract for Higher Education Classes

The Minnesota Department of Corrections is requesting proposals for the purpose of offering accredited higher education courses to offenders on-site at various Minnesota correctional facilities.

Work is proposed to start after July 15, 2012.

A Request for Proposals will be available by mail from this office through **June 22, 2012**. **A written request is required to receive the Request for Proposal.** The proposal may be requested by email or fax upon receipt of the written request.

The Request for Proposal can be obtained from:

Shelly Auldrich
Department of Corrections
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108
Fax: (651) 603-0150
E-mail: shelly.auldrich@state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **July 10, 2012**. **Late proposals will NOT be considered.** Fax or emailed proposals will **NOT** be considered.

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

Minnesota Department of Health (MDH) Notice of Availability of Contract for Regional Food Council Development

The Minnesota Department of Health is requesting proposals for the purpose of building or expanding sustainable regional food networks, targeting five institutional settings (schools, healthcare, worksites, community and childcare) and the development of a Minnesota Food Charter.

Work is proposed to start after July 23, 2012.

A Request for Proposals will be available by mail from this office through July 1, 2012. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After July 1, 2012, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Chris Kimber, MS, RD, PAPHS, Supervisor
Physical Activity and Nutrition Unit
Office of Statewide Health Improvement Initiatives
Minnesota Department of Health
85 East 7th Place, Suite 220
P.O. Box 64882
St. Paul, MN 55164-0882

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than July 9, 2012 at 4:30pm. **Late proposals will NOT be considered.** Fax or emailed proposals will **NOT** be considered.

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

Minnesota Historical Society (MHS) Request for Bids for Boiler Replacement Project at the James J Hill House in St Paul, Minnesota

The Minnesota Historical Society is seeking bids from qualified contractors to provide all labor, materials, equipment, and supplies to perform work including, but not limited to, the following at James J. Hill House, 240 Summit Avenue, Saint Paul, MN 55102 in Ramsey County:

1. Boiler replacement to include demolition and removal of existing boiler and associated pumps, boiler trim and piping and replacement and connection of two new boilers and associated pumps, boiler trim and piping in the basement. Access to removal and installation of equipment will necessitate the temporary removal of steel faux boiler front.
2. Domestic water heater replacement to include removal of existing water heaters and circulating pump and replacement and connection of new domestic water heater and circulating pump.

There will be a **MANDATORY pre-bid meeting** for all interested parties on Wednesday, June 27, 2012 at 9:00 a.m. Local Time at the Project Site. Bids are due on Thursday, July 10, 2012 at 2:00 p.m. Late bids **will NOT** be considered.

The Request for Bids and other front-end documents are available by contacting Mary Green Toussaint, Contracting Office, Minnesota Historical Society, via e-mail: mary.green-toussaint@mnhs.org.

Minnesota Historical Society (MHS) Request for Proposals for Scenic Elements For "Then, Now, Wow" Exhibit:

- Iron Ore Mine Exhibit Scenic Element(s) Final Design, Fabrication & Finishing
- Iron Ore Mine Delivery, Installation & Training Services
- White Pine Tree Exhibit Scenic Element(s) Final Design, Fabrication & Finishing
- White Pine Tree Delivery, Installation & Training Services

The Minnesota Historical Society (Society) is seeking proposals from qualified and experienced contractors for the entire scope of

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services needed for the exhibit element(s) final design, fabrication and finishing, delivery, installation and training for the Iron Ore Mine and the White Pine Tree scenic elements of the upcoming THEN, NOW, WOW exhibit. The gallery space will be available for installation of this work on Monday September 17, 2012, and the work must be completed by Friday October 12, 2012.

A **MANDATORY pre-bid informational meeting** will be held at **9:00 a.m. Local Time, on Monday June 25, 2012**, beginning at the **Information Desk on the First Level** of the Minnesota History Center. The address is 345 Kellogg Boulevard West, St. Paul, Minnesota 55102.

