

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

RULE REVIEW CHECKLIST

File No. 1341 Docket No. 50-0209-0485

DATE RECEIVED 1/14/87
REVIEW DATE 1/23/87
DUE DATE 1/28/87

APPROVED 1-23-87 mjc
DISAPPROVED
WITHDRAWN

ADOPTED W/O HEARING
EMERGENCY RULE

REVISOR APPROVED 1/16/87
REVISOR DISAPPROVED
FILED W/SEC. STATE 1/27/87
RETURNED TO AGENCY 1/27/87 · IO

✓ Rule as adopted (4 copies)

___ ~~Notice to Solicit Outside Information/Opinion~~
Date published in State Register
Comments

___ ~~Petition for Adoption of a Rule~~

✓ Board's Authorizing Resolution

✓ Proposed rule
yes Revisor's Certificate

✓ Notice of Intent to Adopt Rule
153.02 214.06 Statutory Authority 16A.128
no Small business statement
no Expenditure of public money statement
yes Signature

✓ Statement of Need and Reasonableness

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
9/17/86 Date (30)/25 days before adoption

✓ Publication in State Register
9/22/86 Date (30)/25 days before adoption

✓ Resolution Adopting

✓ Findings of Fact, Conclusions & Order Adopting
12/6/86 Date

___ ~~Written requests, submissions or comments~~

✓ Declaration of attorney
Catherine Avina Name of SAAG representing agency

___ ~~Notice of Submission to Attorney General~~

___ ~~Affidavit of Mailing Notice to Attorney General~~

SF-00006-03

STATE OF MINNESOTA

DEPARTMENT

ATTORNEY GENERAL

Office Memorandum

TO: SISTER MARY MADONNA ASHTON, Commissioner
Department of Health

DATE: 1/27/87

ATTN: CATHERINE E. AVINA
Special Assistant Attorney General

FROM: MARTHA J. CASSERLY
Special Assistant Attorney General

PHONE: 296-4692

SUBJECT:

Board of Podiatry, Rule Relating to
Registration Renewal; Fees

The above-referenced rule has been approved as to its legality by the Attorney General on 1/23/87.

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/rmk
Enclosures

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

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

RR#1341

Board of Podiatry

Adopted Permanent Rules Relating to Registration Renewal; Fees

Rules as Adopted

6900.0200 REGISTRATION RENEWAL.

Every application for renewal of registration by a podiatrist shall be accompanied by a fee.

6900.0250 FEES.

Fees for the licensure of podiatrists are as follows:

A. The fee for licensure by examination is $200.

B. The fee for reexamination under an original application is $200.

C. The fee for renewal of a license is $75.

D. The fee for late renewal of a license is $50.

E. The fee for licensure by reciprocity is $200.

F. The fee for the replacement of an original license or renewal certificate is $10.

APPROVED AS TO FORM AND LEGALITY

January 23 1987

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY MJ Cassely
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JAN 27 1987
Joan Anderson Growe
Secretary of State

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PODIATRY

In the Matter of
Proposed Permanent Rules
Relating to Registration
Renewal; Fees

CERTIFICATE OF RESOLUTION
ADOPTING THE RULE

I, Michael L. Stone, DPM, do hereby certify that I am a member and the President of the Minnesota Board of Podiatry, a Board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board, duly and properly called and held on the 6th day of December, 1986, that a quorum was present, and that a majority of those present voted for the resolution which has not been rescinded or modified.

> RESOLVED, that the rule relating to Registration Renewal and Fees is approved and adopted, pursuant to authority vested in the Board by Minnesota Statutes, sections 153.02, 214.06, and 16A.128. Joyce M. Schowalter, the Executive Director, is authorized to sign the findings of fact, conclusions, and order adopting the rule and to perform the necessary acts to provide that the rule shall have the force and effect of law.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 6th day of December, 1986.

