

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: June 20, 1990

TO: AUDREY KAISER MANKA
Special Assistant Attorney General
525 Park Street, Suite 500 (55103)

FROM: CHRISTIE B. ELLER
Assistant Attorney General
525 Park Street, Suite 500 (55103)

PHONE: 6-9421

SUBJECT: In the Matter of the Adopted Rule Relating to Emergency Medical Technician Certificates

The above-referenced rule has been approved as to its legality by the Attorney General on June 19, 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 tne 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.

CBE:bbl
Enclosures
cc: William Brown, Chief Judge (memo only)
MaryAnn Hruby " "

RULE REVIEW CHECKLIST
RESUBMITTED RULE

File No. 1680 Docket No. 05 0009 1390

RESUBMISSION DATE 6-5-90 ADOPTED W/O HEARING X
DATE DUE 6-19-90 EMERGENCY RULE

APPROVED 6-19-90 REVISOR APPROVED
DISAPPROVED REVISOR DISAPPROVED
WITHDRAWM FILED W/SEC. STATE
RETURNED TO AGENCY

NO **Does the revision raise significant new legal issues?**

Review date

Rule as adopted (4 copies)

✓ Supplemental Findings of Fact, Conclusions & Order Adopting per 2010.1300

NA Board's Supplemental Resolution Adopting

NA Notice of submission to Attorney General

NA Affidavit of Mailing Notice to Attorney General

Department of Health

Adopted Permanent Rules Relating to Emergency Medical Technician Certificates

Rules as Adopted

4690.5000 LAPSED CERTIFICATES.

An applicant may renew a lapsed certificate as follows:

A. within 12 months of the certificate expiration date, complete an approved emergency care refresher course and pass the written and practical examinations approved by the commissioner;

B. if more than 12 months have passed since the certificate expiration date, complete an approved emergency care course and pass the written and practical examinations approved by the commissioner; or

C. petition the commissioner for reinstatement as a state-certified emergency medical technician upon successful completion of an emergency care refresher course approved by the commissioner. The applicant must provide evidence of registration with the National Registry of Emergency Medical Technicians or certification as a Minnesota emergency medical services technician. The registration or certification must have an expiration date before January 1, 1989. Proper evidence may consist of the following:

(1) a copy of an emergency medical technician-ambulance or nonambulance registration issued by the National Registry of Emergency Medical Technicians;

(2) a copy of a Minnesota emergency medical care certificate issued by the commissioner under part 4690.4600; or

(3) a statement from a training institution with an approved emergency care refresher course, that documents the applicant's past status as an emergency medical technician under subitems (1) and (2). This statement must be accompanied by written verification from the medical advisor or medical

director and the chief administrative representative of an ambulance service licensed by the commissioner to operate within Minnesota.

This item expires August 1, 1994. Only applicants enrolled in an approved emergency care refresher course on or after April 27, 1989, may apply for reinstatement as a state certified emergency medical technician under this item.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JUN 20 1990

Joan Anderson Growe
Secretary of State

3:15 pm

APPROVED AS TO FORM AND LEGALITY

June 19 1990

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY Christie B Elles
ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

COMMISSIONER OF HEALTH

In the Matter of the Proposed Adoption of Amendments to Minnesota Rules, Chapter 4690, Governing Administration of Minnesota Ambulance Services

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

Notice of the Department's intent to adopt the above-entitled rule was originally published in the State Register on January 15, 1990 and republished on April 9, 1990. Notice of the Department's intent to adopt the above-entitled rule was sent by United States mail to all persons on the list maintained by the Department pursuant to Minn. Stat. §§ 14.14, subd. 1a and 14.22 on April 5, 1990. 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 list and published in the State Register and available to the public.

Before the notice was submitted to the State Register, a copy of the notice of intent to adopt rules without a public hearing and the proposed rule was sent to the chairs of the house appropriations committee and senate finance committee.

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

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 Department.

Based upon the comments and evidence in the record, I find the following:

1. It unnecessary to modify the proposed rule.
2. The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as Minn. Rules, Chapter 4690, Governing Administration of Minnesota Ambulance Services is adopted this 13 day of June, 1990, pursuant to authority vested in the Department by Minn. Stat. § 144.804.

Sr. Mary Madonna Ashton

SISTER MARY MADONNA ASHTON
Commissioner of Health

DEPARTMENT : ATTORNEY GENERAL - Health

STATE OF MINNESOTA

Office Memorandum

DATE : June 4, 1990

TO : PATRICIA NOLTE
Legal Assistant
Public Finance

Rec 6-5-90

FROM : AUDREY KAISER MANKA
Special Assistant
Attorney General

PHONE : 297-5933

SUBJECT : Proposed Minn. Rules pt. 4690.5000

On March 5, 1990, I submitted the above-referenced proposed rule to your office for approval pursuant to Minn. Stat. § 14.26. That rule was subsequently withdrawn due to a technical problem with the notice. The proposed rule was republished and I now submit for your review the following:

1. Amended Notice Of Intent To Adopt A Rule Without A Public Hearing, as published in the State Register on April 9, 1990.