The Request for Proposals (which will also serve as the Project Manual) is available by emailing Mary Green Toussaint, Contracting Office, at mary.green-toussaint@mnhs.org.

All proposals must be received no later than **2:00 p.m. Local Time, Friday June 29, 2012**. Authorized agents for receipt of bids are Society staff located at the 1st Floor Information Desk of the Minnesota History Center. Late bids will **NOT** be considered.

Minnesota Historical Society (MHS)

THEN, NOW, WOW: BUFFALO PUZZLE INTERACTIVE EXHIBIT ELEMENTS **Notice of Request for PROPOSALS FOR:**

- **Buffalo Puzzle Interactive Exhibit Element(s) Final Design, Fabrication & Finishing**
- **Buffalo Puzzle Delivery, Installation & Training Services**

The Minnesota Historical Society (Society) is seeking bids from qualified and experienced contractors for the entire scope of services needed for the interactive exhibit element(s) final design, fabrication, finishing, delivery, installation and training for the Buffalo Puzzle Interactive elements of the upcoming THEN, NOW, WOW exhibit. The gallery space will be available for installation of this work on Monday September 17, 2012, and the work must be completed by Friday October 12, 2012.

A **MANDATORY pre-bid informational meeting** will be held at **1:30 p.m. Local Time, on Monday June 25, 2012**, beginning at the **Information Desk on the First Level** of the Minnesota History Center. The address is 345 Kellogg Boulevard West, St. Paul, Minnesota 55102.

The Request for Proposals (which will also serve as the Project Manual) is available by emailing Mary Green Toussaint, Contracting Office at mary.green-toussaint@mnhs.org.

All proposals must be received no later than **2:00 p.m. Local Time, Friday June 29, 2012**. Authorized agents for receipt of bids are Society staff located at the 1st Floor Information Desk of the Minnesota History Center. Late bids **will NOT** be considered.

Minnesota Department of Human Services (DHS)

Child Safety and Permanency Division

Notice of Request for Proposals to Provide Educational and Employment-Related Services to Teen Parents Residing in Hennepin County Receiving Temporary Assistance for Needy Families (TANF) Funds

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to provide educational and employment-related services to teen parents residing in Hennepin County receiving Temporary Assistance for Needy Families (TANF) funds.

Work is proposed to start August 15, 2012. For more information, or to obtain a copy of the Request for Proposal, contact:
Mary Doyle

Department of Human Services
Child Safety and Permanency Division
P.O. Box 0943
444 Lafayette Road North
St. Paul, MN 551550943
Phone: (651) 431-4685
Fax: (651) 431-7522
E-mail: *Mary.Doyle@state.mn.us*

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, July 2, 2012. Late proposals will NOT be considered.** Faxed or e-mailed proposals will **NOT** be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:

http://www.dhs.state.mn.us/main/id_000102

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

Minnesota Management & Budget (MMB)

Request for Information (RFI) for the Pay for Performance Pilot Program

—Third Party Contractors

Request for Information (RFI) for the Pay for Performance Pilot Program

—Service Providers

Minnesota Management & Budget (MMB) is seeking information from interested parties to assist in the development of one or more Requests for Proposal (RFPs) that may be used to enter into contracts with service providers and third party contractors for the Minnesota Pay for Performance Pilot Program. **MMB is specifically interested in information related to the service areas of workforce development and supportive housing,** but information related to other services will also be considered.

The Minnesota Pay for Performance Pilot Program was authorized by the state legislature in 2011 under the Minnesota Pay-for-Performance Act of 2011 (Minnesota Statutes 16A.93-16A.96). The program uses up to \$10 million in bond proceeds to pay service providers for certain financial outcomes that will result in decreased costs or increased revenues to the State. Providers will only be paid upon demonstrating that they have met the agreed upon outcomes, which must result in savings (or increased revenues) greater than the debt service needed to repay the bonds. When they achieve the outcomes, the state pays the service providers and uses the ongoing savings or revenue increases from those programs to repay the issued bonds.