MINNESOTA BOARD OF PODIATRY

Michael L. Stone DPM

MICHAEL L. STONE, DPM
President

Attest by one other Board member

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PODIATRY

In the Matter of
Proposed Permanent Rules
Relating to Registration
Renewal; Fees

NOTICE OF INTENT TO
ADOPT A RULE WITHOUT
A PUBLIC HEARING

Notice is hereby given that the Board of Podiatry proposes to adopt permanent rules relating to the annual registration renewal of licensees and licensure fees. The Board intends to adopt the rule without public hearing following the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28 (1984). The statutory authority to adopt the rule is set forth in Minnesota Statutes, sections 153.02 and 214.06 (1984) and in section 16A.128 (1985 Supp.).

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 20 percent of the persons who will be required to pay the proposed fees submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comment or written requests for a public hearing must be submitted to:

Joyce M. Schowalter
Executive Director
Board of Podiatry
2700 University Avenue West, #108
St. Paul, Minnesota 55114
Telephone: (612) 642-0568

The proposed rule may be modified if the modifications are supported by data and views submitted and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

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 Joyce M. Schowalter upon request. The Statement of Need and Reasonableness contains the approval of the Commissioner of Finance of the proposed fees.

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 Joyce M. Schowalter.

Dated: Sept. 8, 1986

MINNESOTA BOARD OF PODIATRY

Joyce M. Schowalter

JOYCE M. SCHOWALTER
Executive Director

Board of Podiatry

Proposed Permanent Rules Relating to Registration Renewal; Fees

Rules as Proposed

6900.0200 REGISTRATION RENEWAL.

Every application for renewal of registration by a podiatrist shall be accompanied by a fee ~~of $50~~.

Rules as Proposed (all new material)

6900.0250 FEES.

Fees for the licensure of podiatrists are as follows:

A. The fee for licensure by examination is $200.

B. The fee for reexamination under an original application is $200.

C. The fee for renewal of a license is $75.

D. The fee for late renewal of a license is $50.

E. The fee for licensure by reciprocity is $200.

F. The fee for the replacement of an original license or renewal certificate is $10.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Registration Renewal; Fees

AGENCY: Board of Podiatry

MINNESOTA RULES: Chapter 6900

The attached rules are approved for publication in the State Register

Paul M. Marinac
Assistant Deputy Revisor

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PODIATRY

In the Matter of a
Proposed Rule Amendment
Relating to Fees Charged
by the Minnesota Board
of Podiatry

STATEMENT OF NEED
AND REASONABLENESS

The Board of Podiatry (Board) is proposing rules which establish fees for each activity it performs and is authorized by statute to charge a fee. These activities include initial licensing by examination and reciprocity, license renewal and document replacement. Each proposed rule will be address separately.

Minn. Rules part 6900.0200: Registration Renewal.

The specific fee is removed from this rule and placed in a new rule, part 6900.0400, which includes all fees charged by the Board. It is necessary to retain the rest of the rule as it describes a different renewal requirement, the accompaniment of an application by a fee.

Minn. Rules part 6900.0400: Fees.

A new rule is proposed. Each fee is based on actual expenditures by the Board as authorized through legislative appropriation. This rule is needed in order to comply with the provision in the Administrative Procedures Act (Minn. Stat. Sect. 14.06) which requires State agencies to promulgate rules on any subject which places requirements on persons under the jurisdiciton of the agency. Because a license may be denied or a registration renewal may be denied if the proper fee is not paid, these requirements must be in rule. Attachment A lists the proposed receipts and expenditures for Fiscal Year 1987.

Having a separate rule which covers only fees is reasonable because it provides clarity and easy reference for the applicant, licensee or any other

person who desires to learn of the fees.

Subpart A. The fee for licensure by examination ($200) is necessary to cover the costs of processing the application and license. These costs, although not specifically fixed, include preparation, mailing and handling of an application packet. The packet includes two forms and a letter. A file is started and communication is carried out until the file is complete. Completed files are reviewed by the full Board at a scheduled meeting; therefore, meeting costs for the seven Board members are involved. The costs of preparing and mailing the actual license are also included.

Although $200 may seem high, it is reasonable to set it at the same fee charged for licensure by reciprocity because the amount of time and the costs of processing each are the same. The Board accepts a national examination in accordance with Minn. Stat. Section 214.03 and therefore does not have the additional cost of developing or purchasing its own exam. Also, at present the Board does not administer an oral, practical or supplementary written exam. It need not include the costs associated with these types of exams. Because the number of new licensees each year is small, the licensure fee does not generate revenue sufficient to carry out the other Board functions.