2. Amended Notice Of Intent To Adopt A Rule Without A Public Hearing.

3. Affidavit Of Mailing Of Amended Notice Of Intent To Adopt A Rule Without A Public Hearing.

4. Copy of Correspondence from Kathleen T. Harrington, dated March 12, 1990, approving proposed rules.

5. Affidavit of Wayne Arrowood. 6-14-90 Supplemental Findings of Fact

Please review this information in addition to the documents I submitted to you with my memorandum of March 5, 1990 as mandated by Minn. Stat. § 14.26 (1988) and Minn. Rules pt. 2010.0300. – .1300

AKM:tmr
cc: Wayne Arrowood

Dear Sir or Madam:

We hereby establish our Irrevocable Standby Letter of Credit No. ..... in your favor, at the request and for the account of [owner's or operator's name and address] up to the aggregate amount of [in words] United States dollars $....., available upon presentation of:

1. your sight draft, bearing reference to this letter of Credit No. ...; and

2. your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to the infectious waste rules, *Minnesota Rules*, parts 7035.9100 to 7035.9150."

This letter of credit is effective as of [date] and shall expire on [date at least one year later], but the expiration date shall be automatically extended for a period of [at least one year] on [date] and on each successive expiration date, unless, at least 120 days before the current expiration date, we notify both you and [owner's or operator's name] by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. In the event you are so notified, any unused portion of the credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by you, as shown on the signed return receipt.

Whenever this letter of credit is drawn on, under, and in compliance with the terms of this credit, we shall duly honor the draft upon presentation to us and we shall deposit the amount of the draft directly to the Minnesota Pollution Control Agency in accordance with your instructions.

We certify that the wording of this letter of credit is identical to the wording specified in *Minnesota Rules*, part 7035.9150, subpart 2, as the rules were constituted on the date shown immediately below.

[SIGNATURE(S) AND TITLE(S) OF OFFICIAL(S) OF ISSUING INSTITUTION]

[DATE]

This credit is subject to [insert "the most recent edition of the Uniform Customs and Practice for Documentary Credits, published by the International Chamber of Commerce," or "the Uniform Commercial Code published in *Minnesota Statutes*, chapter 336"].

Department of Health

Proposed Permanent Rules Relating to Emergency Medical Technician Certificates

Amended Notice of Intent to Adopt a Rule without a Public Hearing

On January 16, 1990, a Notice of Intent to Adopt a Rule Without a Public Hearing was published in the *State Register*, Volume 14, Number 35, Pages 1793-1794. On January 18, 1990, the Notice was mailed to all interested persons on the rulemaking mailing list. The original notice incorrectly stated that thirty-day comment period ended February 14, 1989. That date was incorrect.

Inasmuch as the incorrect date of the deadline for comments was cited, all persons will have 30 additional days from this notice in which to submit comments.

Please reference the Notice of Intent previously mailed and published in the *State Register* for the remainder of the information regarding this rule and for the rule.

Dated: 29 March 1990

Sister Mary Madonna Ashton
Commissioner of Health

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.

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

Proposed Permanent Rules Relating to Emergency Medical Technician Certificates	AMENDED NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

On January 16, 1990, a Notice of Intent to Adopt a Rule Without a Public Hearing was published in the State Register, Volume 14, Number 35, Pages 1793-1794. On January 18, 1990, the Notice was mailed to all interested persons on the rulemaking mailing list. The original notice incorrectly stated that thirty-day comment period ended February 14, 1989. That date was incorrect.

Inasmuch as the incorrect date of the deadline for comments was cited, all persons will have 30 additional days from this notice in which to submit comments.

Please reference the Notice of Intent previously mailed and published in the State Register for the remainder of the information regarding this rule and for the rule.

Dated: March 29, 1990

Sr. Mary Madonna Ashton

SISTER MARY MADONNA ASHTON
COMMISSIONER OF HEALTH

STATE OF MINNESOTA

MINNESOTA DEPARTMENT OF HEALTH

In the Matter of the
Proposed Adoption of the
Rule of the Minnesota
Department of Health Relating to
Emergency Medical Technician
Certificates

AFFIDAVIT OF MAILING

I, Wayne Arrowood, being first duly sworn, depose and say:

that on the 5TH day of April, 1990, at the city of St. Paul, county of Ramsey, State of Minnesota, I mailed the attached Amended Notice of Intent to Adopt a Rule Without a Public Hearing by depositing in the State of Minnesota central mailing system for first class mailing, a copy thereof, properly enveloped, with postage prepaid, to all persons on the attached list.

