

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 445

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 12/28/83
DATE FOR REVIEW 1-10-84
DATE DUE 1-11-84

Adopted w/a hearing _____
Adopted w/o hearing ↘
Temporary rule _____

Approved 1-11-84 mjc Disapproved _____ Returned to Agency _____

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State _____ Revisor approved 12.30.83
disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed See SR.

✓ Order Adopting 11.29.83 Date

N/A Notice of Intent to Solicit Outside Opinion

✓ Order for rulemaking
N/A date of Hearing

N/A Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
✓ Sufficiency

✓ Affidavit of Mailing Notice or rulemaking
9.6.83 At least 30 days prior to ~~hearing~~/adoption

✓ Mailing list Certificate

✓ Publication in State Register
9.5.83 At least 30/~~20~~ days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

Agency's Findings of Fact

LCRAR Report or agency Affidavit

Certificate of Board's Resolution Adopting Rules

Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

N/A Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

✓ Affidavit of Mailing Notice of Submission to Attorney General

N/A Notice of Submission to the Attorney General

SF-00006-02

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT Attorney General - Health

RECEIVED
DEC 28 1983
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

TO : Martha Casserly
Special Assistant
Attorney General

DATE: December 22, 1983

FROM : Terry P. O'Brien
Special Assistant
Attorney General

PHONE: 341-7272

SUBJECT: In the Matter of the Proposed Amendments to 7 MCAR § 1.651 B.26 and 7 MCAR §1.654 B Relating to Services for Children With Handicaps

Enclosed for your review and approval are the following documents in the above-entitled matter:

1. Original and three copies of the Rules as Adopted;
2. Original and one copy of the Order Adopting Rules;
3. Order for Notice of Intent to Adopt Rules Without a Public Hearing;
4. Notice of Intent to Adopt Rules Without a Public Hearing;
5. Affidavit of Mailing;
6. Certificate of Agency's Mailing List;
7. Proposed Rules as Published in the State Register;
8. Statement of Need and Reasonableness;
9. Statement of Compliance With Rulemaking Procedures; and
10. Affidavit Confirming No One Requested a Hearing or Notice of Submission to the Attorney General.

These rules were noncontroversial and no requests for hearing, complaints or objections were received regarding these rules. Also, we received no requests for notification of the submission to the Attorney General's Office.

If you have any questions, please feel free to contact me. Thank you.

TPO:jrm

Enclosures

cc: Nancy Okinow w/ encl.

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : Sister Mary Madonna Ashton, Commissioner DATE: 1/11/84

Attn: TERRY P. O'BRIEN, Special Assistant Attorney General.

FROM : MARTHA J. CASSERLY MJC PHONE: 296-4692
Special Assistant
Attorney General

SUBJECT: In the Matter of the Proposed Amendments to 7 MCAR § 1.651 B.26 and 7 MCAR § 1.654 B Relating to Services for Children with Handicaps

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

Encs.
MJC/ls
cc: Ms. Kathy Burek
Mr. Duane Harves

AG copy

RECEIVED
SERVICES FOR CHILDREN WITH HANDICAPS
SEP 12 '83
SEP 12 '83

Department of Health

Adopted Amendments to Rules Relating to Services for Children With Handicaps

Rules as Adopted

7 MCAR S 1.651 General.

A. [Unchanged.]

B. Definitions. For the purposes of these rules, the following terms shall have the meaning given them:

1.-25. [Unchanged.]

26. "State gross median income" is $25,394 annually for a family of four as developed by the Bureau of the Census and released by the Social Security Administration (Information Memorandum 82-13, September 24, 1982). "State gross median income" adjusted for households of different sizes in accordance with 45 FR 56710 (Code of Federal Regulations, title 45, section 1396.60, removed) is: households of one, $13,205; two, $17,268; three, $21,331; five, $29,457; six, $33,520; seven, $34,282; eight, $35,044; nine, $35,806; ten, $36,567; more than ten, 144 percent of $25,394 plus three percent of $25,394 for each household member in excess of ten.

27.-30. [Unchanged.]

7 MCAR S 1.654 Application and cost-sharing for applicant(s).

A. [Unchanged.]

B. Cost-sharing.

1.-3. [Unchanged.]

4. The amount of cost-sharing required of an applicant is determined in the following manner:

Step No. 1: The includable assets are totalled. If applicable, the household member deduction is subtracted from this total.

Step No. 2: The amount derived in Step No. 1 is then added to the adjusted gross income.

Step No. 3: The total of the allowable deductions is

subtracted from the amount derived in Step No. 2. This figure indicates the SCH adjusted income.

Step No. 4: The percentage that the applicant must share in the cost of treatment is based on the applicant's SCH adjusted income level and on the number of members in the household. This percentage is calculated according to the following schedule.

SCH Cost-sharing Schedule

The applicant's share is one percent of cost for each $1,000 or fraction of $1,000 of income above 60 percent of the state gross median income for a household of the same size as the applicant's. The applicant's percent share is found on the schedule by looking under the number which is the number of members of applicant's household to find the income level which includes the applicant's annual household income. The applicant's percent share is shown to the far left of that income level. To extend the schedule to households of more than ten members add $457 for each household member in excess of ten to the income levels for a household of ten members.

Percentage which eligible applicants share in the cost of treatment	Income Levels by Number of Members in the Household			
	1	2	3	4
0	0-$7,923	0-$10,361	0-$12,799	0-$15,236
1	7,924- 8,923	10,362- 11,361	12,800- 13,799	15,237- 16,236
2	8,924- 9,923	11,362- 12,361	13,800- 14,799	16,237- 17,236
3	9,924-10,923	12,362- 13,361	14,800- 15,799	17,237- 18,236
4	10,924-11,923	13,362- 14,361	15,800- 16,799	18,237- 19,236
5	11,924-12,923	14,362- 15,361	16,800- 17,799	19,237- 20,236
6	12,924-13,923	15,362- 16,361	17,800- 18,799	20,237- 21,236
7	13,924-14,923	16,362- 17,361	18,800- 19,799	21,237- 22,236
8	14,924-15,923	17,362- 18,361	19,800- 20,799	22,237- 23,236
9	15,924-16,923	18,362- 19,361	20,800- 21,799	23,237- 24,236
10	16,924-17,923	19,362- 20,361	21,800- 22,799	24,237- 25,236