Subpart B. The proposed re-examination fee ($200) is proposed to cover the possibility of an applicant failing the oral, practical or supplementary examination, thus necessitating a repeated examination. Because these exams may be offered in the near future, the Board believes it is practical to include a fee at this time rather than go through the rule-making process again.

The proposed fee is reasonable as it is the same as the exam fee. The amount of work in processing the application, conducting and grading the exam and communicating with the applicant will be covered by this fee. The Board

does not expect any income from this source in FY87.

Subpart C. The proposed fee for renewal of a license ($75) is needed to produce income in order to operate the agency. Licenses are renewed each year by July 1. The increase from the present $50 to $75 is needed and reasonable because it will cover the anticipated expenditures but not result in excess income. Minn. Stat. section 214.06 requires each licensing board to set its fees so that anticipated income and expenditures balance.

Subpart D. The fee for late renewal of a license ($50) is proposed at two-thirds the renewal fee to discourage late filing. Since the renewal period ends with the end of the fiscal year, it is important to receive all anticipated income during the year to which it applies. Experience shows that about ten licensees renew late each year. With this increased fee, the number of late renewals is expected to drop to two.

Subpart E. The reciprocity fee ($200) applies to licensure without examination. The rate is reasonable since this type of application presently involves the same amount of Board and staff time and work and the same amount of correspondence as licensure by examination.

Subpart F. The fee for replacement of a licensure document ($10) is needed for those few times when such a request is received. The fee is reasonable because it merely covers the processing and postage to prepare and send the new document.

In summary, the Board believes that each proposed fee is needed and reasonable and complies in all ways with statutory requirements.

Dated: Sept. 9, 1986

MINNESOTA BOARD OF PODIATRY

Joyce M. Schowalter

JOYCE M. SCHOWALTER
Executive Director

Attachment A

MINNESOTA BOARD OF PODIATRY

Estimated Receipts and Expenditures
Fiscal Year 1987

Estimated Receipts

Code	Category	Proposed Fee	Paying	Income
01	Examination	$200	5	$ 1,000
02	Reciprocity	200	5	1,000
03	License Renewal	75	120	9,000
04	Late Renewal Fee	50	2	100
05	Misc. Fees	10	1	10
06	New Corporation	100	1	100
07	Corporation Renewal	25	16	400
				$11,610

Estimated Expenditures

Code	Category	Cost
08	Board per diem	$ 1,960
14	Printing	200
16	Professional technical services	200
18	Purchased services	200
20	Communications	1,420
21	In-state travel	1,500
29	Other contractual services	320
30	Supplies	100
		$ 5,900
	Attorney General	4,500
	General Support costs	100
	Statewide Indirect costs	679
		$11,179

ADMIN 1000 (Rev. 1/78)
S-00006-01

STATE OF MINNESOTA

DEPARTMENT Board of Podiatry

Office Memorandum

TO : Allen Yozamp, Director
Budget Operations and Support Division
Department of Finance



DATE: June 27, 1986

FROM : Joyce M. Schowalter
Executive Director

PHONE: 642-0567

SUBJECT: Approval of Fee Increases

Minnesota Statute section 214.06 authorizes the Board of Podiatry, with approval of the Commissioner of Finance, to adjust any fee which the Board is empowered to assess a sufficient amount so that the total fees collected will as closely as possible equal anticipated expenditures during the fiscal biennium. Board fees have not been raised since 1975.

Please note the attached Fee Review sheet with the current and present fees listed. The proposed increases are needed to meet anticipated expenditures, including attorney fees. The examination fee is proposed to be consistent with the reciprocity fee (both forms of licensure). The amount of work for each type is the same presently.

The late renewal fee is intentionally raised to a level to discourage the late submission of license renewal applications.

The license/certificate replacement fee is proposed to cover the few occasions when a replacement document is requested by a licensee.

The estimated disbursements for FY 87 are as follows:

Code	Category	Estimated Cost
08	Board per diem	1,960
14	Printing	200
16	Prof. tech. services	200
18	Purchased services	200
20	Communications	1,420
21	Instate travel	1,500
29	Other cont. serv.	320
30	Supplies	100
	(appropriation)	5,900
165	Attorney General	4,500
	subtotal	10,400
	General support costs	100
	Statewide indirect costs	679
	Total	11,179

We request approval for the fee changes as proposed. If you have any questions, please call me at 642-0567.