Wayne Arrowood
WAYNE ARROWOOD

Subscribed and sworn to before
me this 5th day of April, 1990.

Colleen Leach

COLLEEN LEACH
NOTARY PUBLIC-MINNESOTA
DAKOTA COUNTY
MY COMMISSION EXPIRES FEBRUARY 1, 1995

April 5, 1990

Mailing List: Amended Notice of Intent to Adopt a Rule Without a Public Hearing

1) Minnesota Licensed Ambulance Services
2) Emergency Medical Services Regional Projects
3) Statewide Emergency Medical Services Advisory Task Force
4) Miscellaneous List of Persons with Addresses on File:

-Ms. Judy Everson R.N.
-Mr. Robert Mutschler
-Mr. Robert Crock
-Arlan Sneljis M.D.

5) Minnesota Training Institutions Approved to Offer Emergency Medical Care Courses

Office of the Revisor of Statutes
Administrative Rules

Kathleen T. Harrington
Assistant Revisor
296-0956

700 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1297

March 12, 1990

RECEIVED
MAR 1 - 1990
EMERGENCY MEDICAL SERVICES

Wayne Arrowood
Department of Health
393 No. Dunlap St.
Box 64900
St. Paul, MN 55164-0900

RE: File No. 1590

Dear Mr. Arrowood:

I have approved your rules adopted without a public hearing, and am enclosing a copy of these rules for your records.

I have also delivered two copies of these rules to the Attorney General for approval. If they are approved, the Attorney General will file two copies of the approved rules with the Secretary of State. The Secretary of State will then notify me of that fact.

After I am notified that the rules are filed with the Secretary of State, I will prepare three copies of a notice of adoption for you.

If you have any questions, please call me.

Very truly yours,

Kathleen T. Harrington

Office of the Revisor of Statutes

Administrative Rules

TITLE: Adopted Permanent Rules Relating to Emergency Medical Technician Certificates

AGENCY: Department of Health

MINNESOTA RULES: Chapter 4690

The attached rules are approved for
filing with the Secretary of State

Kathleen T. Harrington
Assistant Revisor

Department of Health

Adopted Permanent Rules Relating to Emergency Medical Technician Certificates

Rules as Adopted

4690.5000 LAPSED CERTIFICATES.

An applicant may renew a lapsed certificate as follows:

A. within 12 months of the certificate expiration date, complete an approved emergency care refresher course and pass the written and practical examinations approved by the commissioner;

B. if more than 12 months have passed since the certificate expiration date, complete an approved emergency care course and pass the written and practical examinations approved by the commissioner; or

C. petition the commissioner for reinstatement as a state-certified emergency medical technician upon successful completion of an emergency care refresher course approved by the commissioner. The applicant must provide evidence of registration with the National Registry of Emergency Medical Technicians or certification as a Minnesota emergency medical services technician. The registration or certification must have an expiration date before January 1, 1989. Proper evidence may consist of the following:

(1) a copy of an emergency medical technician-ambulance or nonambulance registration issued by the National Registry of Emergency Medical Technicians;

(2) a copy of a Minnesota emergency medical care certificate issued by the commissioner under part 4690.4600; or

(3) a statement from a training institution with an approved emergency care refresher course, that documents the applicant's past status as an emergency medical technician under subitems (1) and (2). This statement must be accompanied by written verification from the medical advisor or medical

director and the chief administrative representative of an ambulance service licensed by the commissioner to operate within Minnesota.

This item expires August 1, 1994. Only applicants enrolled in an approved emergency care refresher course on or after April 27, 1989, may apply for reinstatement as a state certified emergency medical technician under this item.

STATE OF MINNESOTA

MINNESOTA DEPARTMENT OF HEALTH

In the Matter of the
Proposed Adoption of
Amendments to Minn. Rules
Chapter 4690 Governing
Administration of Minnesota
Ambulance Services.

AFFIDAVIT OF
WAYNE ARROWOOD

COUNTY OF RAMSEY)
) ss.
STATE OF MINNESOTA)

Wayne Arrowood, being first duly sworn upon oath, deposes and says:

1. I am currently employed by the Minnesota Department of Health in the Emergency Medical Services Section, and was designated by the Commissioner of Health to receive public comments on the proposed amendments to Minn. Rules chapter 4690.

2. The Department of Health has not received any written comments in response to the Amended Notice of Intent to Adopt a Rule Without Public Hearing.