11	17,924-18,923	20,362- 21,361	22,800- 23,799	25,237- 26,236
12	18,924-19,923	21,362- 22,361	23,800- 24,799	26,237- 27,236
13	19,924-20,923	22,362- 23,361	24,800- 25,799	27,237- 28,236
14	20,924-21,923	23,362- 24,361	25,800- 26,799	28,237- 29,236
15	21,924-22,923	24,362- 25,361	26,800- 27,799	29,237- 30,236
16	22,924-23,923	25,362- 26,361	27,800- 28,799	30,237- 31,236
17	23,924-24,923	26,362- 27,361	28,800- 29,799	31,237- 32,236
18	24,924-25,923	27,362- 28,361	29,800- 30,799	32,237- 33,236

	5	6	7	8
0	0-17,674	0-20,112	0-20,569	0-21,026
1	17,675-18,674	20,113-21,112	20,570-21,569	21,027-22,026
2	18,675-19,674	21,113-22,112	21,570-22,569	22,027-23,026
3	19,675-20,674	22,113-23,112	22,570-23,569	23,027-24,026
4	20,675-21,674	23,113-24,112	23,570-24,569	24,027-25,026
5	21,675-22,674	24,113-25,112	24,570-25,569	25,027-26,026
6	22,675-23,674	25,113-26,112	25,570-26,569	26,027-27,026
7	23,675-24,674	26,113-27,112	26,570-27,569	27,027-28,026
8	24,675-25,674	27,113-28,112	27,570-28,569	28,027-29,026
9	25,675-26,674	28,113-29,112	28,570-29,569	29,027-30,026
10	26,675-27,674	29,113-30,112	29,570-30,569	30,027-31,026
11	27,675-28,674	30,113-31,112	30,570-31,569	31,027-32,026
12	28,675-29,674	31,113-32,112	31,570-32,569	32,027-33,026
13	29,675-30,674	32,113-33,112	32,570-33,569	33,027-34,026
14	30,675-31,674	33,113-34,112	33,570-34,569	34,027-35,026
15	31,675-32,674	34,113-35,112	34,570-35,569	35,027-36,026
16	32,675-33,674	35,113-36,112	35,570-36,569	36,027-37,026
17	33,675-34,674	36,113-37,112	36,570-37,569	37,027-38,026
18	34,675-35,674	37,113-38,112	37,570-38,569	38,027-39,026

	9	10
0	0-21,484	0-21,940
1	21,485-22,484	21,941-22,940
2	22,485-23,484	22,941-23,940

3 23,485-24,484 23,941-24,940

4 24,485-25,484 24,941-25,940

5 25,485-26,484 25,941-26,940

6 26,485-27,484 26,941-27,940

7 27,485-28,484 27,941-28,940

8 28,485-29,484 28,941-29,940

9 29,485-30,484 29,941-30,940

10 30,485-31,484 30,941-31,940

11 31,485-32,484 31,941-32,940

12 32,485-33,484 32,941-33,940

13 33,485-34,484 33,941-34,940

14 34,485-35,484 34,941-35,940

15 35,485-36,484 35,941-36,940

16 36,485-37,484 36,941-37,940

17 37,485-38,484 37,941-38,940

18 38,485-39,484 38,941-39,940

5.-7. [Unchanged.]

STATE OF MINNESOTA
DEPARTMENT OF STATE

JAN 1 1 1984 1:10 P.M

Secretary of State

APPROVED AS TO FORM AND LEGALITY

January 11 1984

HUBERT H. HUMPHREY III
ATTORNEY GENERAL

BY Martha J Cassedy
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

COMMISSIONER OF HEALTH

In the Matter of the
Proposed Amendments
to 7 MCAR § 1.651 B.26
and 7 MCAR § 1.654 B
Relating to Services
for Children with
Handicaps

ORDER ADOPTING RULES

Notice of the Commissioner's intent to adopt the above-entitled amendments to rules without a public hearing was published in the State Register on Monday, September 5, 1983, and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes section 14.22 as amended in Minn. Laws 1983, ch. 210, § 12 on September 6, 1983. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, receiving no requests for a public hearing within the 30-day comment period, and determining the need for and reasonableness of the above-captioned amendments to rules,

NOW, THEREFORE, IT IS ORDERED that the rules identified as 7 MCAR § 1.651 B.26 and 7 MCAR § 1.654 B are adopted this 29th day of November, 1983, pursuant to authority vested in me by Minnesota Statutes sections 144.07, 144.12, 144.05, 144.10 and 144.11 (1982).

STATE OF MINNESOTA

COMMISSIONER OF HEALTH

S. Mary Madonna Ashton

SISTER MARY MADONNA ASHTON
Commissioner of Health

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

COMMISSIONER OF HEALTH

In the Matter of the
Proposed Amendments
to 7 MCAR § 1.651 B.26
and 7 MCAR § 1.654 B
Relating to Services for
Children With Handicaps

ORDER FOR NOTICE OF
INTENT TO ADOPT RULES
WITHOUT A PUBLIC HEARING

IT IS ORDERED this 15 day of July, 1983, that Notice of Intent to Adopt Rules Without a Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Commissioner of Health for that purpose and be published in the State Register.

Dated: July 15, 1983

STATE OF MINNESOTA

COMMISSIONER OF HEALTH

Sister Mary Madonna Ashton

SISTER MARY MADONNA ASHTON
Commissioner of Health

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

COMMISSIONER OF HEALTH

In the Matter of the
Proposed Amendments
to 7 MCAR § 1.651 B.26
and 7 MCAR § 1.654 B
Relating to Services for
Children With Handicaps

NOTICE OF INTENT
TO ADOPT RULES
WITHOUT A
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Minnesota Commissioner of Health (hereinafter "Commissioner") proposes to amend 7 MCAR § 1.651 B.26 and 7 MCAR § 1.654 B of the Rules of the Minnesota Department of Health relating to the services for children with handicaps and adults with cystic fibrosis and hemophilia for eligibility, cost-sharing and reimbursement. A copy of the proposed amendments is attached.

