

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

SF-00006-05 (4/86)

DEPARTMENT : ATTORNEY GENERAL

STATE OF MINNESOTA

Office Memorandum

DATE : May 5, 1988

TO : AUDREY KAISER MANKA
Special Assistant Attorney General
Health Law Division

FROM : MARTHA J. CASSERLY
Special Assistant
Attorney General

PHONE : 296-6839

SUBJECT : In the Matter of the Adopted Permanent Rules Relating to Registration Fees

The above-referenced rule has been approved as to its legality by the Attorney General on May 5, 1988.

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

Also enclosed are any petitions, requests, submissions 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 establish 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.

MJC:bbl

Enclosures

cc: Maryanne Hruby
Duane Harves

ATTORNEY NERAL

FILE COPY

May 5, 1988

AUDREY KAISER MANKA
Special Assistant Attorney General
Health Law Division

MARTHA J. CASSERLY
Special Assistant
Attorney General

296-6839

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RULE REVIEW CHECKLIST

File No. 1474
DATE RECEIVED 4/21/88
REVIEW DATE 5/2/88 ~~4/28/88 4/29/88~~
DUE DATE 5/5/88

APPROVED 5-5-88 mjc
DISAPPROVED ✓
WITHDRAWN

Docket N 05.0009.0481
ADOPTED W/O HEARING X
EMERGENCY RULE

REVISOR APPROVED ✓
REVISOR DISAPPROVED
FILED W/SEC. STATE
RETURNED TO AGENCY

✓ Rule as adopted (4 copies)

~~Notice to Solicit Outside Information/Opinion (if applicable)~~
~~Date published in State Register~~
~~Comments~~

Petition for Adoption of a Rule (if applicable)

✓ Board's Authorizing Resolution
2/11/88 Date adopted

✓ Proposed rule
yes Revisor's Certificate

✓ Notice of Intent to Adopt Rule
148.231 + 148.294 Statutory Authority
NO Small Business Statement
NO Expenditure of public money statement
yes Signature

✓ Statement of Need and Reasonableness (if applicable)
no Small Business Statement
yes Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
2/16/88 Date (30)/25 days before adoption yes
yes Notice attached
N/A Copy of rule or summary attached

✓ Publication in State Register
2/22/88 Date (30)/25 days before adoption

✓ Resolution Adopting
3/31/88 Date adopted

✓ Findings of FAct, Conclusions & Order Adopting
4/15/88 Date

~~Written requests, submissions or comments~~

✓ Declaration of attorney
Audrey Kaisn Munka Name of SAAG representing agency

~~Notice of Submission to Attorney General (if applicable)~~

MJC ~~Affidavit of Mailing Notice to Attorney General (if applicable)~~

ATTORNEY GENERAL

May 5, 1988

AUDREY KAISER MANKA
Special Assistant Attorney General
Health Law Division

MARTHA J. CASSERLY
Special Assistant
Attorney General

296-6839

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Enclosures

cc: Maryanne Hruby
Duane Harves

Board of Nursing

Adopted Permanent Rules Relating to Registration Fees

Rules as Adopted

6310.2900 REGISTRATION RENEWAL PROCEDURES.

Subpart 1. to 6. [Unchanged.]

Subp. 6a. **Conversion period.** Licensees holding registration certificates with an expiration date unrelated to their month of birth will be registered in the following manner during a conversion period.

A. [Unchanged.]

B. Licensees will be charged a renewal fee for the six- to 29-month conversion registration period which is prorated at $1.04 a month from **May** June 1, 1988 to August 1, 1988, and $1.08 thereafter and rounded to the nearest dollar according to the length of each licensee's conversion registration period.

C. and D. [Unchanged.]

Subp. 7. to 10. [Unchanged.]