Further affiant sayeth not.

Wayne Arrowood 6/1/90
WAYNE ARROWOOD

Subscribed and sworn to before me
this 1st day of June, 1990.

Nancy E. Baker
Notary Public

NANCY E. BAKER
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES FEBRUARY 25, 1996

State of Minnesota
Department of Health

M E M O R A N D U M

DATE: April 2, 1990

TO: Patricia Nolte
Attorney General's Office - Administration

FROM: Wayne Arrowood, Assistant Chief
Emergency Medical Services Section

PHONE: (612) 643-2162

SUBJECT: Minnesota Rule 4690.5000
Commissioner's Order withdrawing Department of Health Rule Relating to Emergency Medical Technician Certificates

As requested, attached please find the original Commissioner's Order withdrawing from consideration the above-captioned rule. We will be re-publishing notice on April 9, 1990.

Please call if you have questions.

cc: Audrey K. Manka

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

In the Matter of the
Proposed Adoption of the
Rule of the Minnesota
Department of Health Relating to
Emergency Medical Technician Certificates ORDER

Effective March 19, 1990, the above-captioned rule is withdrawn from consideration by the Attorney General.

Sr. Mary Madonna Ashton

SISTER MARY MADONNA ASHTON
COMMISSIONER OF HEALTH

CH

Dept of Health

RULE REVIEW CHECKLIST

File No. 1680 — Docket No. 05-0009-1390

DATE RECEIVED 3-5-90 — ADOPTED W/O HEARING X

REVIEW DATE 3-14-90 — EMERGENCY RULE _____

DUE DATE 3-19-90 — to Revisor: 3-9-90

REVISOR APPROVED 3-13-90

APPROVED _____ — REVISOR DISAPPROVED _____

DISAPPROVED _____ — FILED W/SEC. OF STATE _____

WITHDRAWN 3-9-90 — RETURNED TO AGENCY _____

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4 ✓ Rule as adopted (4 copies)

✓ Notice to Solicit Outside Information/Opinion (if applicable)
- Aug 14, 89 Date published in State Register
- 0 ✓ Comments don't have comments attached

_____ Petition for Adoption of a Rule (if applicable)

_____ Board's Authorizing Resolution
- _____ Date adopted

✓ Proposed Rule
- ✓ Revisor's Certificate

_____ Notice of Intent to Adopt Rule
- 144.804.045 Statutory Authority
- _____ Small Business Statement
- NA Expenditure of public money statement
- 12-2089 Signature

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

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
- Jan 18, 1990 Date *30/25 days before adoption
- ✓ Notice attached
- ✓ Copy of rule or summary attached

✓ Publication in State Register
- Jan 16, 1990 Date *30/25 days before adoption

✓ 180-day deadline from:
- NA Effective date of law requiring rule (14.12) (both rules) not new
- ✓ end of comment period (§ 14.26) (rules without hearing)
- _____ effective date of statutory authority (§ 14.29) (emergency rules)

_____ Resolution Adopting
- _____ Date adopted

✓ Findings of Fact, Conclusions & Order Adopting
- Feb 21, 1990 Date

✓ Written requests, submissions or comments not all comments submitted

_____ Declaration of attorney
- Audrey Kaiserman Name of SAAG representing agency

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

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

* Did not allow for 30 day comment period

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

In the Matter of the Proposed Adoption of the Rule of the Minnesota Department of Health Governing Administration of Minnesota Ambulance Services.	FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

(1) Notice of the Commissioner's intent to adopt the above-entitled rule was published in the State Register on January 15, 1990, and was distributed by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22, on January 18, 1990. (2) The statement of need and reasonableness was prepared prior to distribution of the notice of intent to adopt a rule without a public hearing. This notice was subsequently mailed to all persons on the rule making mailing list, 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 rule making. (5) The agency received no requests for a public hearing.

(7) No requests for notice of submission to the attorney general were received by the agency.

A request for a copy of the Statement of Need and Reasonableness was received on January 22, 1990 from the Legislative Commission to Review Administrative Rules (LCRAR), Michele Swanson, Commission Secretary. A copy of the Statement of Need and Reasonableness was forward to the LCRAR on January 22, 1990.

Additional comments on the proposed rule were received from the following:

1. Northwest Minnesota Emergency Medical Services, Douglas J. Pederson, Director, January 26, 1990. Endorsement of the proposed rule by the Board of Directors of the Northwest Minnesota Emergency Medical Services Corporation.

2. Representative Joseph R. Begich, Minnesota House of Representatives, January 31, 1990. A request for an additional copy of the proposed rule. A copy of the proposed rule was forwarded to Rep. Begich on January 31, 1990.