The Commissioner has determined that these proposed amendments will be noncontroversial in nature. Therefore, the Commissioner has elected to follow the procedures set forth in Minn. Stat. §§ 14.21 through 14.28 (1982) which provides for an expedited process for the adoption of noncontroversial administrative rule changes without the holding of a public hearing. The amendment is proposed in order to update the amount of the gross median income and the cost-share schedule on which family cost-shares for services are computed.

The public is hereby advised that:

1. There is a period of 30 days in which to submit comment on the proposed rule;

2. No public hearing will be held on this matter unless seven or more persons make a written request for a hearing within the 30 day comment period;

3. All comments and any written requests for a public hearing shall be submitted to Alpha Adkins, Assistant Director, Services for Children With Handicaps, Minnesota Department of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440;

4. The proposed amendments may be modified if modifications are supported by the data and views submitted, and do not result in a substantial change in the proposed language;

5. Authority to amend 7 MCAR § 1.651 B.26 and 7 MCAR § 1.654 B is contained in Minn. Stat. §§ 144.07, 144.12, 144.05, 144.10 and 144.11 (1982). Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed amendments has been prepared and is now available. Anyone wishing to receive a copy of this document may contact Alpha Adkins at the above-listed address;

6. Under this expedited procedure, the agency must submit any action on its rules to the Attorney General for review of the form and legality of the rule change. Notice of the submission of this matter to the Attorney General will be made to all persons who request to be informed of the submission. Requests to be informed must be submitted to Alpha Adkins at the above-listed address;

7. If seven or more persons request a public hearing on this matter, notice of any such hearing will be given in the same manner as has this notice and the agency will then proceed pursuant to Minn. Stat. §§ 14.13-14.20 (1982);

8. Any rule change made pursuant to this proceeding shall be effective five working days after publication in the State Register of notice of the adoption of the change.

Dated: July 15, 1983

STATE OF MINNESOTA

COMMISSIONER OF HEALTH

Sr Mary Madonna Ashton

SISTER MARY MADONNA ASHTON
Commissioner of Health

"State gross median income" ~~means the income level at which 50% of the people in the state have incomes higher than the median and 50% of the people have incomes which are lower, as computed by the Minnesota Department of Employment Services in 1977~~ is $25,394 annually for a family of four as developed by the Bureau of the Census and released by the Social Security Administration (Information Memorandum 82-13, September 24, 1982). "State gross median income" adjusted for households of different sizes in accordance with 45 FR 56710 (Code of Federal Regulations, title 45, section 1396.60, removed) is: households of one, $13,205; two, $17,268; three, $21,331; five, $29,457; six, $33,520; seven, $34,282; eight, $35,044; nine, $35,806; ten, $36,567; more than ten, 144 percent of $25,394 plus three percent of $25,394 for each household member in excess of ten.

SCH Cost-sharing Schedule

For each number of household members, the beginning income level on the schedule represents the range of income from 0 to 60% of the state gross median income. Increments of $1,000 have been used to establish each succeeding income level for that size household in 1977. The percentage at the left of the schedule rises 1% for every $1,000 rise in the SCH adjusted income level.

Percentage which eligible applicants share in the cost of treatment	Income Levels by Number of Members in the Household				
	1	2	3	4	5
0	0-$5,606	0-$7,332	0-$9,057	0-$10,782	0-$12,507
1	5,607- 6,606	7,333- 8,332	9,058-10,057	10,783- 11,782	12,508- 13,507
2	6,607- 7,606	8,333- 9,332	10,058-11,057	11,783- 12,782	13,508- 14,507
3	7,607- 8,606	9,333-10,332	11,058-12,057	12,783- 13,782	14,508- 15,507
4	8,607- 9,606	10,333-11,332	12,058-13,057	13,783- 14,782	15,508- 16,507
5	9,607-10,606	11,333-12,332	13,058-14,057	14,783- 15,782	16,508- 17,507
6	10,607-11,606	12,333-13,332	14,058-15,057	15,783- 16,782	17,508- 18,507
7	11,607-12,606	13,333-14,332	15,058-16,057	16,783- 17,782	18,508- 19,507
8	12,607-13,606	14,333-15,332	16,058-17,057	17,783- 18,782	19,508- 20,507
9	13,607-14,606	15,333-16,332	17,058-18,057	18,783- 19,782	20,508- 21,507
10	14,607-15,606	16,333-17,332	18,058-19,057	19,783- 20,782	21,508- 22,507
11	15,607-16,606	17,333-18,332	19,058-20,057	20,783- 21,782	22,508- 23,507
12	16,607-17,606	18,333-19,332	20,058-21,057	21,783- 22,782	23,508- 24,507
13	17,607-18,606	19,333-20,332	21,058-22,057	22,783- 23,782	24,508- 25,507
14	18,607-19,606	20,333-21,332	22,058-23,057	23,783- 24,782	25,508- 26,507
15	19,607-20,606	21,333-23,332	23,058-24,057	24,783- 25,782	26,508- 27,507
16	20,607-21,606	22,333-23,332	24,058-25,057	25,783- 26,782	27,508- 28,507
17	21,607-22,606	23,333-24,332	25,058-26,057	26,783- 27,782	28,508- 29,507
18	22,607-23,606	24,333-25,332	26,058-27,057	27,783- 28,782	29,508- 30,507

Department of Health

SCH Cost-sharing Schedule (Cont.)

	6	7	8	9	10
0	0-14,232	0-14,556	0-14,879	0- 15,203	0- 15,526
1	14,233-15,232	14,557-15,556	14,880-15,879	15,204- 16,203	15,527- 16,526
2	15,233-16,232	15,557-16,556	15,880-16,879	16,204- 17,203	16,527- 17,526
3	16,233-17,232	16,557-17,556	16,880-17,879	17,204- 18,203	17,527- 18,526
4	17,233-18,232	17,557-18,556	17,880-18,879	18,204- 19,203	18,527- 19,526
5	18,233-19,232	18,577-19,556	18,880-19,879	19,204- 20,203	19,527- 20,526
6	19,233-20,232	19,557-20,556	19,880-20,879	20,204- 21,203	20,527- 21,526
7	20,233-21,232	20,557-21,556	20,880-21,879	21,204- 22,203	21,527- 22,526
8	21,233-22,232	21,557-22,556	21,880-22,879	22,204- 23,203	22,527- 23,526
9	22,233-23,232	22,557-23,556	22,880-23,879	23,204- 24,203	23,527- 24,526
10	23,233-24,232	23,557-24,556	23,880-24,879	24,204- 25,203	24,527- 25,526
11	24,233-25,232	24,557-25,556	24,880-25,879	25,204- 26,203	25,527- 26,526
12	25,233-26,332	25,557-26,556	25,880-26,879	26,204- 27,203	26,527- 27,526
13	26,233-27,232	26,557-27,556	26,880-27,879	27,204- 28,203	27,527- 28,526
14	27,233-28,232	27,557-28,556	27,880-28,879	28,204- 29,203	28,527- 29,526
15	28,233-29,232	28,557-29,556	28,880-29,879	29,204- 30,203	29,527- 30,526
16	29,233-30,232	29,557-30,556	29,889-30,879	30,204- 31,203	30,527- 31,526
17	30,233-31,232	30,557-31,556	30,880-31,879	31,204- 32,203	31,527- 32,526
18	31,233-32,232	31,557-32,556	31,880-32,879	32,204- 33,203	32,527- 33,526