6310.3600 REGISTRATION FEES.

Subpart 1. **Amount.** The amount of fees shall be as follows:

A. registration renewal, $25 per registration period effective **May** June 1, 1988, and $26 effective August 1, 1988;

B. late application, $20 effective **May** June 1, 1988;

C. replacement license, $20 effective **May** June 1, 1988;

D. replacement registration certificate, $20 effective **May** June 1, 1988;

E. verification of licensure status, $20 effective **May** June 1, 1988;

F. verification of examination scores, $20 effective **May** June 1, 1988;

G. a copy of licensure application materials, $20 effective **May** June 1, 1988; and

H. service charge for a dishonored check, $15.

Subp. 2. **Nonrefundable.** All fees are nonrefundable.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

MAY 6 1988

3:35
P.M.

Secretary of State

APPROVED AS TO FORM AND LEGALITY

May 5 1988

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY M J Carsely

SPECIAL ASSISTANT ATTORNEY GENERAL

Speed Letter® 44-902
WilsonJones® Carbonless SNAP-A-WAY® FORMS

Speed Letter®

To Marty Cassedy
Admin. / A.G.O.

From Audrey Kaiser Menke
Health / HGO

Subject Nursing Fee Rules.

—No. 9 & 10 FOLD

MESSAGE

Attached please find the Supp. Finding for the above referenced rules. Joyce Schowalter has contacted the Revisor's office to have them make the changes & get the revised rules to you as soon as possible. If you do not have them by the morning of 5/5/88 call me & I will double-check everything. Thanks Date 5/3/88 Signed Audrey Kaiser Menke

REPLY

—No. 9 FOLD

—No. 10 FOLD

Date Signed

WilsonJones
44-902 3-PART PRINTED IN U.S.A.
Carbonless

RECIPIENT—RETAIN WHITE COPY, RETURN PINK COPY

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF NURSING

In the Matter of
Proposed Rules of the
Minnesota Board of Nursing
Relating to Registration Fees

SUPPLEMENTAL FINDINGS OF
FACT, AND CONCLUSIONS

The Board of Nursing has been advised by the Attorney General's Office that the Proposed Rules of the Board relating to registration fees, which were originally intended to be effective May 1, 1988, must be revised to avoid establishing a retroactive rule. Accordingly, and pursuant to Board resolution passed March 31, 1988, Joyce M. Schowalter, Executive Director of the Board, authorized modification of the proposed rules to change the effective date to June 1, 1988 and has advised the Revisor of Statutes to make that change in the proposed rules.

This finding of fact is hereby incorporated into and made part of the Findings of Fact, Conclusions and Order Adopting a Rule Without a Public Hearing dated April 15, 1988.

Dated: May 3, 1988

JOYCE M. SCHOWALTER
Executive Director

CERTIFICATE OF THE

MINNESOTA BOARD OF NURSING

AUTHORIZING RESOLUTION

I, Laura Trimbo, do hereby certify that I am a member and the President, of the Minnesota Board of Nursing, 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 Minnesota Board of Nursing duly and properly called and held on the 8th day of January, 1988, 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 of Nursing, is hereby granted the authority and directed to sign and to give the Notice of the Board's Intent to Adopt a Rule Without a Public Hearing governing registration 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 hereonto subscribed my name this 11th day of February ____, 1988.

Laura Trimbo

LAURA TRIMBO
Board President

Janice Manske

Attest by Board Member

Board of Nursing

Proposed Permanent Rules Relating to Registration Fees

Rules as Proposed

6310.2900 REGISTRATION RENEWAL PROCEDURES.

Subpart 1. to 6. [Unchanged.]

Subp. 6a. **Conversion period.** Licensees holding registration certificates with an expiration date unrelated to their month of birth will be registered in the following manner during a conversion period.

A. [Unchanged.]

B. Licensees will be charged a renewal fee for the six- to 29-month conversion registration period which is prorated at ~~$0.835~~ $1.04 a month from May 1, 1988 to August 1, 1988, and $1.08 thereafter and rounded to the nearest dollar according to the length of each licensee's conversion registration period.

