

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

DEPARTMENT: Office of the Attorney General

STATE OF MINNESOTA

OFFICE MEMORANDUM

DATE: January 2, 1990

TO: JULIE A. LEPPINK
Special Assistant Attorney General
520 Lafayette Road, Suite 200 (55155)

FROM: CHARLENE W. HATCHER cwh
Special Assistant Attorney General
525 Park Street, Suite 500 (55103)

PHONE: 296-9422

SUBJECT: In the Matter of the Adopted Rule Relating to Medical and Rehabilitation Review Practices

The above-referenced rule has been approved as to its legality by the Attorney General on January 2, 1990.

Enclosed is your 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 along with any extra copies of documents which you submitted to the Attorney General.

Your next step is to arrange for publication of the Notice of Adoption in the State Register. In a day or two, you should receive from the Revisor's Office three copies of the notice of adoption of your rule. You should submit two copies of the Notice of Adoption to the State Register for publication. A permanent rule without a hearing does not become effective until five days after a notice of adoption is published 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.

CH:bbl
Enclosures
cc: William Brown, Chief Judge (memo only)
MaryAnn Hruby " "
[illegible] " "

Repeal

CH

RULE REVIEW CHECKLIST

File No. 1653

Docket No. 05000906 13

DATE RECEIVED 12-19-89

ADOPTED W/O HEARING _____

REVIEW DATE 12-28-89

EMERGENCY RULE _____

DUE DATE 1-2-90

To Revisor 12-21-89

REVISOR APPROVED 12-29-89

APPROVED 1-2-90

REVISOR DISAPPROVED _____

DISAPPROVED _____

FILED W/SEC. OF STATE _____

WITHDRAWN _____

RETURNED TO AGENCY _____

✓ Rule as adopted (4 copies)

N/A Notice to Solicit Outside Information/Opinion (if applicable)
- _____ Date published in State Register
- _____ Comments

N/A Petition for Adoption of a Rule (if applicable)

✓ Board's Authorizing Resolution
- 5/4/89 Date adopted

✓ Proposed Rule
- ✓ Revisor's Certificate

✓ Notice of Intent to Adopt Rule
- # Statutory Authority 176.102 3(h); 176.103, 3(c)
- — Small Business Statement
- — Expenditure of public money statement
- Y Signature

✓ Statement of Need and Reasonableness (if applicable)
- NA Small Business Statement
- NA Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
- 6/12/89 Date (30/25 days before adoption
- ✓ Notice attached
- ✓ Copy of rule or (summary) attached in notice

✓ Publication in State Register
- 6/19/89 Date (30/25 days before adoption

✓ 180-day deadline from:
- NA Effective date of law requiring rule (14.12) (both rules) "may"
- √ 7/19/89 dk end of comment period (§ 14.26) (rules without hearing)
- NA effective date of statutory authority (§ 14.29) (emergency rules)

✓ Resolution Adopting
- 10/5 + 10/18/89 Date adopted

✓ Findings of Fact, Conclusions & Order Adopting
- 11/14/89 Date

NA Written requests, submissions or comments

✓ Declaration of attorney
- Julie A. Leppink Name of SAAG representing agency

NA Notice of Submission to Atty. Gen. (if applicable)

NA Aff. of Mailing Notice to Atty. Gen. (if applicable)

Minnesota
Department of Labor and Industry

Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55101
(612) 296-6107
TDD (612) 297-4198

November 14, 1989

RECEIVED
NOV 15 1989
ATTORNEY GENERAL'S OFFICE
SUITE 200
520 LAFAYETTE ROAD
ST. PAUL, MN 55155

Julie Leppink
Attorney General's Office
520 Lafayette Road
St. Paul, MN

Dear Ms. Leppink:

Enclosed for your review is the following documents:

- Findings of Fact, Conclusions, and Order Repealing Rule without a Public Hearing
- Resolution Repealing Rules by the Medical Services Review Board
- Resolution Repealing Rules by the Rehabilitation Review Panel
- 4 copies of Rules as Adopted
- Copy of Intent to Repeal as printed in the State Register
- Affidavit of Mailing the Notice of Intent
- Affidavit of Mailing regarding Certificate of Mailing List
- Statement of Need and Reasonableness
- Notice of Intent to Repeal a Rule without a Public Hearing
- Rules as Proposed
- Certificate of the Authorizing Resolution of the Medical Services Review Board
- Certificate of the Authorizing Resolution of the Rehabilitation Review Panel.