SCH Cost-sharing Schedule

The applicant's share is one percent of cost for each $1,000 or fraction of $1,000 of income above 60 percent of the state gross median income for a household of the same size as the applicant's. The applicant's percent share is found on the schedule by looking under the number which is the number of members of applicant's household to find the income level which includes the applicant's annual household income. The applicant's percent share is shown to the far left of that income level. To extend the schedule to households of more than ten members add $457 for each household member in excess of ten to the income levels for a household of ten members.

Percentage which eligible applicants share in the cost of treatment	Income Levels by Number of Members in Household				
	1	2	3	4	5
0	0 - 7,923	0 - 10,361	0 - 12,799	0 - 15,236	0 - 17,674
1	7,924 - 8,923	10,362 - 11,361	12,800 - 13,799	15,237 - 16,236	17,675 - 18,674
2	8,924 - 9,923	11,362 - 12,361	13,800 - 14,799	16,237 - 17,236	18,675 - 19,674
3	9,924 - 10,923	12,362 - 13,361	14,800 - 15,799	17,237 - 18,236	19,675 - 20,674
4	10,924 - 11,923	13,362 - 14,361	15,800 - 16,799	18,237 - 19,236	20,675 - 21,674
5	11,924 - 12,923	14,362 - 15,361	16,800 - 17,799	19,237 - 20,236	21,675 - 22,674
6	12,924 - 13,923	15,362 - 16,361	17,800 - 18,799	20,237 - 21,236	22,675 - 23,674
7	13,924 - 14,923	16,362 - 17,361	18,800 - 19,799	21,237 - 22,236	23,675 - 24,674
8	14,924 - 15,923	17,362 - 18,361	19,800 - 20,799	22,237 - 23,236	24,675 - 25,674
9	15,924 - 16,923	18,362 - 19,361	20,800 - 21,799	23,237 - 24,236	25,675 - 26,674
10	16,924 - 17,923	19,362 - 20,361	21,800 - 22,799	24,237 - 25,236	26,675 - 27,674
11	17,924 - 18,923	20,362 - 21,361	22,800 - 23,799	25,237 - 26,236	27,675 - 28,674
12	18,924 - 19,923	21,362 - 22,361	23,800 - 24,799	26,237 - 27,236	28,675 - 29,674
13	19,924 - 20,923	22,362 - 23,361	24,800 - 25,799	27,237 - 28,236	29,675 - 30,674
14	20,924 - 21,923	23,362 - 24,361	25,800 - 26,799	28,237 - 29,236	30,675 - 31,674
15	21,924 - 22,923	24,362 - 25,361	26,800 - 27,799	29,237 - 30,236	31,675 - 32,674
16	22,924 - 23,923	25,362 - 26,361	27,800 - 28,799	30,237 - 31,236	32,675 - 33,674
17	23,924 - 24,923	26,362 - 27,361	28,800 - 29,799	31,237 - 32,236	33,675 - 34,674
18	24,924 - 25,923	27,362 - 28,361	29,800 - 30,799	32,237 - 33,236	34,675 - 35,674

SCH Cost-sharing Schedule (Cont.)

	6	7	8	9	10
0	0 - 20,112	0 - 20,569	0 - 21,026	0 - 21,484	0 - 21,940
1	20,113 - 21,112	20,570 - 21,569	21,027 - 22,026	21,485 - 22,484	21,941 - 22,940
2	21,113 - 22,112	21,570 - 22,569	22,027 - 23,026	22,485 - 23,484	22,941 - 23,940
3	22,113 - 23,112	22,570 - 23,569	23,027 - 24,026	23,485 - 24,484	23,941 - 24,940
4	23,113 - 24,112	23,570 - 24,569	24,027 - 25,026	24,485 - 25,484	24,941 - 25,940
5	24,113 - 25,112	24,570 - 25,569	25,027 - 26,026	25,485 - 26,484	25,941 - 26,940
6	25,113 - 26,112	25,570 - 26,569	26,027 - 27,026	26,485 - 27,484	26,941 - 27,940
7	26,113 - 27,112	26,570 - 27,569	27,027 - 28,026	27,485 - 28,484	27,941 - 28,940
8	27,113 - 28,111	27,570 - 28,569	28,027 - 29,026	28,485 - 29,484	28,941 - 29,940
9	28,113 - 29,112	28,570 - 29,569	29,027 - 30,026	29,485 - 30,484	29,941 - 30,940
10	29,113 - 30,112	29,570 - 30,569	30,027 - 31,026	30,485 - 31,484	30,941 - 31,940
11	30,113 - 31,112	30,570 - 31,569	31,027 - 32,026	31,485 - 32,484	31,941 - 32,940
12	31,113 - 32,112	31,570 - 32,569	32,027 - 33,026	32,485 - 33,484	32,941 - 33,940
13	32,113 - 33,112	32,570 - 33,569	33,027 - 34,026	33,485 - 34,484	33,941 - 34,940
14	33,113 - 34,112	33,570 - 34,569	34,027 - 35,026	34,485 - 35,484	34,941 - 35,940
15	34,113 - 35,112	34,570 - 35,569	35,027 - 36,026	35,485 - 36,484	35,941 - 36,940
16	35,113 - 36,112	35,570 - 36,569	36,027 - 37,026	36,485 - 37,484	36,941 - 37,940
17	36,113 - 37,112	36,570 - 37,569	37,027 - 38,026	37,485 - 38,484	37,941 - 38,940
18	37,113 - 38,112	37,570 - 38,569	38,027 - 39,026	38,485 - 39,484	38,941 - 39,940

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

In the Matter of the
Proposed Amendments to
7 MCAR § 1.651 B.26 and
7 MCAR § 1.654 B Relating
to Services for Children
With Handicaps

AFFIDAVIT OF MAILING

Cynthia M. Le, being first duly sworn, deposes and says:

That on the 6th day of September, 1983, at the City of Minneapolis, County of Hennepin, State of Minnesota, she served the attached Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the United States mail at said City of Minneapolis a copy thereof, properly enveloped, with postage prepaid, to all persons and associations who have requested that their names be placed on file with the Minnesota Commissioner of Health for the purpose of receiving notice of proposed rules and amendments by the Minnesota Commissioner of Health.