Approved: _____ 7-10-86
Allen Yozamp Date

cc: John Schorn
Executive Finance Officer

Encl (1)

FI-00194-02

Department of Finance

Fee Review

Department/Agency:
Podiatry, Board of

Fee Name:
Examination, reciprocity, renewal, late renewal, replacement, corporation registration

Legal Citation:
Minnesota Statute section 153

Fee Set By: ☐ Law ☒ Agency

Purpose of Fee:
To enforce podiatry statutes, license applicants and register corporations.

☐ Dedicated ☒ Non-Dedicated

Revenue Code:
312

APID:
21505:00-12

Dollars in Thousands (137,522 = 137.5)

Fiscal Year	Actual F.Y. 83	Actual F.Y. 84	[illegible]Act. F.Y. 85	[illegible]Est. F.Y. 86	[illegible] Est. F.Y. 87
Actual/Anticipated Receipts	6.9	7.2	7.7	7.4	11.6
Less Actual/ Anticipated Costs	4.3	5.2	8.1	6.3	11.2
Current Difference	2.6	2.0	(.4)	1.1	.4
Accumulated Difference*	7.6	9.6	9.2	10.3	10.7
Number Paying Fee					See below
Present Fee					See below
Date Fee Last Changed					FY 1975

*Accumulated [illegible] Diff. Thru 1982:5.0

Remarks:

Proposal for FY 87

Code	Category	Current Fee	Proposed Fee	Number	Amount
001	License Renewal	50	75	120	$ 9,000
002	Examination	50	200	5	1,000
003	Reciprocity	200	200	5	1,000
004	Late Renewal Fees	5	50	2	100
005	New Corporations	100	100	1	100
006	Corporation Renewal	25	25	16	400
007	License/certif. replacement	0	10	1	10
					$ 11,610

Department Authorized Signature:
John M. Schmitt
6/26/86

Agency Controller Signature:

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PODIATRY

In the Matter of
Proposed Permanent Rules
Relating to Registration
Renewal; Fees

AFFIDAVIT OF MAILING
THE NOTICE OF INTENT TO
ADOPT A RULE WITHOUT A
PUBLIC HEARING AND CERTIFICATE
OF MAILING LIST

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Joyce M. Schowalter, being first duly sworn and deposes and says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 or 14.30, that their names be placed on the Minnesota Board of Podiatry rulemaking mailing list is accurate, complete, and current as of the 17th day of Sept., 1986.

That on the 17th day of Sept., 1986, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Adopt a Rule Without a Public Hearing by depositing in the State of Minnesota Central Mail System for United States a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

Joyce M. Schowalter

Subscribed and sworn to before me
this 18th day of September, 1986.

Marilyn A. Wolner

MARILYN A. WOLNER
NOTARY PUBLIC-MINNESOTA
HENNEPIN COUNTY
MY COMMISSION EXPIRES APRIL 30, 1991

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PODIATRY

In the Matter of
Proposed Permanent Rules
Relating to Registration
Renewal; Fees

NOTICE OF INTENT TO
ADOPT A RULE WITHOUT
A PUBLIC HEARING

Notice is hereby given that the Board of Podiatry proposes to adopt permanent rules relating to the annual registration renewal of licensees and licensure fees. The Board intends to adopt the rule without public hearing following the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28 (1984). The statutory authority to adopt the rule is set forth in Minnesota Statutes, sections 153.02 and 214.06 (1984) and in section 16A.128 (1985 Supp.).

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 20 percent of the persons who will be required to pay the proposed fees submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comment or written requests for a public hearing must be submitted to:

Joyce M. Schowalter
Executive Director
Board of Podiatry
2700 University Avenue West, #108
St. Paul, Minnesota 55114
Telephone: (612) 642-0568

The proposed rule may be modified if the modifications are supported by data and views submitted and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

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 Joyce M. Schowalter upon request. The Statement of Need and Reasonableness contains the approval of the Commissioner of Finance of the proposed fees.