If you have any questions regarding any of the following enclosures, please give me at call at 296-8213.

Sincerely,

Janis Keesling

Janis Keesling
Executive Secretary

/jlk

Enclosure

STATE OF MINNESOTA

DEPARTMENT OF LABOR AND INDUSTRY

In the matter of the Proposed Repeal of the Rules of the State Department of Labor and Industry Governing Workers' Compensation Rules of Practice for the RRP and MSRB, Minnesota Rules, Parts 5217.0010 to 5217.0280

DECLARATION OF COUNSEL

I, Julie A. Leppink, 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. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 0613.

Julie A. Leppink

Special Assistant
Attorney General

Dated: 12/4/09

STATE OF MINNESOTA
REHABILITATION REVIEW PANEL AND
MEDICAL SERVICES REVIEW BOARD

IN THE MATTER OF THE REPEAL
OF THE JOINT RULES OF PRACTICE
OF THE WORKERS' COMPENSATION
REHABILITATION REVIEW PANEL AND THE
MEDICAL SERVICES REVIEW BOARD, PARTS
5217.0010 TO 5217.0280

STATEMENT OF NEED
AND REASONABLENESS

In November 1984, the Minnesota Workers' Compensation Rehabilitation Review Panel and Medical Services Review Board (hereinafter Panel/Board) promulgated rules pursuant to Minnesota Statute 176.102, subd. 3b and 176.103, subd. 3c governing procedures for evidentiary hearings held by the Panel and Board at that time.

In 1987, the legislature amended Minnesota Statutes sections 176.102 and 176.103 by removing the Panel/Board's authority to review medical and rehabilitation orders of the Department of Labor and Industry. These appeals are now heard by the Office of Administrative Hearings. The Panel currently has authority to review and make determinations with respect to appeals from orders of the commissioner regarding certification approval of qualified rehabilitation consultants and vendors and also the authority to discipline qualified rehabilitation consultants and vendors. The Board has authority to discipline health care providers.

The rules governing proceedings involving employee benefits are no longer relevant to practicing before the Panel/Board and the proposed repeal of these rules is intended to clarify the procedures litigants must now use appearing before the Panel/Board. The Panel/Board's amended adjudicatory authority requires practice under Minnesota Statutes Chapter 14 and Minnesota Rules, part 1400. Therefore, to eliminate confusion by the parties who practice before the workers' compensation tribunals, it is necessary to repeal Minnesota Rules, parts 5217.0010 to 5217.0280.

V. Small Business Consideration

There is no adverse impact on small business if these rules are repealed.

State of Minnesota
Department of Labor and Industry
Workers' Compensation Rehabilitation Review Panel and
Workers' Compensation Medical Services Review Board

In the matter of the Proposed Repeal of the Rules of the Department of Labor and Industry Governing Workers' Compensation Rules of Practice for the Rehabilitation Review Panel and Medical Services Review Board, Minnesota Rules, Parts 5217.0010 to 5217.0280

NOTICE OF INTENT TO REPEAL A RULE WITHOUT A PUBLIC HEARING

Notice is hereby given that the Rehabilitation Review Panel and the Medical Services Review Board intend to repeal the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority for the rules is contained in Minnesota Statutes, sections 176.102, subd. 3(b) and 176.103, subd. 3(c).