Cynthia M. Le

Subscribed and sworn to before me this
20th day of December, 1983.

Marjorie A. Johnson

MARJORIE A. JOHNSON
NOTARY PUBLIC-MINNESOTA
HENNEPIN COUNTY
My Commission Expires Sept. 1, 1984.

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

COMMISSIONER OF HEALTH

In the Matter of the
Proposed Amendments to
7 MCAR § 1.651 B.26 and
7 MCAR § 1.654 B Relating
to Services for Children
With Handicaps

CERTIFICATE OF AGENCY'S
MAILING LIST

I, Lora Erickson, secretary to the Commissioner of the Minnesota Department of Health, hereby certify that I am responsible for maintaining the list of all persons who register with the Minnesota Department of Health for the purpose of receiving notice of proposed rules and amendments thereto on the subject captioned above pursuant to Minn. Stat. § 14.14, subd. 1, and further certify that the list attached hereto and made a part hereof constitutes the complete lists of the persons, associations, and other interested groups who, as of 8:00 a.m., the 30th day of August, 1983, have so registered with the Minnesota Department of Health.

STATE OF MINNESOTA

COMMISSIONER OF HEALTH
Sister Mary Madonna Ashton

By: Lora Erickson
LORA ERICKSON

c. Subject C—Design ~~$60.00~~, $37.50;

d. Subject D—Design Implementation ~~$60.00~~, $37.50.

G. Additional fees. In addition to all other fees for examination or registration, as provided in this rule ~~or Minn. Stat. §~~ Minnesota Statutes, section 326.10, ~~subd.~~ subdivision 1, the following schedule of fees is applicable:

1. For each application for registration by comity under ~~the provisions of Minn. Stat. §~~ Minnesota Statutes, section 326.10, ~~subd.~~ subdivision 1, clause (2), applicable to any person registered in another state or territory of the United States, or in any province of Canada, a fee of $100;

2. For reissuance of a revoked, lost, destroyed, or mutilated certificate of licensure or certificate as an engineer-in-training, land surveyor-in-training, or landscape architect-in-training, ~~$5~~ $10;

3. For certified copies or reproduction of any document required to be supplied on behalf of any applicant for registration in another state, the cost of reproducing the document, as the board determines;

4. For monitoring licensing examinations for applicants of boards of other states at overseas test sites, the fee shall be $10, payable by the applicant.

Department of Health

Proposed Amendments to Rules Relating to Services for Children With Handicaps

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Commissioner of Health (hereinafter "commissioner") proposes to amend 7 MCAR § 1.651 B.26. and 7 MCAR § 1.654 B. of the Rules of the Minnesota Department of Health relating to the services for children with handicaps and adults with cystic fibrosis and hemophilia for eligibility, cost-sharing and reimbursement. A copy of the proposed amendments is attached.

The commissioner has determined that these proposed amendments will be noncontroversial in nature. Therefore, the commissioner has elected to follow the procedures set forth in Minn. Stat. §§ 14.21 through 14.28 (1982) which provides for an expedited process for the adoption of noncontroversial administrative rule changes without the holding of a public hearing. The amendment is proposed in order to update the amount of the gross median income and the cost-share schedule on which family cost-shares for services are computed.

The public is hereby advised that:

1. There is a period of 30 days in which to submit comment on the proposed rule;

2. No public hearing will be held on this matter unless seven or more persons make a written request for a hearing within the 30 day comment period;

3. All comments and any written requests for a public hearing shall be submitted to Alpha Adkins, Assistant Director, Services for Children with Handicaps, Minnesota Department of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440;

4. The proposed amendments may be modified if modifications are supported by the data and views submitted, and do not result in a substantial change in the proposed language;

5. Authority to amend 7 MCAR § 1.651 B.26. and 7 MCAR § 1.654 B. is contained in Minn. Stat. §§ 144.07, 144.12, 144.05, 144.10 and 144.11 (1982). Additionally, a statement of need and reasonableness that describes the need for and reasonableness of each provision of the proposed amendments has been prepared and is now available. Anyone wishing to receive a copy of this document may contact Alpha Adkins at the above-listed address;

6. Under this expedited procedure, the agency must submit any action on its rules to the Attorney General for review of the form and legality of the rule change. Notice of the submission of this matter to the Attorney General will be made to all persons who request to be informed of the submission. Requests to be informed must be submitted to Alpha Adkins at the above-listed address;

7. If seven or more persons request a public hearing on this matter, notice of any such hearing will be given in the same manner as has this notice and the agency will then proceed pursuant to Minn. Stat. §§ 14.13-14.20 (1982);

8. Any rule change made pursuant to this proceeding shall be effective five working days after publication in the *State Register* of notice of the adoption of the change.

July 15, 1983

Sister Mary Madonna Ashton
Commissioner of Health

Rules as Proposed

7 MCAR § 1.651 General.

A. [Unchanged.]

B. Definitions. For the purposes of these rules, the following terms shall have the meaning given them:

1.-25. [Unchanged.]