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 Joyce M. Schowalter.

Dated: Sept. 8, 1986

MINNESOTA BOARD OF PODIATRY

Joyce M. Schowalter

JOYCE M. SCHOWALTER
Executive Director

which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by narcotic drugs alone:

Statutory Names	Some examples of common names, trade names, or names of products which contain a controlled substance.
(1) to (3) [Unchanged.]	
(4) Not more than ~~15~~ 100 milligrams of ~~anhydrous morphine~~ opium per 100 milliliters or per 100 grams.	Parapectolin, Donnagel P.G.
(5) Not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.	



Board of Podiatry

Proposed Permanent Rules Relating to Registration Renewal; Fees

Notice of Intent to Adopt a Rule without a Public Hearing

Notice is hereby given that the Board of Podiatry proposes to adopt permanent rules relating to the annual registration renewal of licensees and licensure fees. The Board intends to adopt the rule without public hearing following the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28 (1984). The statutory authority to adopt the rule is set forth in Minnesota Statutes, sections 153.02 and 214.06 (1984) and in section 16A.128 (1985 Supp.).

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 20 percent of the persons who will be required to pay the proposed fees submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comment or written requests for a public hearing must be submitted to:

Joyce M. Schowalter
Executive Director
Board of Podiatry
2700 University Avenue West, #108
St. Paul, Minnesota 55114
Telephone: (612) 642-0568

The proposed rule may be modified if the modifications are supported by data and views submitted and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

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 Joyce M. Schowalter upon request. The Statement of Need and Reasonableness contains the approval of the Commissioner of Finance of the proposed fees.

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

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.

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 Joyce M. Schowalter.

Dated: 8 September 1986

JOYCE M. SCHOWALTER
Executive Director

Rules as Proposed

6900.0200 REGISTRATION RENEWAL.

Every application for renewal of registration by a podiatrist shall be accompanied by a fee ~~of $50~~.

Rules as Proposed (all new material)

6900.0250 FEES.

Fees for the licensure of podiatrists are as follows:

A. The fee for licensure by examination is $200.

B. The fee for reexamination under an original application is $200.

C. The fee for renewal of a license is $75.

D. The fee for late renewal of a license is $50.

E. The fee for licensure by reciprocity is $200.

F. The fee for the replacement of an original license or renewal certificate is $10.

Public Utilities Commission

Proposed Permanent Rules Relating to Ex Parte Communication

Notice of Proposed Adoption of Rule Amendments without a Public Hearing

Notice is hereby given that the Minnesota Public Utilities Commission intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing. Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statutes, section 216A.037.

All persons have 30 days (until 4:30 p.m. on October 22, 1986) in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encourged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Caroline Robinson
Minnesota Public Utilities Commission
780 American Center Building
St. Paul, MN 55101
Telephone: (612) 296-9617

The proposed rule may be modified if the modifications are supported by data and views submitted to the Commission and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A free copy of the rule is available upon request from Kathy Briesemeister, Minnesota Public Utilities Commission, 780 American Center Building, 150 East Kellogg Boulevard, St. Paul, MN 55101, (612) 296-9616.

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 Kathy Briesemeister upon request.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PODIATRY

In the Matter of
Proposed Permanent Rules
Relating to Registration
Renewal; Fees

CERTIFICATE OF
AUTHORIZING RESOLUTION

I, S. Scott Standa, DPM, do hereby certify that I am a member and the President of the Minnesota Board of Podiatry, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board duly and properly called and held on the 20th day of June, 1986, that a quorum was present, and that a majority of those present voted for the resolution which has not been rescinded or modified.

> RESOLVED, that Joyce M. Schowalter, the Executive Director of the Board, is hereby granted the authority and directed to sign and to give notice of the Board's proposed intent to adopt a rule without a public hearing governing annual registration renewal and licensure fees to all persons who have registered their names with the Board for that purpose and publish the notice and rule in the State Register, and to perform any and all acts incidental thereto.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 20th day of June, 1986.