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G. a copy of licensure application materials, ~~$10~~ $20 effective May 1, 1988; and

H. service charge for a dishonored check, $15.

Approved by Revisor

Subp. 2. **~~Effective-date~~ Nonrefundable**. ~~The-fees-in subpart-1-are-effective-January-1,-1987,-unless-specified otherwise.~~ All fees are nonrefundable.

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Registration Fees

AGENCY: Board of Nursing

MINNESOTA RULES: Chapter 6310

The attached rules are approved for publication in the State Register

David S. Niss
Assistant Revisor

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF NURSING

In the Matter of
Proposed Rules of the
Minnesota Board of Nursing
Relating to Registration Fees

NOTICE OF INTENT TO
ADOPT A RULE WITHOUT
A PUBLIC HEARING

Notice is hereby given that the Minnesota Board of Nursing intends to adopt a rule relating to registration fees. The Board intends to adopt the rule without a public hearing, following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes sections 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statutes sections 148.231 and 148.294.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part of 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 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.

Comments or written requests for a public hearing must be submitted to: Joyce M. Schowalter, Executive Director, Suite 108, 2700 University Avenue West, St. Paul, Minnesota 55114, telephone (612) 642-0567.

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency 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 the support 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, at the above address, upon request.

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 at the above address.

Dated: February 8, 1988

JOYCE M. SCHOWALTER
Executive Director
Minnesota Board of Nursing

Board of Nursing

Proposed Permanent Rules Relating to Registration Fees

Rules as Proposed

6310.2900 REGISTRATION RENEWAL PROCEDURES.

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Approved by Revisor _____

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF NURSING

In the Matter of Proposed
Permanent Rules Relating
to Registration Fees

STATEMENT OF NEED
AND REASONABLENESS

This document presents the explanation of the need to amend Minnesota Rules parts 6310.2900 and 6310.3600 and the reasonableness of each proposed change. Minnesota Statute, section 214.06 requires that the Board adjust fees so that the total fees collected "... will as closely as possible equal anticipated expenditures during the fiscal biennium." The proposed fee increases are necessary to provide this balance.

The anticipated expenditures for fiscal years 1988 and 1989 total $962,100 and $985,000 respectively. The totals are the sum of the following parts:

Appropriation	$856,000	$856,600
Salary Supplement	19,000	27,500
Statewide Indirect Costs	(2,400)	11,100
Agency Indirect Costs	9,500	9,800
Attorney General Costs	80,000	80,000
	$962,100	$985,000

Part 6310.2900 REGISTRATION RENEWAL PROCEDURES

Subpart 6a. Conversion period.

B. The Board is currently undergoing a change in the registration renewal periods for all registered nurses and licensed practical nurses. During the conversion period a licensee will be charged a pro-rated fee based on the number of months in that nurse's conversion period. Conversion periods vary from six to 29 months. A regular registration renewal period is 24 months long.

The proposed amendment to this rule is needed to correct the pro rata amount in accordance with the increased registration renewal fee. The proposed amounts, $1.04 and $1.08, are reasonable because they are 1/24 of the total registration fees proposed in part 6310.3600.

Part 6310.3600 REGISTRATION FEES

Subpart 1. Amount.

A. Registration renewal. This rule sets the fee paid by a nurse when renewing registration or reregistering. The increased fee is needed to provide sufficient income to balance expenditures during the current biennium. During the conversion period various size groups of licensees will be renewing registration depending on birthdates. The attachment entitled Estimated Registration Renewal Receipts shows the number of registered nurses and licensed practical nurses expected to renew registration during each fiscal year 1988 through 1993.

The proposed fees and effective dates are reasonable because they provide for sufficient income according to the projected number of registrants. If the fees are set higher or go into effect sooner, too much money will be generated. In reverse, if the fees are set lower or are implemented at dates later than proposed, not enough income will occur.

B. Late application. This is the fee charged nurses who submit registration renewal applications after the stated application deadline. The increase is needed to cover the special handling costs involved in late applications. Further, it is set as a deterrent to submitting materials in an untimely manner. The amount is reasonable since it does not exceed the original registration renewal fee.

The effective date is needed for administrative purposes and to inform the public when a fee change will occur. The date is reasonable because

it is consistent with the first registration renewal fee change. Because the increase is relatively small it is not necessary to stagger its implementation.

C. Replacement license.

D. Replacement registration certificate. These miscellaneous fees are charged when a replacement license or registration renewal certificate are provided. The increase is needed to cover the costs of providing the service.

The effective date is reasonable because it is consistent with the first registration renewal fee change and it is administratively more efficient to make all fee changes at once.

E. Verification of licensure status. This fee is charged for providing official verification of a nurse's licensure and registration status and related information upon request of the licensee. The proposed fee is needed to cover the costs of providing this service.

The effective date is consistent with all others proposed.

F. Verification of examination scores. This fee is set to cover the costs of verifying examination scores to whomever a licensee requests the scores be sent.

The effective date is consistent with all others proposed.

G. Copy of licensure application materials. This fee is set to cover the costs of providing a licensee, or whomever the licensee requests that a copy be sent to, a copy of all or part of a licensee's official licensure file. The amount includes the cost of obtaining a hard copy of microfilmed records, if necessary.

The effective date is consistent with all others proposed.

The proposed fee changes have been approved by the Commissioner of Finance. (See attachments)

Subpart 2. It is necessary to delete the wording pertaining to the effective date because it is outdated. This deletion is reasonable because the effective date has been placed with each fee listed in subpart 1.

In summary, the Board believes each proposed fee is needed and reasonable in order to meet the statutory requirement of balancing income and expenditures.

Date: February 8, 1988

Joyce M. Schowalter
Executive Director

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : Board of Nursing

DATE : January 14, 1988

TO : Bruce J. Reddemann, Director
Budget Operation and Support Division
Department of Finance

FROM : Joyce M. Schowalter, RN
Executive Director



PHONE : 642-0567

SUBJECT : Approval of Revised Fee Amounts

The Board of Nursing has again found it necessary to propose increases in fees in order to balance receipts and expenditures over the biennium. In accordance with Minnesota Statutes section 214.06 the following changes are proposed:

Fee	From	To	Date
Registration renewal	$20	$25	4/1/88
Registration renewal	$25	$26	7/1/88
Late application	$15	$20	4/1/88
Replacement license	$10	$20	4/1/88
Replacement registration certificate	$10	$20	4/1/88
Verification of licensure status	$15	$20	4/1/88
Verification of examination scores	$15	$20	4/1/88
Copy of licensure application materials	$10	$20	4/1/88

A fee review form and other documentation is attached.

We request approval of the eight fee changes proposed above.

If you have any questions, please do not hesitate to call me.

Approved: _____ 1-21-88
Bruce J. Reddemann Date

JMS:jkd

cc: John Schorn
Executive Finance Officer

Enclosures

MINNESOTA BOARD OF NURSING

Estimated Receipts

	Code	FY 88 Fee	FY 88 Number	FY 88 Total	FY 89 Fee	FY 89 Number	FY 89 Total
RN							
Nursing Corp.	9	25	8	$ 200	25	8	$ 200
Misc. Fees	10	20	25	500	20	25	500
Endorsement	11	55	900	49,500	55	900	49,500
Examination	12	75	1,400	105,000	75	1,400	105,000
Re-Examination	13	50	180	9,000	50	180	9,000
Verification	14	15	2,000	30,000	20	2,000	40,000
Registration Renewal	15	20 25	32,300	581,720	26	18,750	398,750
Late Registration Application	16	15	907	13,600	20	500	10,000
Late Filing Fee-Examination	17	50	50	2,500	50	50	2,500
NSF Service Charge	18	15	10	150	15	10	150
Subtotal				$792,170			$ 615,600
LPN							
Misc. Fees	20	20	25	500	20	25	500
Endorsement	21	55	180	9,900	55	180	9,900
Examination	22	50	725	36,250	50	725	36,250
Re-Examination	23	40	60	2,400	40	60	2,400
Verification	24	15	400	6,000	20	400	8,000
Registration Renewal	25	20	9,000	131,500	26	13,800	294,900
Late Registration Application	26	15	325	4,875	20	350	7,000
Late Filing Fee-Examination	27	50	35	1,750	50	35	1,750
NSF Service Charge	28	15	10	150	15	10	150
Subtotal				$193,325			$ 360,850
Grand Total Biennium				$985,495			$ 976,450
							$1,961,945

MINNESOTA BOARD OF NURSING

Estimated Disbursements

FY88

CODE AND CATEGORY	ANNUAL
01-02 Regular Employees	$566,700
07 Overtime	1,000
08 Board Per Diem	9,100
09 Worker's Compensation	13,500
10 Rents and Leases	54,000
12 Repair Service	3,000
14 Printing and Binding	35,000
16 Prof. and Tech. Services	21,000
17 Data Processing Services	25,000
18 Purchased Services	25,000
20 Communications	87,000
21 Travel & Subs. In-State	8,000
22 Travel & Subs. Out-of-State	7,500
29 Other Contractual Services	6,200
30 Supplies and Materials	5,000
40 Equipment	7,000
84 Refunds to Individuals	1,000
TOTAL	875,000
Attorney General	80,000
Statewide Indirect Costs	(2,400)
Agency Indirect Costs	9,500
TOTAL DISBURSEMENTS	$962,100

MINNESOTA BOARD OF NURSING

Estimated Registration Renewal Receipts

FY 88 - 93

Group	FY 88 Number	FY 88 Amount	FY 89 Number	FY 89 Amount	FY 90 Number	FY 90 Amount	FY 91 Number	FY 91 Amount	FY 92 Number	FY 92 Amount	FY 93 Number	FY 93 Amount
RN												
Odd	1,700	$ 24,800[A]	10,000	$189,000[C]	2,300 1,000	$ 59,800[F] 26,000[F]	5,520	$143,520[H]	21,000	$546,000	21,000	$546,00
Even	30,600	556,920[B]	6,250 2,500	162,500[D] 47,250[C]	15,000	390,000[G]	15,000	390,000				
LPN												
Odd	0	0	9,000	170,100[C]	4,800	124,800	4,800	124,800				
Even	9,000	131,500[A]	4,800	124,800[E]	4,800	124,800	4,800	124,800	9,600	249,600	9,600	249,600
Total		$713,220		$693,650		$725,400		$783,120		$795,600		$795,600

FY 88 & 89 = 1,406,870

FY 90 & 91 = 1,508,520

FY 92 & 93 = 1,591,200

A. $20 fee @ $.835/month. Average renewal period 17.5 months @ $.835 = $14.61 each.

B. $25 fee @ $1.04/month. Average renewal period 17.5 months @ $1.04 = $18.20 each.

C. $26 fee @ $1.08/month. Average renewal period 17.5 months @ $1.08 = $18.90 each.

D. 5 groups of 1,250 @ $26.

E. 12 groups of 400 @ $26.

F. 5 groups of 460 @ $26.

G. 12 groups of 1,250 @ $26.

H. 12 groups of 460 @ $26.

JMS 12/87

FI-00194-05 (4/87)

Department of Finance

Fee Review

Department/Agency:	Budget Activity:
Board of Nursing	
Fee Name:	
Legal Citation: M.S. 148.171-148.299	Fee Set By: ☐ Law ☒ Agency
Purpose of Fee: To license registered nurses and licensed practical nurses, approve nursing programs, verify licensure to other states, register nursing businesses.	
☐ Dedicated ☒ Non-Dedicated	Revenue Code: 310
APID: 21513:00-12	Accumulated Difference Thru 1984: 555.2

Dollars in Thousands (137,522 = 137.5)

Fiscal Year	Actual F.Y. 85	Actual F.Y. 86	Estimated F.Y. 87	Requested F.Y. 88	Requested F.Y. 89
Actual/Anticipated Receipts	562.5	843.6	686.7	985.5	976.5
Less Actual/ Anticipated Costs	623.6	893.3	894.4	962.1	985.0
Current Difference	(61.1)	(49.7)	(207.7)	23.4	(8.5)
Accumulated Difference	494.1	444.4	236.7	260.1	251.6
Number Paying Fee					
Present Fee					
Date Fee Last Changed					

Reconciliation of Costs:					
Attorney General	59.2	87.6	85.4	80.0	80.0
Salary Increases	XXXXXXXXX	XXXXXXXXX	XXXXXXXXX	19.0	27.5
Other Direct	549.2	785.7	793.9	856.0	856.6
Statewide Indirect	9.1	11.1	6.2	(2.4)	11.1
Agency Indirect	6.1	8.9	8.9	9.5	9.8
Totals	623.6	893.3	894.4	962.1	985.0

Remarks:

Department Authorized Signature: Joyce M. Schwartz 1/14/88

Finance Department Recommendation:

Executive Budget Officer Signature:

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF NURSING

In the Matter of
Proposed Rules of the
Minnesota Board of Nursing
Relating to Registration 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 sworn says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Statutes, sections 14.14, subdivision 1a, 14.22 and 14.30, that their names be placed on the state Board of Nursing rulemaking mailing list is accurate, complete, and current as of this 16th day of February, 1988.

That on the 16th day of February, 1988, 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 United States mail, a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

Joyce M. Schowalter
JOYCE M. SCHOWALTER
Executive Director

Subscribed and sworn to before me
this 16th day of February, 1988.

Marilyn A. Wolner
NOTARY PUBLIC

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 NURSING

In the Matter of
Proposed Rules of the
Minnesota Board of Nursing
Relating to Registration Fees

NOTICE OF INTENT TO
ADOPT A RULE WITHOUT
A PUBLIC HEARING

Notice is hereby given that the Minnesota Board of Nursing intends to adopt a rule relating to registration fees. The Board intends to adopt the rule without a public hearing, following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes sections 14.22 to 14.28. The statutory authority to adopt the rule is Minnesota Statutes sections 148.231 and 148.294.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part of 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 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.

Comments or written requests for a public hearing must be submitted to: Joyce M. Schowalter, Executive Director, Suite 108, 2700 University Avenue West, St. Paul, Minnesota 55114, telephone (612) 642-0567.

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency 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 the support 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, at the above address, upon request.

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 at the above address.

Dated: February 8, 1988

JOYCE M. SCHOWALTER
Executive Director
Minnesota Board of Nursing

Board of Nursing

Proposed Permanent Rules Relating to Registration Fees

Rules as Proposed

6310.2900 REGISTRATION RENEWAL PROCEDURES.

Subpart 1. to 6. [Unchanged.]

Subp. 6a. **Conversion period.** Licensees holding registration certificates with an expiration date unrelated to their month of birth will be registered in the following manner during a conversion period.

A. [Unchanged.]

B. Licensees will be charged a renewal fee for the six- to 29-month conversion registration period which is prorated at ~~$0.835~~ $1.04 a month from May 1, 1988 to August 1, 1988, and $1.08 thereafter and rounded to the nearest dollar according to the length of each licensee's conversion registration period.

C. and D. [Unchanged.]

Subp. 7. to 10. [Unchanged.]

6310.3600 REGISTRATION FEES.

Subpart 1. **Amount.** The amount of fees shall be as follows:

A. registration renewal, ~~$20~~ $25 per registration period effective May 1, 1988, and $26 effective August 1, 1988;

B. late application, ~~$15~~ $20 effective May 1, 1988;

C. replacement license, ~~$10~~ $20 effective May 1, 1988;

D. replacement registration certificate, ~~$10~~ $20 effective May 1, 1988;

E. verification of licensure status, ~~$15~~ $20 effective May 1, 1988;

F. verification of examination scores, ~~$15~~ $20 effective May 1, 1988;

G. a copy of licensure application materials, ~~$10~~ $20 effective May 1, 1988; and

H. service charge for a dishonored check, $15.

Approved by Revisor _____

Subp. 2. ~~Effective date~~ Nonrefundable. ~~The fees in subpart 1 are effective January 1, 1987, unless specified otherwise.~~ All fees are nonrefundable.

Approved
by Revisor _____

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Board of Nursing

Proposed Permanent Rules Relating to Registration Fees

Notice of Intent to Adopt a Rule Without a Public Hearing

Notice is hereby given that the Minnesota Board of Nursing intends to adopt a rule relating to registration fees. The Board intends to adopt the rule without a public hearing, following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* sections 148.231 and 148.294.

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 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 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.

Comments or written requests for a public hearing must be submitted to: Joyce M. Schowalter, Executive Director, Suite 108, 2700 University Avenue West, St. Paul, Minnesota 55114, telephone (612) 642-0567.

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency 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, at the above address, upon request.

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 at the above address.

Dated: 8 February 1988

Joyce M. Schowalter
Executive Director
Minnesota Board of Nursing

Rules as Proposed

6310.2900 REGISTRATION RENEWAL PROCEDURES.

Subpart 1. to 6. [Unchanged.]

Subp. 6a. **Conversion period.** Licensees holding registration certificates with an expiration date unrelated to their month of birth will be registered in the following manner during a conversion period.

A. [Unchanged.]

B. Licensees will be charged a renewal fee for the six- to 29-month conversion registration period which is prorated at ~~$0.835~~ $1.04 a month from May 1, 1988 to August 1, 1988, and $1.08 thereafter and rounded to the nearest dollar according to the length of each licensee's conversion registration period.

C. and D. [Unchanged.]

Subp. 7. to 10. [Unchanged.]

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.

6310.3600 REGISTRATION FEES.

Subpart 1. **Amount.** The amount of fees shall be as follows:

A. registration renewal, ~~$20~~ $25 per registration period effective May 1, 1988, and $26 effective August 1, 1988;

B. late application, ~~$15~~ $20 effective May 1, 1988;

C. replacement license, ~~$10~~ $20 effective May 1, 1988;

D. replacement registration certificate, ~~$10~~ $20 effective May 1, 1988;

E. verification of licensure status, ~~$15~~ $20 effective May 1, 1988;

F. verification of examination scores, ~~$15~~ $20 effective May 1, 1988;

G. a copy of licensure application materials, ~~$10~~ $20 effective May 1, 1988; and

H. service charge for a dishonored check, $15.

Subp. 2. ~~**Effective date**~~ **Nonrefundable.** ~~The fees in subpart 1 are effective January 1, 1987, unless specified otherwise.~~ All fees are nonrefundable.

Minnesota Racing Commission

Proposed Permanent Rules Relating to Horse Racing

Notice of Proposed Adoption of a Rule Without a Public Hearing

NOTICE is hereby given that the Minnesota Racing Commission proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes*, sections 240.23 and 240.24 (1986).

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 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. 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.

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

Donald Price
Minnesota Racing Commission
11000 West 78th Street, Suite 201
Eden Prairie, MN 55344
Telephone: (612) 341-7555

The proposed rule may be modified if the modifications are supported by data and views 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 the Minnesota Racing Commission upon request.

Promulgation of the proposed rule will not result in the expenditure of public monies by local public bodies, fix or adjust any fees, or have an impact on agricultural land. The affect, if any, that the proposed rule may have on small businesses is discussed in the Statement of Need and Reasonableness.

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

CERTIFICATE OF THE

BOARD OF NURSING

RESOLUTION ADOPTING RULE AMENDMENTS

I, Laura Trimbo, do hereby certify that I am a member and the president of the Minnesota Board of Nursing (hereinafter "Board"), 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 31st day of March, 1988, 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 amendments relating to registration fees are approved and adopted pursuant to authority vested in the Board by Minn. Stat. §§ 148.231 and 148.294 (1986). Joyce M. Schowalter, Executive Director of the Board, is authorized to sign the findings of fact, conclusions and order adopting the rule amendments and further is authorized to modify the rule amendments if necessary to obtain the approval of the rule amendments by the Attorney General and to perform the necessary acts to provide that the rule amendments shall have the force and effect of law.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 31st day of March, 1988.

Laura Trimbo

LAURA TRIMBO
President

Kathleen Manahan

Attest by one other Board member

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF NURSING

In the Matter of
Proposed Rules of the
Minnesota Board of Nursing
Relating to Registration Fees

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

Notice of the Board of Nursing's (hereinafter "Board") intent to adopt the above-entitled rules was published in the State Register on February 22, 1988, and was sent by United States mail to all persons on the list maintained by the Board pursuant to Minn. Stat. §§ 14.14, subd. 1a and 14.22 on February 16, 1988. 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. Before the notice was submitted to the State Register, a copy of the notice of intent to adopt a rule without a public hearing and the proposed rules were sent to the chairs of the House Appropriations Committee and Senate Finance Committee.

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

Based on the comments and evidence in the record before the Board, including the statement of need and reasonbleness which is incorporated herein as the Board's findings, the Board concludes that the above-captioned rules are both needed and reasonable.

NOW, THEREFORE, IT IS HEREBY ORDERED that the rules identified as In the Matter of Proposed Rules of the Minnesota Board of Nursing Relating to

Registration Fees are adopted this 15th day of April, 1988, pursuant to authority vested in the Board by Minn. Stat. §§ 148.231 and 148.294.

JOYCE M. SCHOWALTER
Executive Director

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF NURSING

In the Matter of
Proposed Rules of the
Minnesota Board of Nursing
Relating to Registration Fees

DECLARATION OF COUNSEL

I, Audrey Kaiser Manka, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rules and the supporting rulemaking record and that, based on my examination, the Administrative Procedure Act and Minn. Rules ch. 2010 have been followed. For Attorney General billing purposes, the four-digit docket client code is 0481.

Dated: April 20, 1988

AUDREY KAISER MANKA
Special Assistant
Attorney General

SF-00006-05 (4/86)

DEPARTMENT : ATTORNEY GENERAL - Health

STATE OF MINNESOTA

Office Memorandum

DATE : April 18, 1988

TO : Rita Desmond
Legal Assistant

RECEIVED

APR 21 1988

ATTORNEY GENERAL'S OFFICE
515 TRANSPORTATION BLDG.
ST. PAUL, MN 55155

FROM : Audrey Kaiser Manka
Special Assistant
Attorney General

PHONE : 341-7272

SUBJECT : In the Matter of Proposed Rules of the Minnesota Board of Nursing Relating to Registration Fees

Enclosed for your review, pursuant to Minn. Stat. § 14.26 (1986) and Minn. Rules pt. 2010.0300 (1987), are the following documents to support the above-referenced rules:

1. Certificate of Board's Authorizing Resolution;
2. Rule as proposed with a certificate of approval as to form by the Revisor of Statutes attached;
3. Notice of Intent to Adopt a Rule Without a Public Hearing (as mailed);
4. Statement of Need and Reasonableness;
5. Affidavit of Mailing the Notice of Intent to Adopt a Rule Without a Public Hearing and Certificate of Mailing List;
6. Notice of Intent to Adopt a Rule Without a Public Hearing (as published in the State Register);
7. Rule as adopted (original and three copies);
8. Certificate of Board's Resolution Adopting Rule;
9. Findings of Fact, Conclusions, and Order Adopting a Rule Without a Public Hearing;
10. Declaration of Counsel.

There were no requests for notice of submission to the Attorney General.

AKM:lb

Enclosures