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

Any person may make a written request for a public hearing on the rule repeal within the 30-day comment period. If 25 or more persons submit a written request for 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 public hearing must be submitted to:

Janice Kramer, Executive Secretary
Rehabilitation Review Panel and
Medical Services Review Board
443 Lafayette Road
St. Paul, MN 55155-4316
(612) 296-8213

The proposed rule repeal 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 repeal as noticed.

The rule proposed for repeal relates to the rules of practice for hearings before the Workers' Compensation Rehabilitation Review Panel and Medical

Services Review Board. A free copy of the rule repeal is available upon request from the executive secretary.

(12) A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule repeal and identifies the data and information relied upon to support the proposed rule repeal has been prepared and is available from the executive secretary upon request.

(9) If no hearing is required, upon repeal of the rule, the rule repeal 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 repealed rule, must submit a written request to the executive secretary.

5/31/89
Date

Janice Kramer
Janice Kramer, Executive Secretary
Rehabilitation Review Panel and Medical
Services Review Board

JK:df/001

STATE OF MINNESOTA

DEPARTMENT OF LABOR AND INDUSTRY
WORKERS' COMPENSATION REHABILITATION REVIEW PANEL AND
WORKERS' COMPENSATION SERVICES REVIEW BOARD

In the Matter of the Proposed Repeal of the Rules of the State Department of Labor and Industry Governing Workers' Compensation Rules of Practice for the Rehabilitation Review Panel and Medical Services Review Board, Minnesota Rules, Parts 5217.0010 to 5217.0280.

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

(1) Notice of the intent to repeal the above-entitled rule was published in the State Register on June 19, 1989 and was sent by United States mail to all persons at the addresses on the list maintained by the Department of Labor and Industry pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on June 12, 1989. (2) The statement of need and reasonableness was prepared before the notice of intent to repeal 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.

(4) All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. (5) No requests for a public hearing on the rule were received by the agency.

(7) No submissions or comments on the rule were received by the agency. No requests for notice of submission to the attorney general were received by the agency.

(8) Based on the comments and evidence in the record before the agency, the Medical Services Review Board and Rehabilitation Review Panel find the following:

The repeal of the above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as Minnesota Rules, Parts 5217.0010 to 5217.028 is repealed pursuant to authority vested in the Medical Services Review Board and Rehabilitation Review Panel by Minnesota Statutes, section 176.102 and 176.103.

Dated: 11-14-89

Janis Keesling

Janis Keesling, Executive Secretary
for the Board and Panel

CERTIFICATE OF THE

Medical Services Review Board

RESOLUTION REPEALING RULES

I Laurence J. Schut, M.D., (hereinafter "Board") do hereby certify that I am a member and the chair of the Medical Services Review 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 18th day of October, 1989, 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 repeal of the Rules of Practice before the Workers' Compensation Rehabilitation Review Panel and Medical Services Review Board is approved pursuant to authority vested in the Board by Minnesota Statutes, Section 176.103, subd. 3C.

Janis Keesling, the Executive Secretary of the Board, is authorized to sign the findings of fact, conclusions, and order repealing the rule and further is authorized 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 18th day of October, 1989.

Laurence J. Schut
Officer of the Board

Richard C. James
Attest by one other Board member

CERTIFICATE OF THE

Rehabilitation Review Panel

RESOLUTION REPEALING RULES

I Joseph Sweere, D.C., do hereby certify that I am a member and the chair of the Rehabilitation Review Panel, (hereinafter "Panel") a panel 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 Panel, duly and properly called and held on the 5th day of October, 1989, 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 repeal of the Rules of Practice before the Workers' Compensation Rehabilitation Review Panel and Medical Services Review Board is approved, pursuant to authority vested in the Panel by Minnesota Statutes, Section 176.102, subd. 3b.

Janis Keesling, the Executive Secretary of the Panel, is authorized to sign the findings of fact, conclusions, and order repealing the rule and further is authorized 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 5th day of October, 1989.

Joseph J Sweere DC
Officer of the Panel

Phyllis O'Donnell
Attest by one other Panel member

of the previously approved filing with any changes, additions, or deletions noted.

Subp. 11. **Notice of participating entity changes.** Any notice of an addition or deletion of a participating entity must be submitted on forms prescribed by the commissioner, or approved for use by the commissioner.

REPEALER. *Minnesota Rules,* part 4685.3300, subparts 1, 2, 4, and 5, is repealed.

Department of Labor and Industry

Proposed Repeal of Rules Relating to Medical and Rehabilitation Review Practices

Notice of Intent to Repeal a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Rehabilitation Review Panel and the Medical Services Review Board intend to repeal the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority for the rules is contained in *Minnesota Statutes*, sections 176.102, subd. 3(b) and 176.103, subd. 3(c).

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

Any person may make a written request for a public hearing on the rule repeal within the 30-day comment period. If 25 or more persons submit a written request for 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 public hearing must be submitted to:

Janice Kramer, Executive Secretary
Rehabilitation Review Panel and
Medical Services Review Board
443 Lafayette Road
St. Paul, MN 55155-4316
(612) 296-8213

The proposed rule repeal 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 repeal as noticed.

The rule proposed for repeal relates to the rules of practice for hearings before the Workers' Compensation Rehabilitation Review Panel and Medical Services Review Board. A free copy of the rule repeal is available upon request from the executive secretary.

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

If no hearing is required, upon repeal of the rule, the rule repeal 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 repealed rule, must submit a written request to the executive secretary.

Dated: 31 May 1989

Janice Kramer, Executive Secretary
Rehabilitation Review Panel and Medical
Services Review Board

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.

Rules as Proposed

REPEALER. Minnesota Rules, parts 5217.0010; 5217.0020; 5217.0030; 5217.0040; 5217.0050; 5217.0060; 5217.0070; 5217.0080; 5217.0090; 5217.0100; 5217.0110; 5217.0120; 5217.0130; 5217.0140; 5217.0150; 5217.0160; 5217.0170; 5217.0180; 5217.0190; 5217.0200; 5217.0210; 5217.0220; 5217.0230; 5217.0240; 5217.0250; 5217.0260; 5217.0270; and 5217.0280, are repealed.

Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. § 14.33 and upon the approval of the Revisor of Statutes as specified in § 14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under § 14.18.

Department of Corrections

Adopted Permanent Rules Relating to Juveniles; Fire Inspection

The rules proposed and published at *State Register*, Volume 13, Number 27, pages 1679-1680, January 3, 1989 (13 S.R. 1679) are adopted as proposed.

Department of Public Service

Energy Division

Adopted Permanent Rules Relating to Thermal Insulation Standards

The rules proposed and published at *State Register*, Volume 13, Number 38, pages 2272-2279, March 20, 1989 (13 S.R. 2272) are adopted with the following modifications:

Rules as Adopted

7640.0120 DEFINITIONS.

Subp. 19a. **Quality assurance program.** "Quality assurance program" means the collective set of plans, activities, and events that are provided to ensure that the product or service will satisfy given needs. A quality assurance program must ~~include the elements of~~ conform to "Generic Guidelines for Quality Systems," American National Standards Institute - American Society for Quality Control standard ~~ANSI~~ ANSI/ASQC Z-1.15~~,~~-1979.

7640.0130 INSULATION MATERIALS STANDARDS.

Subp. 5. **Foam plastic insulation.**

C. Unfaced polyurethane and polyisocyanurate in board form must comply with ASTM C 591-85, Standard Specification for Unfaced Preformed Rigid Cellular Polyurethane Thermal Insulation.

Exception: Aged R-value must be ~~6.0~~ 5.6 per inch or greater at ~~70~~ 75 degrees Fahrenheit.

G. Foam plastic insulation that conforms to all requirements of ICBO Evaluation Service Acceptance Criteria for Foam Plastic, October, 1982, for the intended application, meets the Minnesota testing standards in this subpart.