S. SCOTT STANDA, DPM
President
Minnesota Board of Podiatry

Attest

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PODIATRY

In the Matter of
Proposed Permanent Rules
Relating to Registration
Renewal; Fees

FINDINGS OF FACT,
CONCLUSIONS, AND ORDER
ADOPTING RULE WITHOUT
PUBLIC HEARING

Notice of the Board's intent to adopt the above-entitled rule was published in the State Register on September 22, 1986, and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1.a and 14.22 on September 17, 1986. The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. No submissions or comments on the rule were received by the agency. No requests for a hearing or for a notice of submission to the Attorney General were received by the agency.

Based on the record before the agency, I find the following:

The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as Rules Relating to Registration Renewal; Fees is adopted this 6th day of December, 1986, pursuant to authority vested in the Board by Minnesota Statutes, sections 16A.128, 153.02, and 214.06.

MINNESOTA BOARD OF PODIATRY

Joyce M. Schowalter

JOYCE M. SCHOWALTER
Executive Director

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PODIATRY

In the Matter of
Proposed Permanent Rules
Relating to Registration
Renewal; Fees

DECLARATION OF
COUNSEL

I, Catherine E. Avina, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rule, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, chapter 2010 have been followed. For Attorney General billing purposes, the docket client code is 50.X243.0485

Dated: December 23, 1986

Catherine E. Avina

CATHERINE E. AVINA
Special Assistant
Attorney General

Board of Podiatry

Proposed Permanent Rules Relating to Registration Renewal; Fees

Rules as Proposed

6900.0200 REGISTRATION RENEWAL.

Every application for renewal of registration by a podiatrist shall be accompanied by a fee ~~of $50~~.

Rules as Proposed (all new material)

6900.0250 FEES.

Fees for the licensure of podiatrists are as follows:

A. The fee for licensure by examination is $200.

B. The fee for reexamination under an original application is $200.

C. The fee for renewal of a license is $75.

D. The fee for late renewal of a license is $50.

E. The fee for licensure by reciprocity is $200.

F. The fee for the replacement of an original license or renewal certificate is $10.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Registration Renewal; Fees

AGENCY: Board of Podiatry

MINNESOTA RULES: Chapter 6900

The attached rules are approved for publication in the State Register

Paul M. Marinac
Assistant Deputy Revisor

S. Scott Standa, D.P.M.
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Minnesota Podiatric Medical Association
1000 - 2nd Avenue S.
Minneapolis, MN 55403

Michelle Barrette
1465 Arcade Street
St. Paul, MN 55106

Notice of Intent

Re: Submission of written requests for a public hearing:

The board used a 20% figure in determining whether a public hearing would be held instead of the "25 or more persons" standard -- under 1986 law must be 20% change not effective til 7-1-87

153.02 can set board fees
214.06 can promulgate rules providing for renewal of licenses.
16 A.128 can adjust fee w/ Com'r of finance appr.

Com. of Finance approved ~~fee~~ fee adjustment.

Rule CK

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : ATTORNEY GENERAL - Health

DATE : December 29, 1986

TO : J. Michael Miles
Assistant Attorney General
Administration/Finance Division

FROM : Catherine E. Avina
Special Assistant
Attorney General

PHONE : 341-7272

SUBJECT : Adopted Rules Relating to Licensing Fees

Pursuant to Minn. Stat. § 14.26, the attached documents in support of the above-referenced rules are submitted to your office for approval:

1. Certificate of Authorizing Resolution, executed June 20, 1986.

2. Notice of Intent to Adopt a Rule Without a Public Hearing, executed September 8, 1986, with attached copy of the proposed amendments approved by the Revisor's office.

3. A photocopy of the relevant pages of the September 22, 1986, State Register at 11 S.R. 539 in which the Notice and proposed amendments referenced in paragraph 2 were published.

4. Statement of Need and Reasonableness, with attached approval of the Commissioner of Finance.

5. Affidavit of Mailing and Certificate of Mailing List, executed September 18, 1986.

6. Certificate of Resolution Adopting the Rule, executed December 6, 1986.

7. Findings of Fact, Conclusions, and Order Adopting Rule Without a Public Hearing, executed December 6, 1986.

8. The original and three copies of the rules as adopted.

9. Declaration of Counsel.

Please call me if you have any questions concerning the attached documents or the procedures followed by the Department.

CEA:lb

Attachments


RECEIVED
JAN 4 1987
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES