


# Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

SF-00006-03

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

# Office Memorandum

TO: JOSEPH SAMARGIA, Commissioner
Department of Jobs and Training

DATE: 6/4/86

ATTN: JAMES PATRICK BARONE
Special Assistant Attorney General

FROM: J. MICHAEL MILES
Assistant Attorney General

PHONE: 296-6555

SUBJECT: In the Matter of the Proposed Adoption of Rule of the State of Minnesota Governing Fees for Rehabilitation Services Provided to Injured Workers under an Approved Rehabilitation Plan

The above-referenced rule has been approved as to its legality by the Attorney General on June 3, 1986.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies of the approved rule with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth copy is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

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

JMM:pmf

Enclosures

cc: Maryanne Hruby
Executive Director
Legislative Commission to Review
Administrative Rules

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

RR1279

Our File No. 1274 05.0009.0408

# RULE REVIEW CHECKLIST

DATE RULE RECEIVED 5-20-86
DATE FOR REVIEW 5-29-86
DATE DUE 6-3-86

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

Approved 6/3/86 Disapproved _____ Returned to Agency _____

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

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

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✓ Rule as Adopted

✓ Rule as Proposed

_____ Order Adopting 3.24.86 Date minor typo in stat. authority - "(n)" should be "(m)"

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 contains small & big statement referencing to SONR

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

? Mailing list Certificate dated 3.24.86, 28 days after mailing

✓ Publication in State Register
2.17.86 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 contains small & big statement and Dept Finance fee approval

N/A Petition for Adoption of a Rule

✓ 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

Department of Jobs and Training

Adopted Rule Relating to Rehabilitation Services Fees

Rule as Adopted

3300.0500 FEES FOR REHABILITATION SERVICES.

The Division of Rehabilitation Services in the Department of Jobs and Training will charge $50 per hour for rehabilitation services described in Minnesota Statutes, section 176.102, subdivision 9, clause (b). The authority for charging the hourly rate is contained in Minnesota Statutes, section 129A.03, paragraphs (b), (c), and (m). The rehabilitation services are the following:

A. jobs analysis;

B. labor market surveys;

C. vocational counseling;

D. job development;

E. testing;

F. on-the-job training;

G. placement;

H. training in job seeking skills;

I. analysis of transferable skills;

J. follow-up;

K. referrals; and

L. monitoring of medical and training services.

RECEIVED
MAR 4 8 01 AM '86
REVISOR'S OFFICE

APPROVED AS TO FORM AND LEGALITY.

6/4 19 86

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY _____
ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 4 1986 11:32 A.M

Joan Anderson Growe
Secretary of State

Department of Jobs and Training

Proposed Rule Relating to Rehabilitation Services Fees

Rule as Proposed (all new material)

3300.0500 FEES FOR REHABILITATION SERVICES.

The Division of Rehabilitation Services in the Department of Jobs and Training will charge $50 per hour for rehabilitation services described in Minnesota Statutes, section 176.102, subdivision 9, clause (b). The authority for charging the hourly rate is contained in Minnesota Statutes, section 129A.03, paragraphs (b), (c), and (m). The rehabilitation services are the following:

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H. training in job seeking skills;

I. analysis of transferable skills;

J. follow-up;

K. referrals; and

L. monitoring of medical and training services.



APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD901

Agency: Department of Jobs and Training

Division:

Agency Contact: Roger Sorbel
297-3754

Minnesota Rules: Part 3300.0500

Title: Proposed Rule Relating to Rehabilitation Services Fees

Type of Rules: Permanent

Incorporations by Reference: None
Rule Number: Material Incorporated:

Steven C. Cross
Revisor of Statutes

John C. Fuller
Assistant Deputy Revisor
Phone: 296-0955
Date: January 22, 1986

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the Proposed Adoption of Rule of the State of Minnesota Governing Fees for Rehabilitation Services Provided to Injured Workers under an Approved Rehabilitation Plan

ORDER ADOPTING NONCONTROVERSIAL RULE

Notice of the Commissioner's intent to adopt the above-entitled rule without a public hearing was published in the State Register on February 17, 1986, and was sent by United States mail to all persons on the mailing list maintained by the Department pursuant to Minnesota Statutes, section 14.14, subdivision 1a, on February 4, 1986.

After affording interested and affected persons an opportunity to submit comments for 30 days after notice, receiving written requests for a public hearing within the 30-day comment period from less than 20 percent of the persons who would be required to pay a fee, reviewing and considering the comments, and determining the need for and reasonableness of the above-captioned rule,

NOW, THEREFORE, IT IS ORDERED that the rule identified as Fees for Rehabilitation Services is adopted this 24th day of March, 1986, pursuant to the authority vested in me by Minnesota Statutes, section 129A.03 (b), (c), and (n).