3. Dan Hankins M.D., Emergency Physician, St. Paul-Ramsey Medical Center, January 31, 1990. Telephone conversation endorsing the proposed rule with no change.

4. City of Maplewood, Carol M. Nelson, Paramedic Coordinator, Maplewood Police Department, February 2, 1990. Endorsement of the proposed rule by the Police Department of the City of Maplewood.

Based on the comments and evidence in the record before the agency, I find the following:

6 That no changes to the rule are proposed.

8 The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as Amendments to Minnesota Rules, Chapter 4690, Governing Administration of Minnesota Ambulance Services, is adopted this 21st day of February, 1990, pursuant to authority vested in me by Minnesota Statutes, Section 144.804 Subdivision 3.

9 Sr. Mary Madonna Ashton

SISTER MARY MADONNA ASHTON
Commissioner

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : ATTORNEY GENERAL

DATE : March 5, 1990

Rec 3-5-90

TO : PATRICIA NOLTE
Legal Assistant

FROM : AUDREY KAISER MANKA
Special Assistant
Attorney General

PHONE :

SUBJECT : In the Matter of Proposed Permanent Rules Relating to Emergency Medical Technicial Certificates

Enclosed for your review, pursuant to Minn. Stat. § 14.26 (1988) and Minn. Rules pt. 2010.0300 (1989), are the following documents to support the above-referenced rule:

1. Notice of Solicitation of Outside Information;
2. Rules as proposed with a certificate of approval as to form by the Revisor of Statutes attached;
3. Notice of Intent to Adopt Rules Without a Public Hearing (as mailed);
4. Statement of Need and Reasonableness;
5. Affidavit of Mailing the Notice of Intent to Adopt Rules Without a Public Hearing;
6. Notice of Intent to Adopt Rules Without a Public Hearing (as published in the State Register);
7. Rules as adopted (original and three copies);
8. Findings of Fact, Conclusions, and Order Adopting Rules Without a Public Hearing;
9. Written requests, submissions, and/or comments on the rules;
10. Declaration of Counsel.

AKM:tmr
Enclosures

STATE OF MINNESOTA

MINNESOTA DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED AMENDMENTS TO MINNESOTA RULES, CHAPTER 4690, GOVERNING ADMINISTRATION OF MINNESOTA AMBULANCE SERVICES.

AFFIDAVIT OF MAILING

I, Wayne Arrowood, being first duly sworn, depose and say:

that on the 18th, day of January, at the city of St. Paul, county of Ramsey, state of Minnesota, I mailed the attached 1) Memorandum to Interested Persons; 2) Notice of Intent to Adopt a Rule Without a Public Hearing; 3) Proposed Permanent Rules Relating to Emergency Medical Technician Certificates

by depositing in the State of Minnesota central mailing system for first class mailing, a copy thereof, properly enveloped, with postage prepaid, to all persons on the attached list.

COLLEEN LEACH
NOTARY PUBLIC-MINNESOTA
DAKOTA COUNTY
MY COMMISSION EXPIRES FEBRUARY 1, 1995

Wayne Arrowood

Inscribed and sworn to before me this
22nd, day of January, 1990

Colleen Leach

January 18, 1990

Mailing List: Proposed Permanent Rules Relating to Emergency Medcial Technicians Certificates

1) Minnesota Senate

2) Minnesota House of Representatives

3) Minnesota Licensed Ambulance Services

4) Emergency Medical Services Regional Projects

5) Statewide Emergency Medical Services Advisory Task Force

6) Miscellaneous List of Persons with addresses on File:

   Mr. Robert Mutschler
   Mr. Robert Crock
   Dr. Arlan Sneljis

7) Minnesota Training Institutions Approved to Offer Emergency Medical Care Courses

8) Minnesota Department of Health certified list to receive notice of rule hearings (see attached Certification)

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

COMMISSIONER OF HEALTH

IN THE MATTER OF THE PROPOSED
ADOPTION OF AMENDMENTS TO MINNESOTA
RULES, CHAPTER 4690, GOVERNING
ADMINISTRATION OF MINNESOTA
AMBULANCE SERVICES.

CERTIFICATION

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minnesota Statutes, section 14.14, subdivision 1a, that their names be placed on the file with, and maintained by, the Minnesota Department of Health for the purpose of receiving notice of rule hearings, is accurate and complete as of 4:00 : p. m., this 18th day of January, 1990.

Wayne Turcotte, Asst Chief/EMS

minnesota department of health
393 north dunlap street p.o. box 64900 st. paul 55164-0900

TO: Interested Persons

FROM: Emergency Medical Services Section
Wayne Arrowood, Assistant Chief

SUBJ: Notice of Intent and Proposed Permanent Rules Relating to Emergency Medical Technician (EMT) Certificates

Attached for your information and review are the following items:

1) "Notice of Intent to Adopt a Rule Without a Public Hearing"

2) "Proposed Permanent Rules Relating to Emergency Medical Technician Certificates"

Both items were published in the State Register on Tuesday, January 16, 1990. Please note the date of February 14, 1989, the last day for public comment on the proposed rule.

A copy of the "Statement of Need and Reasonableness" is available upon request, as noted in the "Notice of Intent".

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

In the Matter of the Proposed Adoption of Amendments to Minnesota Rules, Chapter 4690, Governing Administration of Minnesota Ambulance Services	NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

Notice is hereby given that the Minnesota Department of Health intends to adopt amendments to the above entitled rule without a public hearing following the procedures of the Administrative Procedures 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, section 144.804, subdivision 3.

All persons have thirty (30) days or until 4:30 p.m. on February 14, 1989, 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 encourage. Each comment should identify the

portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make written request for a public hearing on the rule within the thirty day comment period. If twenty-five (25) or more persons submit a written request for a public hearing within the thirty 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:

Wayne Arrowood
Minnesota Department of Health
Emergency Medical Services
393 North Dunlap Street
Box 64900
St. Paul, Minnesota 55164-0900
(612)643-2162

The proposed rule may be changed if the changes 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 Wayne Arrowood upon request.

Adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11

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 Wayne Arrowood.

Date: 12-20-89

Sister Mary Madonna Ashton

Commissioner of Health

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Emergency Medical Technician Certificates

AGENCY: Department of Health

MINNESOTA RULES: Chapter 4690

The attached rules are approved for publication in the State Register

Kathleen T. Harrington
Assistant Revisor

Department of Health

Proposed Permanent Rules Relating to Emergency Medical Technician Certificates

Rules as Proposed

4690.5000 LAPSED CERTIFICATES.

An applicant may renew a lapsed certificate as follows:

A. within 12 months of the certificate expiration date, complete an approved emergency care refresher course and pass the written and practical examinations approved by the commissioner; ~~or~~

B. if more than 12 months have passed since the certificate expiration date, complete an approved emergency care course and pass the written and practical examinations approved by the commissioner~~.~~; or

C. petition the commissioner for reinstatement as a state-certified emergency medical technician upon successful completion of an emergency care refresher course approved by the commissioner. The applicant must provide evidence of registration with the National Registry of Emergency Medical Technicians or certification as a Minnesota emergency medical services technician. The registration or certification must have an expiration date before January 1, 1989. Proper evidence may consist of the following:

(1) a copy of an emergency medical technician-ambulance or nonambulance registration issued by the National Registry of Emergency Medical Technicians;

(2) a copy of a Minnesota emergency medical care certificate issued by the commissioner under part 4690.4600; or

(3) a statement from a training institution with an approved emergency care refresher course, that documents the applicant's past status as an emergency medical technician under subitems (1) and (2). This statement must be accompanied by written verification from the medical advisor or medical

Approved by Revisor KTH

director and the chief administrative representative of an ambulance service licensed by the commissioner to operate within Minnesota.

This item expires August 1, 1994. Only applicants enrolled in an approved emergency care refresher course on or after April 27, 1989, may apply for reinstatement as a state certified emergency medical technician under this item.

Approved by Revisor _____

Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Health

Proposed Permanent Rules Relating to Emergency Medical Technician Certificates

Notice of Intent to Adopt a Rule without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health intends to adopt amendments to the above entitled rule without a public hearing following the procedures of the Administrative Procedures 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*, section 144.804, subdivision 3.

All persons have thirty (30) days or until 4:30 p.m. on February 14, 1989, 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 written request for a public hearing on the rule within the thirty day comment period. If twenty-five (25) or more persons submit a written request for a public hearing within the thirty 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:

Wayne Arrowood
Minnesota Department of Health
Emergency Medical Services
393 North Dunlap Street
Box 64900
St. Paul, Minnesota 55164-0900
(612) 643-2162

The proposed rule may be changed if the changes 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 Wayne Arrowood upon request.

Adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney

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.

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 Wayne Arrowood.

Dated: 20 December 1989

Sister Mary Madonna Ashton
Commissioner of Health

Rules as Proposed

4690.5000 LAPSED CERTIFICATES.

An applicant may renew a lapsed certificate as follows:

A. within 12 months of the certificate expiration date, complete an approved emergency care refresher course and pass the written and practical examinations approved by the commissioner; ~~or~~

B. if more than 12 months have passed since the certificate expiration date, complete an approved emergency care course and pass the written and practical examinations approved by the commissioner~~.~~; or

C. petition the commissioner for reinstatement as a state-certified emergency medical technician upon successful completion of an emergency care refresher course approved by the commissioner. The applicant must provide evidence of registration with the National Registry of Emergency Medical Technicians or certification as a Minnesota emergency medical services technician. The registration or certification must have an expiration date before January 1, 1989. Proper evidence may consist of the following:

(1) a copy of an emergency medical technician-ambulance or nonambulance registration issued by the National Registry of Emergency Medical Technicians;

(2) a copy of a Minnesota emergency medical care certificate issued by the commissioner under part 4690.4600; or

(3) a statement from a training institution with an approved emergency care refresher course, that documents the applicant's past status as an emergency medical technician under subitems (1) and (2). This statement must be accompanied by written verification from the medical advisor or medical director and the chief administrative representative of an ambulance service licensed by the commissioner to operate within Minnesota.

This item expires August 1, 1994. Only applicants enrolled in an approved emergency care refresher course on or after April 27, 1989, may apply for reinstatement as a state certified emergency medical technician under this item.

Housing Finance Agency

Proposed Permanent Rules Relating to the Urban Indian Housing Program

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency 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 in *Minnesota Statutes* sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* 462A.06, Subd. 4 and 11.

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*, section 14.131 to 14.20.

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

Susan K. Noren
Legal Division
Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, Minnesota 55101-1998
Telephone: 612-296-9794

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

In the Matter of the Proposed Adoption of Amendments to Minnesota Rules, Chapter 4690, Governing Administration of Minnesota Ambulance Services	NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

(1) Notice is hereby given that the Minnesota Department of Health intends to adopt amendments to the above entitled rule without a public hearing following the procedures of the Administrative Procedures 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, section 144.804, subdivision 3.

(2) All persons have thirty (30) days or until 4:30 p.m. on February 14, 1989, 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 encourage.(3) Each comment should identify the

portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make written request for a public hearing on the rule within the thirty day comment period. If twenty-five (25) or more persons submit a written request for a public hearing within the thirty 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:

Wayne Arrowood
Minnesota Department of Health
Emergency Medical Services
393 North Dunlap Street
Box 64900
St. Paul, Minnesota 55164-0900
(612)643-2162

The proposed rule may be changed if the changes are supported by data and views submitted to the agency, and do not

result in a substantial change in the proposed rule as noticed.

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

(12) 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 Wayne Arrowood upon request.

(13) Adoption of these rules will not result in additional spending by local public bodies in excess of $100,000 per year for the first two years following adoption under the requirements of Minnesota Statutes, section 14.11

(9) 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 Wayne Arrowood.

Date: 12-20-89

Sister Mary Madonna Ashton

Commissioner of Health

Stat Authority 144.804 subd 3

The commissioner in consultation with the appropriate standing committees of the legislature shall promulgate as rules standards for the operation of the following ambulance service
(a) basic life support

Notice of Intent

* states Feb 14 last day = 30 - 27
Affidavit of mailing Jan 18, 1990 } days Comment
Published in State Reg Jan 16 } 29 day comment

No end

recommendation of the EMS Statewide Advisory Task Force (commissioners -ask Audrey if that's a standing committee of the legislature)

3-14-90 - left message on vacation until March 19

3-14-90 Dwayne Arrowhead Dept of Health Emergency Services

doesn't think met with the committee told him to send comments for notice of solicitation told him problem of Counties

STATE OF MINNESOTA

DEPARTMENT OF HEALTH

IN THE MATTER OF THE PROPOSED ADOPTION OF AMENDMENTS TO MINNESOTA RULES, CHAPTER 4690, GOVERNING ADMINISTRATION OF MINNESOTA AMBULANCE SERVICES

STATEMENT OF NEED AND REASONABLENESS

Introduction

The function of ambulance services in Minnesota is to transport ill and injured people to destinations where appropriate treatment can be rendered for illness or injury. Licensed ambulance services are dependent upon properly trained Emergency Medical Technician attendants, certified by the Commissioner of Health. These persons are expected to perform skills appropriate to a standard of care consistent with acceptable quality pre-hospital care within the state, obtained by completion of standard curriculum available through training institutions approved the Commissioner.

Certification of Emergency Medical Technicians is conducted under authority of Minnesota Statutes 144.804 and Minnesota Rule Chapter 4690.3900-.5100. Persons who successfully complete an approved emergency medical care course, including written and practical examinations, may be certified by the Commissioner as

Emergency Medical Technicians for a two year period. Re-training and testing is required every two years.