26. "State gross median income" ~~means the income level at which 50% of the people in the state have incomes higher than the median and 50% of the people have incomes which are lower, as computed by the Minnesota Department of Employment Services in 1977~~ is $25,394 annually for a family of four as developed by the Bureau of the Census and released by the Social Security Administration (Information Memorandum 82-13, September 24, 1982). "State gross median income" adjusted for households of different sizes in accordance with 45 FR 56710 (Code of Federal Regulations, title 45, section 1396.60, removed) is: households of one, $13,205; two, $17,268; three, $21,331; five, $29,457; six, $33,520; seven, $34,282; eight, $35,044; nine, $35,806; ten, $36,567; more than ten, 144 percent of $25,394 plus three percent of $25,394 for each household member in excess of ten.

27.-30. [Unchanged.]

7 MCAR § 1.654 Application and cost-sharing for applicant(s).

A. [Unchanged.]

B. Cost-sharing.

1.-3. [Unchanged.]

4. The amount of cost-sharing required of an applicant is determined in the following manner:

Step No. 1: The includable assets are totalled. If applicable, the household member deduction is subtracted from this total.

Step No. 2: The amount derived in Step No. 1 is then added to the adjusted gross income.

Step No. 3: The total of the allowable deductions is subtracted from the amount derived in Step No. 2. This figure indicates the SCH adjusted income.

Step No. 4: The percentage that the applicant must share in the cost of treatment is based on the applicant's SCH adjusted income level and on the number of members in the household. This percentage is calculated according to the following ~~chart~~ schedule.

SCH Cost-sharing Schedule

~~For each number of household members, the beginning income level on the schedule represents the range of income from 0 to 60% of the state gross median income. Increments of $1,000 have been used to establish each succeeding income level for that size household in 1977. The percentage at the left of the schedule rises 1% for every $1,000 rise in the SCH adjusted income level~~ The applicant's share is one percent of cost for each $1,000 or fraction of $1,000 of income above 60 percent of the state gross median income for a household of the same size as the applicant's. The applicant's percent share is found on the schedule by looking under the number which is the number of members of applicant's household to find the income level which includes the applicant's annual household income. The applicant's percent share is shown to the far left of that income level. To extend the schedule to households of more than ten members add $457 for each household member in excess of ten to the income levels for a household of ten members.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Percentage which eligible applicants share in the costs of treatment	Income Levels by Number of Members in the Household			
	1	2	3	4
0	0-$5,606	0-$7,332	0-$9,057	0-$10,782
1	5,607- 6,606	7,333-8,332	9,058-10,057	10,783- 11,782
2	6,607- 7,606	8,333- 9,332	10,058-11,057	11,783- 12,782
3	7,607- 8,606	9,333-10,332	11,058-12,057	12,783- 13,782
4	8,607- 9,606	10,333-11,332	12,058-13,057	13,783- 14,782
5	9,607-10,606	11,333-12,332	13,058-14,057	14,783- 15,782
6	10,607-11,606	12,333-13,332	14,058-15,057	15,783- 16,782
7	11,607-12,606	13,333-14,332	15,058-16,057	16,783- 17,782
8	12,607-13,606	14,333-15,332	16,058-17,057	17,783- 18,782
9	13,607-14,606	15,333-16,332	17,058-18,057	18,783- 19,782
10	14,607-15,606	16,333-17,332	18,058-19,057	19,783- 20,782
11	15,607-16,606	17,333-18,332	19,058-20,057	20,783- 21,782
12	16,607-17,606	18,333-19,332	20,058-21,057	21,783- 22,782
11	15,607-16,606	17,333-18,332	19,058-20,057	20,783- 21,782
12	16,607-17,606	18,333-19,332	20,058-21,057	21,783- 22,782
13	17,607-18,606	19,333-20,332	21,058-22,057	22,783- 23,782
14	18,607-19,606	20,333-21,332	22,058-23,057	23,783- 24,782
15	19,607-20,606	21,333-22,332	23,058-24,057	24,783- 25,782
16	20,607-21,606	22,333-23,332	24,058-25,057	25,783- 26,782
17	21,607-22,606	23,333-24,332	25,058-26,057	26,783- 27,782
18	22,607-23,606	24,333-25,332	26,058-27,057	27,783- 28,782
	5	6	7	8
0	0-$12,507	0-14,232	0-14,556	0-14,879
1	12,508 13,507	14,233 15,232	14,557-15,556	14,880-15,879
2	13,508 14,507	15,233 16,232	15,557-16,556	15,880-16,879
3	14,508 15,507	16,233-17,232	16,557-17,556	16,880-17,879
4	15,508 16,507	17,233-18,232	17,557-18,556	17,880-18,879
5	16,508 17,507	18,233-19,232	18,557-19,556	18,880-19,879
6	17,508 18,507	19,233-20,232	19,557-20,556	19,880-20,879
7	18,508 19,507	20,233-21,232	20,557-21,556	20,880-21,879
8	19,508 20,507	21,233-22,232	21,557-22,556	21,880-22,879
9	20,508 21,507	22,233-23,232	22,557-23,556	22,880-23,879
10	21,508 22,507	23,233-24,232	23,557-24,556	23,880-21,879
11	22,508 23,507	24,233-25,232	24,557-25,556	24,880-25,879
12	23,508 24,507	25,233-26,232	25,557-26,556	25,880-26,879
13	24,508 25,507	26,233-27,232	26,557-27,556	26,880-27,879
14	25,508 26,507	27,233-28,232	27,557-28,556	27,880-28,879
15	26,508 27,507	28,233-29,232	28,557-29,556	28,880-29,879
16	27,508 28,507	29,233-30,232	29,557-30,556	29,880-30,879
17	28,508 29,507	30-233-31,232	30,557-31,556	30,880-31,879
18	29,508 30,507	31,233-32,232	31,557-32,556	31,880-32,879
	9	10		
0	0-15,203	0-15,526		
1	15,204-16,203	15,527-16,526		
2	16,204-17,203	16,527-17,526		
3	17,204-18,203	17,527-18,526		
4	18,204-19,203	18,527-19,526		
5	19,204-20,203	19,527-20,526		
6	20,204-21,203	20,527-21,526		
7	21,204-22,203	21,527-22,526		
8	22,204-23,203	22,527-23,526		