Subp. 8. **Other insulation.** Insulation other than insulation specified in subparts 1 to 7, to be sold, marketed, or advertised for use in residential structures in Minnesota must comply with the requirements in items A to F.

C. If the material is foam in place, a test of the shrinkage using ASTM C ~~591-85~~ 951-83, section 8.5 must be used.

CERTIFICATE OF THE

AUTHORIZING RESOLUTION OF THE

MEDICAL SERVICES REVIEW BOARD

I, Dr. Lawrence Schut, do hereby certify that I am a member and chair of the Workers' Compensation Medical Services Review Board (hereinafter "Board"), a board duly authorized by 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 May 24, 1989, that a quorom was present, and that a majority of those present voted for the resolution which has not been rescinded or modified:

> RESOLVED, that Janice Kramer, Executive Secretary of the Board, is hereby grantedthe authority to sign and to give Notice of the Board's Intent to Repeal a Rule without a Public Hearing, governing the Rules of Practice before the Workers' Compensation Rehabilitation Review Panel and the Medical Services Review Board to all persons who have registered their names with the Board and Panel for that purpose, to publish the notice and repeal in the State Register and to perform any and all acts incidental thereto.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 24th day of May, 1989.

Lawrence J. Schut

Dr. Lawrence Schut

Attest by one other Board Member

CERTIFICATE OF THE

AUTHORIZING RESOLUTION OF THE

WORKERS' COMPENSATION REHABILITATION REVIEW PANEL

I, Dr. Joseph Sweere, do hereby certify that I am a member and chair of the Workers' Compensation Rehabilitation Review Panel (hereinafter "Panel"), a panel 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 Panel duly and properly called and held on May 4, 1989, that a quorom was present, and that a majority of those present voted for the resolution which has not been rescinded or modified:

RESOLVED, that Janice Kramer, Executive Secretary of the Panel, is hereby granted the authority to sign and to give the Notice of the Panel's Intent to Repeal a Rule without a Public Hearing, governing the Rules of Practice before the Workers' Compensation Rehabilitation Review Panel and the Medical Services Review Board to all persons who have registered their names with the Board and Panel for that purpose, to publish the notice and repeal in the State Register, and to perform any and all acts incidental thereto.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 4th day of May, 1989.

Joseph Sweere, D.C.

Sandra Wahlberg

Attest by one other Panel Member

STATE OF MINNESOTA

DEPARTMENT OF LABOR AND INDUSTRY
WORKERS' COMPENSATION REHABILITATION REVIEW PANEL AND
WORKERS' COMPENSATION SERVICES REVIEW BOARD

In the matter of the Proposed Repeal of the Rules of the State Department of Labor and Industry Governing Workers' Compensation Rules of Practice for the RRP and MSRB, Minnesota Rules, Parts 5217.0010 to 5217.0280

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)

Janice Kramer, being sworn says:

That on the 12th day of June, 1989, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Repeal A Rule Without a Public Hearing by depositing in the State of Minnesota Central Mail System for United States mailing a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

Janice Kramer
[Name]

Executive Secretary
[Title]

Subscribed and sworn to before me this 10th day of October, 1989.

Nancy D. Doyle

NANCY D. DOYLE
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES JUNE 4, 1991

Curt Moe
Executive Vice President
A & M Business Interior Services
2800 - 2nd Street North
Minneapolis, MN 55411

William S. Fancher, Jr.
Director, State & Regional Relations
American Orthotic & Prosthetic Assn.
717 Pendelton Street
Alexandria, VA 22314

Mary Abeln, M.S., QRC
Abeln & Abeln
Rehabilitation Consultants, Inc.
1380 Energy Lane - #205
St. Paul, MN 55108

Marjorie Anderson
10716 - 27th Avenue South
Burnsville, MN 55337

Adams Counseling Services
5100 Edina Indsutrial Boulevard
Suite 231A
Minneapolis, MN 55435