STATE OF MINNESOTA

Joseph Samargia
Commissioner
Department of Jobs and Training

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the Proposed Adoption of Rules of the State of Minnesota Governing Fees for Rehabilitation Services

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

IT IS ORDERED this 29th day of January, 1986, that a Notice of Intent to Adopt Rules Without Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Department for that purpose and be published in the State Register.

STATE OF MINNESOTA

Joseph Samargia
COMMISSIONER

A copy of the proposed rules is attached to this notice. A free copy of the rule is available upon request from:

Vicki Lear
MR Division
Department of Human Services
4th Floor, Centennial Building
St. Paul, MN 55155
(612) 296-2160

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Vicki Lear upon request.

The adoption of this rule amendment will not require any expenditures of public moneys by local public bodies.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Lisa Rotegard.

January 24, 1986

Leonard W. Levine
Commissioner of Human Services

### Rule as Proposed

**9525.1220 CLIENT ELIGIBILITY.**

The day service provider may receive medical assistance reimbursement for providing day training and habilitation services to an eligible person if the person meets the criteria in items A to ~~F~~ G:

A to C. [Unchanged.]

D. the person is not of school age as defined in Minnesota Statutes, section 120.17, subdivision 1; ~~and~~

E. [Unchanged.]

F. the person does not receive day training and habilitation services at the ICF/MR from an approved day service provider or as part of the medical assistance rate of the ICF/MR; and

G. the person is currently capable of only "inconsequential" work activity as defined in part 9525.1210, subpart 15 and the service provided is supervision, assistance, or training during habilitative work activities.

# Department of Jobs and Training

## Proposed Rule Relating to Rehabilitation Services Fees

### Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the State Department of Jobs and Training (Department) proposes to adopt the above entitled rules. A copy of the proposed rules is attached to this notice.

Because fees for rehabilitation services are fixed by rule rather than law, the procedures for adoption of noncontroversial rules will be used. See Minnesota Statutes, section 16A.128, subdivision 2(a) (1984). Authority for adoption of these rules is contained in Minnesota Statutes, section 129A.03. (b), (c), and (m).

Persons interested in these rules will have 30 days to submit comments in support or opposition to the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Department.

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.

Interested persons should submit comments to:

Roger Sorbel
Department of Jobs and Training
Division of Rehabilitation Services
5th Floor, 390 North Robert Street
St. Paul, Minnesota 55101

Unless the Department receives, within the comment period, written requests for a hearing on the proposed rules from twenty percent of the persons who will be required to pay a fee, a public hearing will not be held. In the event that a public hearing is required, the Department will proceed according to the provisions of Minnesota Statutes, sections 14.131-14.20 (1984), as amended by Minnesota Laws 1985, First Special Session, Chapter 10, section 38. If a person desires to request a public hearing, the Department requests that the persons identify the particular provisions objected to, the suggested modifications to the proposed language and data relied on to support the suggested modifications.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General or who wish to receive a copy of the final rules as proposed for adoption, should submit a written request to Mr. Sorbel at the above address.

A Statement of Need and Reasonableness has been prepared and is now available. A copy of this document may be obtained by contacting Mr. Sorbel at the above address.

A document entitled "Fee Review" is available in which the Commissioner of Finance has determined the basis for the fees. A copy of this document may be obtained by contacting Mr. Sorbel at the above address.

Pursuant to Minnesota Statutes, section 14.115, subdivision 2, the impact on small business has been considered in the promulgation of the rules. Persons who wish to present evidence or argument as to the rules' effect on small business may do so. The Department's position regarding the impact of the rules on small business is set forth in the Statement of Need and Reasonableness.

## Rule as Proposed (all new material)

**3300.0500 FEES FOR REHABILITATION SERVICES.**

The Division of Rehabilitation Services in the Department of Jobs and Training will charge $50 per hour for rehabilitation services described in Minnesota Statutes, section 176.102, subdivision 9, clause (b). The authority for charging the hourly rate is contained in Minnesota Statutes, section 129A.03, paragraphs (b), (c), and (m). The rehabilitation services are the following:

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I. analysis of transferable skills;

J. follow-up;

K. referrals; and

L. monitoring of medical and training services.

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the Proposed Adoption
of Rules of the State of Minnesota
Governing Fees for Rehabilitation Services
Provided to Injured Workers under an
Approved Rehabilitation Plan

AFFIDAVIT OF MAILING

Roger Sorbel, Legal Technician, being duly sworn deposes and says:

That on the 4th day of February, 1986, at the City of St. Paul, County of Ramsey, State of Minnesota, he served the attached Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the State of Minnesota Central Mail System for the United States mail system at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the Department for the purpose of receiving notice of rulemaking by the Department.