~~9~~	~~23,204-24,203~~	~~23,527-24,526~~
~~10~~	~~24,204-25,203~~	~~24,527-25,526~~
~~11~~	~~25,204-26,203~~	~~25,527-26,526~~
~~12~~	~~26,204-27,203~~	~~26,527-27,526~~
~~13~~	~~27,204-28,203~~	~~27,527-28,526~~
~~14~~	~~28,204-29,203~~	~~28,527-29,526~~
~~15~~	~~29,204-30,203~~	~~29,527-30,526~~
~~16~~	~~30,204-31,203~~	~~30,527-31,526~~
~~17~~	~~31,204-32,203~~	~~31,527-32,526~~
~~18~~	~~32,204-33,203~~	~~32,527-33,526~~

	1	2	3	4
0	0-$7,923	0-$10,361	0-$12,799	0-$15,236
1	7,924- 8,923	10,362- 11,361	12,800- 13,799	15,237- 16,236
2	8,924- 9,923	11,362- 12,361	13,800- 14,799	16,237- 17,236
3	9,924-10,923	12,362- 13,361	14,800- 15,799	17,237- 18,236
4	10,924-11,923	13,362- 14,361	15,800- 16,799	18,237- 19,236
5	11,924-12,923	14,362- 15,361	16,800- 17,799	19,237- 20,236
6	12,924-13,923	15,362- 16,361	17,800- 18,799	20,237- 21,236
7	13,924-14,923	16,362- 17,361	18,800- 19,799	21,237- 22,236
8	14,924-15,923	17,362- 18,361	19,800- 20,799	22,237- 23,236
9	15,924-16,923	18,362- 19,361	20,800- 21,799	23,237- 24,236
10	16,924-17,923	19,362- 20,361	21,800- 22,799	24,237- 25,236
11	17,924-18,923	20,362- 21,361	22,800- 23,799	25,237- 26,236
12	18,924-19,923	21,362- 22,361	23,800- 24,799	26,237- 27,236
13	19,924-20,923	22,362- 23,361	24,800- 25,799	27,237- 28,236
14	20,924-21,923	23,362- 24,361	25,800- 26,799	28,237- 29,236
15	21,924-22,923	24,362- 25,361	26,800- 27,799	29,237- 30,236
16	22,924-23,923	25,362- 26,361	27,800- 28,799	30,237- 31,236
17	23,924-24,923	26,362- 27,361	28,800- 29,799	31,237- 32,236
18	24,924-25,923	27,362- 28,361	29,800- 30,799	32,237- 33,236

	5	6	7	8
0	0-17,674	0-20,112	0-20,569	0-21,026
1	17,675-18,674	20,113-21,112	20,570-21,569	21,027-22,026
2	18,675-19,674	21,113-22,112	21,570-22,569	22,027-23,026
3	19,675-20,674	22,113-23,112	22,570-23,569	23,027-24,026
4	20,675-21,674	23,113-24,112	23,570-24,569	24,027-25,026
5	21,675-22,674	24,113-25,112	24,570-25,569	25,027-26,026
6	22,675-23,674	25,113-26,112	25,570-26,569	26,027-27,026
7	23,675-24,674	26,113-27,112	26,570-27,569	27,027-28,026
8	24,675-25,674	27,113-28,112	27,570-28,569	28,027-29,026
9	25,675-26,674	28,113-29,112	28,570-29,569	29,027-30,026
10	26,675-27,674	29,113-30,112	29,570-30,569	30,027-31,026
11	27,675-28,674	30,113-31,112	30,570-31,569	31,027-32,026
12	28,675-29,674	31,113-32,112	31,570-32,569	32,027-33,026
13	29,675-30,674	32,113-33,112	32,570-33,569	33,027-34,026
14	30,675-31,674	33,113-34,112	33,570-34,569	34,027-35,026
15	31,675-32,674	34,113-35,112	34,570-35,569	35,027-36,026
16	32,675-33,674	35,113-36,112	35,570-36,569	36,027-37,026
17	33,675-34,674	36,113-37,112	36,570-37,569	37,027-38,026
18	34,675-35,674	37,113-38,112	37,570-38,569	38,027-39,026

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

	9	10
0	0-21,484	0-21,940
1	21,485-22,484	21,941-22,940
2	22,485-23,484	22,941-23,940
3	23,485-24,484	23,941-24,940
4	24,485-25,484	24,941-25,940
5	25,485-26,484	25,941-26,940
6	26,485-27,484	26,941-27,940
7	27,485-28,484	27,941-28,940
8	28,485-29,484	28,941-29,940
9	29,485-30,484	29,941-30,940
10	30,485-31,484	30,941-31,940
11	31,485-32,484	31,941-32,940
12	32,485-33,484	32,941-33,940
13	33,485-34,484	33,941-34,940
14	34,485-35,484	34,941-35,940
15	35,485-36,484	35,941-36,940
16	36,485-37,484	36,941-37,940
17	37,485-38,484	37,941-38,940
18	38,485-39,484	38,941-39,940

5.-7. [Unchanged.]

Department of Commerce

Proposed Temporary Rules Governing Reimbursement for Workers' Compensation Medical Services

Notice of Intent to Adopt Temporary Rules

Notice is hereby given that the Department of Commerce is proposing to adopt temporary rules to govern reinbursement for workers' compensation medical services as authorized by Minn. Stat. § 176.136. The proposed rules establish limits for charges allowable for medical, chiropractic: podiatric, surgical, hospital and other health care provider treatment services as defined and compensable under Minn. Stat. § 176.135, to the 75th percentile of usual and customary fees or charges based upon billings for each class of health care provider during 1982. The proposed temporary rules follow this notice.

All interested parties are hereby afforded the opportunity to submit data and views on the proposed temporary rules for 20 days immediately following publication of this material in the *State Register*. Comments should be submitted in writing to:

John Klein
Department of Commerce
500 Metro Square Building
St. Paul, MN 55101

The proposed temporary rules may be modified if the modifications are supported by the data and views submitted to the Department.

After the 20 day comment period, the proposed temporary rules with modifications, if any, will be sent to the Office of the Attorney General for final approval as to form and legality. The temporary rules shall take effect immediately upon the Attorney General's approval.

The temporary rules shall remain in effect until permanent rules are adopted or for 180 days. The temporary rules may also be extended for an additional 180 days.

August 22, 1983

Michael A. Hatch
Commissioner of Commerce

Temporary Rules as Proposed (all new material)

4 MCAR § 1.0001 Authority.

Rules 4 MCAR §§ 1.0001-1.0032 are promulgated under the authority of Minnesota Statutes, section 176.136.