Gerald Angen
121 - 28th Avenue North
St. Cloud, MN 56301

J. David Abramson
City of Minneapolis
Assistant City Attorney
A-1700 Government Center
Minneapolis, MN 55487

Associated Builders & Contractors
Attn: David Jennings
6989 Washington Avenue South - #200
Minneapolis, MN 55435

Barbara Davis, Business Manager
Advanced Medical Diagnostic Center
6681 Country Club Drive
Minneapolis, MN 55427

Valeria Cowdery, Benefits Analyst
Bachman's
6010 Lyndale Avenue South
Minneapolis, MN 55419

Airport Medical Clinic
Attn: Craig Mattice
7501 - 26th Avenue South
Minneapolis, MN 55450

Kurt M. Anderson
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St. Paul, MN 55117

Sandra Ingwaldson
American Hardware Insurance
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Baldor, MPG
Attn: Marty Engebretson
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Briggs & Morgan
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BCE Development
Les Fieldman
4340 Multifoods Tower
Minneapolis, MN 55402

Teresa Conway, Counsel
Law Department
CNA Insurance Company
CNA Plaza
Chicago, IL 60685

Blue Cross/Blue Shield of MN
Attn: Pat Knack
P. O. Box 43550
St. Paul, MN 55164

William Strusinski
Capitol Hill Assoc., Inc.
475 Rice Street
St. Paul, MN 55103

Gerry Boe Insurance Agency
219 Main Street
Cross Lake, MN 56442

Care Providers of Minnesota
2850 Metro Drive - #200
Minneapolis, MN 55420

Dr. Jack Booman
316 West Newburg
Mable, MN 55954

Child Net
Attn: Andrea L. Christianson, R.N.
906 North Dale
St. Paul, MN 55103

Steven E. Antolak
Bowman & London, Ltd.
1400 Conwed Tower
St. Paul, MN 55102

Chisago Health Services
Attn: Jane Hepola
Chisago City, MN 55013

Carol Dietman
Personnel Administration
Columbia Gear Operation
Highway I-94 Frontage Road
Avon, MN 56310

Dakota County Employee Relations
Wolvok
1560 West Highwau 55
Hastings, MN 55033

Jeanne Cregan-Sanstead
District Manager
Comprehsensive Rehabilitation
Services, Inc.
8100 Penn Avenue South - #435
Minneapolis, MN 55431

Paula Blumke
DCI, Inc.
600 North 54th Avenue
St. Cloud, MN 56302

Conservco
Attn: Rick Bullert, Manager
8120 Penn Avenue South - #252
Minneapolis, MN 55431

Dale Dodson, D.O., F.A.C.G.P.
314 Washington Street
Northfield, MN 55057

Louis Herbert, R.N., B.S.
Director, Medical Review/Audits
Cost Containment Management
1062 Maitland Center Commons - #100
Maitland, FL 32751

Mark Ginder
Dorsey & Whitney
2200 First Bank Place East
Minneapolis, MN 55402

Ed Utities, M.S.
Director of Rehabilitation
Crawford Rehabilitation Services
930 Medical Arts Building
324 WEst Superior Street
Duluth, MN 55802

Jonathan Dyrd
McCullough, Dyrd, & Smith
Attorneys at Law
905 Parkway Drive
St. Paul, MN 55106

Gloria Gillette
Crawford Rehabilitation Services
1295 Bandana Boulevard North
Suite 235
St. Paul, MN 55108

The Economy Companies
Attn: Marian Clark
Workers' Compensation Manager
500 Economy Court
Freeport, IL 61032

Tom Burrows
Dakota County Superintendent
of Buildings
Office of Dakota County
1560 Highway 55 West
Hastings, MN 55033

Edina Realty
Attn: Dick Olson
4015 West 65th Street
Minneapolis, MN 55435

Kevin Wilkins
Employers Association
9400 Golden Valley Road
Minneapolis, MN 55427

Golden Valley Health Center
Attn: Greg Beske
4104 Golden Valley Road
Minneapolis, MN 55422

Frank Ventura
Employment Advisers
526 Nicollet Mall
Minneapolis, MN 55402

Barbara Nelson
Goodwill Industries
2543 Como Avenue
St. Paul, MN 55108

Ken Erickson
Clapp-Erickson
Attorney at Law
2200 North Central Life Tower
St. Paul, MN 55101

Karen Chapin
Benefits Manager
Graco, Inc.
P. O. Box 1441
Minneapolis, MN 55440

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STATE OF MINNESOTA

DEPARTMENT OF LABOR AND INDUSTRY
WORKERS' COMPENSATION REHABILITATION REVIEW PANEL AND
WORKERS' COMPENSATION SERVICES REVIEW BOARD

In the matter of the Proposed Repeal of the Rules of the State Department of Labor and Industry Governing Workers' Compensation Rules of Practice for the RRP and MSRB, Minnesota Rules, Parts 5217.0010 to 5217.0280

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)

David Sherwood-Gabrielson, 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 and 14.22 or 14.30, that their names be placed on the state Department of Labor and Industry, Workers' Compensation Division rulemaking mailing list is accurate, complete, and current as of June 12, 1989.

David Sherwood-Gabrielson
[Name]

Director, Rehabilitation and Medical Affairs
[Title]

Subscribed and sworn to before me this 7 day of November, 1989.

Jeanne Gehrman

JEANNE A. GEHRMAN
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES SEPTEMBER 10, 1991

Department of Labor and Industry

Adopted Repeal of Rules Relating to Medical and Rehabilitation Review Practices

Rules as Adopted

REPEALER. Minnesota Rules, parts 5217.0010; 5217.0020; 5217.0030; 5217.0040; 5217.0050; 5217.0060; 5217.0070; 5217.0080; 5217.0090; 5217.0100; 5217.0110; 5217.0120; 5217.0130; 5217.0140; 5217.0150; 5217.0160; 5217.0170; 5217.0180; 5217.0190; 5217.0200; 5217.0210; 5217.0220; 5217.0230; 5217.0240; 5217.0250; 5217.0260; 5217.0270; and 5217.0280, are repealed.

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January 2, 1990

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY Charlene M. Hatcher
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JAN 01 1990

Joan Anderson Growe

Secretary of State

12:08 pm

Department of Labor

Proposed Repeal of Rules Relating to Medical and Rehabilitation Review Practices

Rules as Proposed

REPEALER. Minnesota Rules, parts 5217.0010; 5217.0020; 5217.0030; 5217.0040; 5217.0050; 5217.0060; 5217.0070; 5217.0080; 5217.0090; 5217.0100; 5217.0110; 5217.0120; 5217.0130; 5217.0140; 5217.0150; 5217.0160; 5217.0170; 5217.0180; 5217.0190; 5217.0200; 5217.0210; 5217.0220; 5217.0230; 5217.0240; 5217.0250; 5217.0260; 5217.0270; and 5217.0280, are repealed.

Approved by Revisor JCF

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Repeal of Rules Relating to Medical and Rehabilitation Review Practices

AGENCY: Department of Labor

MINNESOTA RULES: Chapter 5217

The attached rules are approved for publication in the State Register

John C. Fuller
Assistant Deputy Revisor

Repeal

Stat. Authority

176.102 subd 3(b)
The panel may adopt rules of procedure which may be joint rules with the medical services review board

176.103 3(c)
The board may adopt rules of procedure. The rules may be joint rules with the rehabilitation board.

Notice of Intent
missing - 2010.0300 E (10)
The entire rule is deleted so there should be a statement indicating the rule is repealed and citing it.
- Last sentence on 1st page states that the rule is repealed but it doesn't cite the rule.
- The caption In the matter . . . contains this information so it's probably O.K.

Statement of Need and Reasonableness
Need is Change in Stat 176.102 and 176.103 subd 3c - mandated a change in duties