State of Minnesota

Roger Sorbel

Roger Sorbel
Legal Technician
Department of Jobs and Training

Subscribed and sworn to before me

this 4th day of February, 1986

Dan W. Simpson

Notary Public
Ramsey County

DAN W. SIMPSON
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSON EXPIRES MARCH 27, 1991

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the Proposed Adoption
of Rules of the State of Minnesota
Relating to Fees for Rehabilitation
Services Provided to Injured Workers
Under an Approved Rehabilitation Plan

MAILING LIST
CERTIFICATE

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minnesota Statutes, section 14.14, subdivision 1a, that their names be placed on file with and maintained by the Department for the purpose of receiving notice of the proposed adoption of rules by the Department is accurate and complete as of 10:00 A.M., this 24th day of March, 1986.

STATE OF MINNESOTA

Colleen Gunderson

Colleen Gunderson
Rules Coordinator
Management Analysis Unit
Department of Jobs and Training

Subscribed before me this
24th day of March 1986

H.E. Kelly

H.E. KELLY
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES AUGUST 11, 1990

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### Rule as Proposed (all new material)

**3300.0500 FEES FOR REHABILITATION SERVICES.**

The Division of Rehabilitation Services in the Department of Jobs and Training will charge $50 per hour for rehabilitation services described in Minnesota Statutes, section 176.102, subdivision 9, clause (b). The authority for charging the hourly rate is contained in Minnesota Statutes, section 129A.03, paragraphs (b), (c), and (m). The rehabilitation services are the following:

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B. labor market surveys;

C. vocational counseling;

D. job development;

E. testing;

F. on-the-job training;

G. placement;

H. training in job seeking skills;

I. analysis of transferable skills;

J. follow-up;

K. referrals; and

L. monitoring of medical and training services.

STATEMENT OF NEED AND REASONABLENESS governing fees for rehabilitation services provided to injured workers under an approved rehabilitation plan.

Minnesota Statutes, Section 129A.03(c), authorizes the Division of Rehabilitation Services (DRS) of the Minnesota Department of Jobs and Training to provide rehabilitation services to injured workers who are covered under the Workers' Compensation Act (Minnesota Statutes, Chapter 176) of the Minnesota Department of Labor and Industry. Minnesota Statutes, Section 129A.03(b), describes the rehabilitation services to be provided by DRS to injured employees. Minnesota Statutes, Section 129A.03(m), authorizes DRS to adopt rules necessary to implement or make specific programs that the Commissioner of the Minnesota Department of Jobs and Training is empowered to administer. Charging fees is integral to implementing the DRS program that provides rehabilitation services to injured employees. For these reasons, DRS proposes to adopt rules governing the services to be provided and the fees to be charged.

Minnesota Statutes, Section 176.102, Subdivision 9(b), requires an employer to pay the cost of all rehabilitation services and supplies necessary for implementation of a rehabilitation plan. Thus, the employer is liable for the rehabilitation services provided by DRS. The types of rehabilitation services offered by DRS are listed in the proposed rules. These services have historically been offered by DRS, and are a complete listing of DRS's rehabilitation services. The services, themselves, Items A through L, are self-explanatory.

DRS proposes to charge a fee of $50 per hour for rehabilitation services. The Minnesota Department of Finance (DOF) has approved DRS's request to charge for the cost of providing rehabilitation services. A copy of DOF's fee review is attached.

Many of the employers who are charged for rehabilitation services are small businesses as defined in Minnesota Statutes, Section 14.115, Subdivision 1. Whenever proposed rules may affect small businesses, an agency must consider methods for reducing the impact of the proposed rules on small businesses.

DRS has considered each of the methods listed in Minnesota Statutes, Section 14.115, Subdivision 2. Under the proposed rules:

A. There are no compliance or reporting requirements for small businesses;
B. Nor are there any schedules or deadlines for the requirements in A.;
C. Thus, consolidation or simplification of the requirements of A. does not apply to the proposed rules;
D. There are no required design or operational standards to replace with performance standards for small businesses; and
E. Small businesses cannot be exempted from any or all requirements of the proposed rules because Minnesota Statutes, Section 176.102, Subdivision 9(b), requires employers to pay the cost of rehabilitation services. To exempt small business employers from Minnesota Statutes, Section 176.102, Subdivision 9(b), would defeat its mandate to charge the cost of rehabilitation services to the employer.

Thus, pursuant to Minnesota Statutes, Section 14.115, Subdivision 3, the Minnesota Department of Jobs and Training finds that it is not feasible to incorporate any of the methods listed above (Items A through E) into the proposed rules.

Minnesota Laws 1985, First Special Session, Chapter 14, Section 2, states that no public hearing will be held if less than 20 percent of the persons who would be required to pay the fee request a hearing on the proposed rules.

DEPARTMENT Jobs and Training
Rehabilitation Services

# Office Memorandum

TO: Bart Nelson
Budget Operations and Support Services
Department of Finance

DATE: November 22, 1985

FROM: Paul D. Moe, Director
DRS Workers' Compensation Unit

PHONE: (612) 297-3753

SUBJECT: WORKERS' COMPENSATION QUALIFIED REHABILITATION CONSULTANT (QRC) FEES

We are requesting Department of Finance approval of a fee increase to $50.00 per hour Qualified Rehabilitation Consultant services. The current rate of $45.00 per hour has been in effect since September of 1981.

Workers' Compensation has used the following rationale in setting and reviewing the fees charged:

1. M.S. 176.102 (1983) mandates services to injured workers whose liability is being disputed by insurance carriers. Services to these non-qualified employees may not result in reimbursement.

2. Staff providing services have three more years' experience since the current fee was set. Goals set for service by our staff are consistently moved upward to guarantee quality services.

3. A balance is sought with services provided by the private sector where:

   - Fees range from $40 - $60; with the average above $50;

   - Workers' Compensation represent only a 4.5 percent market share;

   - Cost-recovery is attempted while trying to keep fees low enough to assure access by the public to quality services.

A copy of the fee review and the requested fee rate calculation are attached. Should additional information be needed, please call at your convenience.

PDM:ams

APPROVALS:

Connie Robinson

Ms. Connie Robinson, Assistant Commissioner
Administrative and Technical Serivces
Department of Jobs and Training

Mr. Bruce J. Reddemann, Controller
Department of Finance

Approved Charlie Bieleck, Acting Director
Budget Operations and Support
Date 12/6/85

# Fee Review

| Department/Agency: | Budget Activity: |
|---|---|
| Jobs and Training/Rehabilitation Services | Rehabilitation Services for Workers' Compensation Recipients |

Fee Name:
Fee for Services of Qualified Rehabilitation Consultants

| Legal Citation: | Fee Set By: |
|---|---|
| Laws 1979, Chapter 336, Sec. 3 and M.S. 176.102 | ☐ Law ☒ Agency |

Purpose of Fee:
To recover the costs of services provided by the Agency to Qualified Injured Workers when those costs are part of an approved Rehabilitation Plan and are the responsibility of an insurance carrier or an employer.

| ☐ Dedicated ☒ Non-Dedicated | Revenue Code: 690 |
|---|---|
| APID: 18060:05-10 | Accumulated Difference Thru 1982 |

Dollars in Thousands (137.522 = 137.5)

| Fiscal Year | Actual F.Y. 83 | Actual F.Y. 84 | Estimated F.Y. 85 | Requested F.Y. 86 | Requested F.Y. 87 |
|---|---|---|---|---|---|
| Actual/Anticipated Receipts | | 385.4 | 495.0 | 696.2 | 723.5 |
| Less Actual/ Anticipated Costs | | 995.5 | 1,160.4 | 1195.4 | 1195.4 |
| Current Difference | | (610.1) | ( 665.4) | (499.2) | (471.9) |
| Accumulated Difference | | (610.1) | (1,275.5) | (1,774.7) | (2,246.6) |
| Number Paying Fee | | 887 | 1,067 | 1,067 | 1,067 |
| Present Fee | | $45/hour | $45/hour | $50/hour | $50/hour |
| Date Fee Last Changed | | 9/81 | | 7/85 | |

Remarks: In 1979, Minnesota Legislature enacted revisions in the state's Workers' Compensation Law which apply to individuals injured after October 1, 1979. Under the guidelines established to implement this law, rehabilitation services are to be provided by Qualified Rehabilitation Consultants (QRC's) registered with the Department of Labor and Industry. Because of State and Federal rehabilitation laws and regulations and because of this law, the Division of Rehabilitation Services (DRS) must provide services to many of the individuals covered by Workers' Compensation. DRS began providing services under this law in May of 1980 at a rate of $32 per hour for QRC services. The current rate of $45 per hour has been in effect since September, 1981. The requested rate of $50 per hour would go into effect July 1, 1985.

Estimated receipts are expected to be less than anticipated costs because under State law DRS-QRC's serve injured workers for which we will not receive reimbursement because insurance carriers have disputed or denied liability for their claims.

*Prior to July 1, 1983 this program was funded in a different manner using federal funds.

Finance Department Recommendation:



| Department Authorized Signature: | Agency Controller Signature: |
|---|---|
| Paul Moe | |

11-22

| | SFY 1985 | SFY 1986 | SFY 1987 (Estimate) |
|---|---|---|---|
| Salaries | 825.7 | 825.7 | 825.7 |
| Est. Sal. Increases | | 43.8 | 89.8 |
| Est. Salaries (contracted settlement and annual increase) | 825.7 | 869.5 | 915.5 |
| Expenses and Contracted Services | 148.8 | 145.7 | 145.7 |
| Supplies and Materials | 3.6 | 7.1 | 5.0 |
| Equipment | 29.2 | 20.1 | 15.0 |
| Other Expense Items (Incl. Indirect Cost) | 153.1 | 153.1 | 114.2 |
| TOTAL OPERATING COSTS | 1,160.4 | 1,195.4 | 1,195.4 |
| Number of QRC's | 18 | 21 | 21 |
| Reportable Hours/QRC/Year | 1,040.0 | 1,326.0 | 1,378.0 |
| Reportable Hours/QRC/Week | 20.0 | 25.5 | 26.5 |
| Required Rate/Hour | N/A | 49.90 | 49.75 |
| Requested Rate/Hour | | 50.00 | 50.00 |
| Reportable Hours x Number of QRC's | | 27,846 | 28,938 |
| x QE/Non-QE Ratio | | .5 | .5 |
| = Billable Hours | | 13,923 | 14,469 |
| x Rate/Hour | | $50 | $50 |
| = Est. Receipts | | $696,150 | $723,450 |

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the Proposed Adoption
of Rules of the State of Minnesota
Governing Fees for Rehabilitation Services
Provided to Injured Workers under an
Approved Rehabilitation Plan

STATEMENT OF
COMPLIANCE WITH
RULEMAKING PROCEDURES

I, JAMES PATRICK BARONE, Special Assistant Attorney General, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

James Patrick Barone

JAMES PATRICK BARONE
Special Assistant
Attorney General

Date: May 12, 1986.

STATE OF MINNESOTA
DEPARTMENT OF JOBS AND TRAINING

In the Matter of the Proposed Adoption
of Rules of the State of Minnesota
Governing Fees for Rehabilitation Services
Provided to Injured Workers under an
Approved Rehabilitation Plan

**AFFIDAVIT OF NO MAILING OF NOTICE OF SUBMISSION TO THE ATTORNEY GENERAL**

STATE OF MINNESOTA )
) ss.
COUNTY OF RAMSEY )

Roger I. Sorbel, being first duly sworn, deposes and says:

That he did not serve a Notice of Submission to the Attorney General on all persons and associations who requested notice that the rules in the above-entitled matter have been submitted to the attorney general because he did not receive any requests for such notice.

Roger I. Sorbel
Roger I. Sorbel, Legal Technician

Subscribed and sworn to before me
this 13th day of May, 1986

Annette Selbitschka
Notary Public

ANNETTE SELBITSCHKA
NOTARY PUBLIC
RAMSEY COUNTY, MN
MY COMMISSION EXPIRES
SEPTEMBER 18, 1987

STATE OF MINNESOTA
Office Memorandum

DEPARTMENT: Jobs and Training
Rehabilitation Services

TO: J.P. Barone
Special Assistant Attorney General

DATE: 03-25-86

FROM: Roger Sorbel RDS
Legal Technician

PHONE: 297-3754

SUBJECT: WORKERS' COMPENSATION FEE RULE

I am submitting a Noncontroversial Rule and accompanying documents to you for your review. Please review the Rule. If the Rule is acceptable, complete a Statement Compliance with Rulemaking Procedures and submit the Rule and required documents to the Administration Division Attorney General.

During the 30-day comment period, I did not receive any comments, nor requests for Notice of Submission to the Administration Division Attorney General.

Please find enclosed copies of the following documents:

1. Proposed Rule
2. Affidavit of Mailing
3. Mailing Certificate
4. Notice of Intent to Adopt Rules Without a Public Hearing
5. Statement of Need and Reasonableness
6. Order for Notice of Intent to Adopt Rules Without a Public Hearing
7. Order Adopting Noncontroversial Rule