RFI—Third Party Contractors

To assist MMB with administration of the pilot program, MMB or another state agency may contract with a third party to do the following: assist with pay for performance program development; provide working capital to service providers; monitor and track service providers' outcomes; and manage provider performance and payments. Depending on the expertise of the third parties, one or more may be hired to conduct these activities. In addition, an evaluator will develop an evaluation design and collect data to determine the extent to which the service provider is meeting the state's return on investment goal and the terms of the performance contract. An evaluator role may be filled by the state or a third-party contractor.

The purpose of this RFI is to enhance the MMB's understanding of market conditions and stakeholder interest. The specific goals are to gather information for future contractual efforts and better understand: (1) what stakeholders believe is the most desirable program structure; (2) the most appropriate areas of service delivery for this type of contracting; (3) the universe of roles that could be used to implement the pilot program; (4) available sources of financing for service providers' working capital; and (5) available options for the data collection and analysis structure used to determine that outcomes are achieved and payment may be made.

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RFI—Service Providers

During the implementation of the pilot program, MMB or another state agency will contract with service providers to build on previously demonstrated success in using a specific intervention to achieve outcomes that provide cost savings or revenue increases to the state. These outcomes must be measured in terms of reduced costs or increased revenues to the state that result from the service provider's program. The purpose of this RFI is to gather information for future contractual efforts and better understand: (1) what service providers believe is the most desirable program structure; (2) the areas of service delivery that may be appropriate for this type of contracting; (3) service providers' willingness to assume the risk of providing services if payments are conditioned on specific financial performance criteria that may not be achieved until 6 months, 2 years, or 5 years following the service intervention; and (4) service providers' preference for the data collection and analysis structure used to determine that outcomes are achieved and payment may be made.

The Minnesota Pay for Performance Request for Information—Service Providers and Request for Information—Third Party Contractors are available on the MMB website at: <http://www.mmb.state.mn.us/pay-for-performance-committee>. Responses are due no later than **July 20, 2012, at noon, Central Daylight Time**. Responses to these RFIs in no way privilege the responders should these RFIs result in the issuance of a future Request for Proposals.

Minnesota Pollution Control Agency (MPCA) CORRECTION TO Notice of Request for Proposal (RFP) for Analysis of End Markets for Collected Minnesota Household E-Waste

The Minnesota Pollution Control Agency (MPCA) is requesting proposals from qualified responders to conduct, on behalf of the MPCA, a third-party analysis of the end markets for collected Minnesota household e-waste. The results of the analysis will be used by the MPCA e-waste program to gain a better understanding of where the recycled e-waste is going and if it is being handled responsibly. This information will be used to advise collectors who work with recyclers to obtain reasonable contracts.

The MPCA has approximately \$50,000 for a contract with the responder selected as best meeting the evaluation criteria stated in the RFP. The goal of this Project is to collect valuable data on the end markets of collected Minnesota household e-waste that will assist the MPCA and its e-waste program in providing assistance to Minnesota household e-waste collectors. It is important that the e-waste program has current and reliable data when answering such questions as where Minnesota's recycled e-waste is going and whether it is being handled responsibly.

The complete RFP, application materials, and additional information are published on the MPCA website at
<http://www.pca.state.mn.us/mvri748>

Questions about this RFP should be directed to contracts.pca@state.mn.us (Subject line: "CR 5544 E-Waste Analysis"). Proposals are due **Thursday, July 12, 2012**, at 2:00 p.m. Central Time and must be electronically submitted to contracts.pca@state.mn.us (Subject line: "CR 5544 E-Waste Analysis"). It is the Responder's sole responsibility to ensure that their electronic submittal is received by the deadline.

Minnesota Pollution Control Agency (MPCA) Notice of Request for Proposal (RFP) for Guidance for City and County Household E-Waste Collectors

The Minnesota Pollution Control Agency (MPCA) is requesting proposals from qualified responders to work with the MPCA in the development of an e-waste collection guidebook and corresponding outreach activities.

The MPCA has approximately \$15,000 for a contract with the responder selected as best meeting the evaluation criteria stated in the RFP. The project goal is to ensure that cities and counties have the resources to make knowledgeable decisions regarding e-waste collection. Achievement of this goal will ultimately be the reduction in e-waste recycling costs to consumers and local governments.

The complete RFP, application materials, and additional information are published on the MPCA website at:

<http://www.pca.state.mn.us/mvri748>.

Questions about this RFP should be directed to contracts.pca@state.mn.us (Subject line: "CR 5543 E-Waste Guidance"). Proposals are due **Thursday, July 12, 2012**, at 2:00 p.m. Central Time and must be electronically submitted to contracts.pca@state.mn.us (Subject line: "CR 5543 E-Waste Guidance"). It is the Responder's sole responsibility to ensure that their electronic submittal is received by the deadline. Responses received after the deadline will not be considered.

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 Kelly Arneson 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:

Kelly Arneson
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

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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.

Minnesota Department of Transportation (MnDOT) Passenger Rail Office Request for Proposals (RFP) for Project Management Oversight for the Northern Lights Express Preliminary Engineering

MnDOT, in cooperation with the Minneapolis-Duluth/Superior Passenger Rail Alliance (Alliance), has requested proposals from qualified consultants to enter into a Contract to perform professional services as a Project Management Oversight Consultant (PMO) for the Preliminary Engineering/National Environmental Protection Agency (PE/NEPA) phase of the Northern Lights Express (NLX) Project.

The PMO will plan for, sequence and oversee the work of PE/NEPA consultants (Consultants) necessary for successful completion and acceptance of project PE/NEPA by FRA and MnDOT. The Consultants will be performing work under Contract with MnDOT, not under contract with the PMO. The goal of this project is for the PMO to oversee all PE/NEPA work, resulting in the successful, timely completion and acceptance of the project PE/NEPA by FRA and MnDOT. The PMO's work will result in the fulfillment of those agreements made between the FRA and MnDOT for PE/NEPA, and will make NLX eligible to receive federal funds for final project engineering and construction.

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@state.mn.us
Telephone: (651) 366-4627

Note: RESPONSES WILL BE DUE ON **WEDNESDAY, July 18, 2012 AT 2:00 PM CENTRAL DAYLIGHT TIME**

Non-State Public 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.

Contracts with Other Units of Government

Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of all the current rules, a growing index, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings).

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City of Apple Valley

Notice of Request for Proposals for Professional Services for Red Line/Cedar Avenue Bus Rapid Transitway Market and Development Standards Study in Connection with the Corridors of Opportunity Project

NOTICE IS HEREBY GIVEN that the City of Apple Valley requests proposals from experienced and qualified consultants to conduct the Red Line/Cedar Avenue Bus Rapid Transitway Market and Development Standards Study. This project is being conducted in connection with the Twin Cities Corridors of Opportunity Project in collaboration with Dakota and Hennepin Counties, the cities of Bloomington, Eagan and Lakeville, and the Dakota County Community Development Agency. The Cedar Avenue bus rapid transit (BRT) system will be the first BRT system to operate in the State of Minnesota beginning in the Spring of 2013. The study will examine the ability of bus rapid transit (BRT) to act as a catalyst for transit-oriented development. Tasks include identifying transitway and station character, analyzing existing and potential BRT TOD markets, and providing station area investment strategies.

The Request for Proposals document is available by contacting the Apple Valley Community Development Department at commdev@cityofapplevalley.org or (952) 953-2575.

For more information contact:

Kathy Bodmer, AICP
Apple Valley Community Development Department
7100 – 147th Street
Apple Valley, MN 55124
Phone: (952) 953-2575



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Shipping _____

Subtotal _____

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(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 _____

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ES# _____