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

COMMISSIONER OF HEALTH

In the Matter of
Proposed Amendments to
7 MCAR § 1.651 B.26 and
7 MCAR § 1.654 B relating
to Services for Children
with Handicaps

STATEMENT OF NEED
AND REASONABLENESS

The above captioned rules are amendments to rules promulgated by the Commissioner of Health (hereinafter "Commissioner") in 1979. These proposed amendments to existing rules merely (a) delete reference to a mathematical formula and establish a dollar amount to define state medium income, and (b) revise the table of income figures used to determine the amount of state financial assistance so as to correspond to more current data on the medium income of the Minnesota residents.

The legal authority for adopting these rules is found in Minn. Stat. §§ 144.12, as amended by Minn. Laws 1983, ch. 359, § 9, 144.05, 144.07, 144.06, 144.09, 144.10, and 144.11 (1982). Further, authority is vested in the Commissioner through Minnesota Department of Administration Reorganization Order No. 101 issued pursuant to Minn. Stat. § 16.125 (1982) (hereinafter "Reorganization Order 101"). Reorganization Order 101 vests within the Commissioner the authority to implement Minn. Stat. §§ 256.01, subd. 2(3) and (5), as amended by Minn. Laws 1983, ch. 7, § 3, ch. 243, § 5, ch. 312, § 3 (art. 5), 256.011, 257.175, 250.05 as amended by Minn. Laws 1983, ch. 305, § 22, and 260.35 (1982) insofar as these statutes concern Services to Children with Handicaps. Further legal authority is found in Minn. Stat. §§ 14.05, subds. 1 to 3; 14.07, subd. 5; and 14.06 (1982). With the exception of the

nonsubstantive amendments above referenced, the legal authority to adopt these amendments is the same as existed in 1979 when the initial rules were promulgated. For this reason, the Statement of Need dated March 29, 1979, used to support the initial promulgation of these rules is attached hereto as Exhibit 1, made a part hereof, and asserted as the current legal basis authorizing these proposed amendments. It should be noted that the title of the program used in the initial Statement of Need "Crippled Children Services," has been changed to "Services for Children with Handicaps."

7 MCAR § 1.651 B.26. This definition relates to cost-sharing and cost-sharing procedures. The figure established by this definition is used to determine how much a family seeking financial assistance from Services for Children with Handicaps may be required to pay for treatment (cost-share) and how much the state shall pay for treatment. The amendment is needed to reflect the reality of inflation within the economy and to recognize that the determination of families in need of monetary assistance and treatment costs should be based on more current figures of medium income rather than those available in 1979. It is both necessary and reasonable to initially and explicitly state an actual dollar amount to establish medium income so as to add clarity to the definition, and to prevent interested persons from having to undertake needless mathematical calculation or to refer to figures compiled by another state agency so as to determine medium income.

Since the gross medium income has risen dramatically since 1977, the year used in compiling figures for the rules promulgated in 1979, it is reasonable to expect that the most recent available figures should be used by the Commissioner in calculating family cost-shares. Within the past several years, the Commissioner

has observed that a number of families whose sole source of income is social security or other public programs must cost-share, that is, pay for a portion of the treatment for those persons eligible for treatment. These families presently need not pay a portion of the costs to qualify for other social service programs. Thus, the current cost-share schedule based on 1977 medium income figures presents a significant financial hardship for low-income families who have a member with a long-term handicapping condition.

The state medium income figure for a Minnesota family of four is derived from a figure established by the United States Department of Health and Human Services. As demonstrated by the informational memorandum distributed by the United States Department of Health and Human Services, Social Security Administration, Office of Family Assistance, September 24, 1982, attached hereto and made a part hereof as Exhibit 2, the Minnesota medium income for a family of four is derived from the bureau of census March 1981, Current Population Survey, the 1980 Census of Population Early National Sample, and per capita income estimates from the United States Bureau of Economic Analysis. This income is used by the Minnesota State Department of Public Welfare as the basis for determining income eligibility and fees for social services. It is reasonable and desirable that the Commissioner be consistent with other state programs which require applicants to share in the cost of services.

7 MCAR § 1.654. Inasmuch as the proposed amendment to 7 MCAR § 1.651. B.26 establishes a gross medium income level for Minnesota families, it is

reasonable to revise the 1979 cost-share schedule to correspond with the new gross medium income. This section is needed to set forth the new cost-sharing schedule based on available data.

STATE OF MINNESOTA

COMMISSIONER OF HEALTH

Sr Mary Madonna Ashton

SISTER MARY MADONNA ASHTON
Commissioner

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

COMMISSIONER OF HEALTH

In the Matter of the
Proposed Amendments
to 7 MCAR § 1.651 B.26
and 7 MCAR § 1.654 B
Relating to Services for
Children With Handicaps

STATEMENT OF
COMPLIANCE WITH
RULEMAKING PROCEDURES

I, Terry P. O'Brien, Special Assistant Attorney General, do hereby declare that I have examined the amendments to rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, and the rules of the Attorney General have been followed. There are no exceptions to be noted.

Dated: ~~October~~ Dec 22, 1983

TERRY P. O'BRIEN
Special Assistant
Attorney General

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

BOARD OF NURSING

In the Matter of the
Proposed Amendments to
7 MCAR § 1.651 B.26 and
7 MCAR § 1.654 B relating
to Services for Children
With Handicaps

AFFIDAVIT

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

Alpha Adkins, being first duly sworn upon oath, deposes and says:

1. That on September 5, 1983, a Notice of Intent to Adopt Rules Without a Public Hearing was published in the State Register and on September 6, 1983, the same Notice was mailed to persons who have requested to be informed of rulemaking activity by the Commissioner of Health.

2. That to date no one has requested a rule hearing, no one has submitted any comments on the rules, nor has anyone requested to be informed of submission of the rules to the Attorney General's Office for review as to form and legality.

FURTHER AFFIANT SAYETH NOT.

Dated: December 20, 1983

MARJORIE A. JOHNSON
NOTARY PUBLIC-MINNESOTA
HENNEPIN COUNTY
My Commission Expires Sept. 1, 1984.

Alpha Adkins

ALPHA ADKINS
Assistant Director
Services for Children with Handicaps

Subscribed and sworn to before me
this 20th day of December, 1983.

Marjorie A. Johnson