To prepare the proposed amendment, the Department of Health followed procedures mandated by the Minnesota Administrative Procedures Act and the rules of the Office of Administrative Hearings. A notice to solicit outside opinion concerning the proposed amendment was published in the State Register on Monday, May 8, 1989. The proposed rule amendment developed as a result of discussions and subsequent recommendation to the commissioner by the EMS Statewide Advisory Task Force, convened in October of 1987. The proposed rule amendment has been reviewed and approved by staff of the Emergency Medical Services Section, Community Health Services Division, Minnesota Department of Health, 393 North Dunlap St., Box 64900, St. Paul, Mn. 55164. Following publication of the notice of intent to solicit outside opinion, comments received were reviewed and considered by staff of the Emergency Medical Services Section prior to completion of the proposed rule amendment.

This statement of need and reasonableness must be read in conjunction with a copy of the proposed amendment to rule. Copies of the amendment to rule are available from the Emergency Medical Services Section of the Department of Health.

IMPACT ON SMALL BUSINESS

Minnesota Statutes, section 14.115, subdivision 2, requires

a state agency to consider the methods for reducing the impact of proposed state rules on small businesses.

This proposed amendment pertaining to reinstatement of expired emergency medical technician certification does not require any business to change the way it operates. The amendment will permit individuals to seek re-certification as emergency medical technicians. The proposed rule change will not burden licensed ambulance services with new expenditures that will be detrimental to their continued operation. The proposed rule will enable ambulance services to identify an additional pool of properly trained personnel to serve as attendants on their ambulance service, most of whom are volunteers.

Minnesota Statutes, section 14.115, subdivision 4, requires the state agency to have small businesses participate in rule making. This requirement has been satisfied by mailing the notice of intent to solicit outside opinion to all licensed ambulance services in the state.

NEED AND REASONABLENESS OF AMENDMENTS

The Department of Health finds that some ambulance services throughout the state are experiencing difficulty in maintaining and recruiting a sufficient number of Emergency Medical Technicians to serve as ambulance attendants. The Department also finds that many persons formerly certified as Emergency

Medical Technicians have, for a variety of reasons, chosen to voluntarily allow their certification to expire. This issue of volunteer recruitment and retention is not unique to the prehospital emergency medical care; however, it has impacted this technical field especially in more rural areas of Greater Minnesota. The Department finds that many former EMT's have allowed their certification to expire over the past several years. It has also been found that, throughout the state, many former EMT's are willing to re-enter the prehospital EMS system if a re-entry provision is provided, along with other continuing education incentives under discussion by the Department of Health.

It is the finding of the Department of Health that the best interest of pre-hospital emergency medical care in the state would be served by identifying persons with expired emergency medical technician certificates, and encouraging these persons to seek re-certification under provisions of this proposed amendment to rule. The recruitment of personnel in this fashion will enable many ambulance services to have available additional EMT's within the communities they serve.

The proposed amendment to Minnesota Rule Chapter 4690.5000 would permit an applicant to renew a lapsed emergency medical technician certificate with an expiration date of December 31, 1988 or earlier. The proposed new alternative would be by petition to the Commissioner for reinstatement as a state-certified emergency medical technician. Proper evidence would be

submitted at the time of petition, consisting of the following:

1) A copy of an Emergency Medical Technician - Ambulance or Non-Ambulance registration issued by the National Registry of Emergency Medical Technicians; or

2) A copy of a Minnesota emergency medical care certificate issued by the commissioner pursuant to Minnesota Rule 4690.4600; or

3) A statement from an approved training institution documenting past status as an emergency medical technician pursuant to 1) and 2), and signed by the medical advisor or medical director and the chief administrative representative of an ambulance service licensed by the commissioner to operate within Minnesota.

This amendment to Minnesota rule is proposed to expire August 1, 1994. Applicants enrolled in an approved emergency medical care refresher course on or after April 27, 1989, are eligible to apply for reinstatement under provisions of this proposed rule change. The Statewide Emergency Medical Services Task Force recommendation to proceed with promulgation of this re-entry rule was approved by the Commissioner of Health on this date.

With the date of August 1, 1994 set as the point at which Minnesota ambulance services will be staffed by all emergency medical technicians, this proposed amendment to rule is particularly timely and needed.

Comments received in response to the Notice to Solicit Outside Opinion indicate that this amendment to rule would have a positive impact on local ambulance services, particularly in the more rural areas of the state, where volunteers make up the majority of staff. Written comments in support of this proposed amendment to rule were received from the Renville Ambulance Service, Inc.; the City of Mineota Ambulance Service; Tri-County Ambulance Service District, Inc., Karlstad; Department of Fire and Safety Services, City of St. Paul; Minneapolis Fire Department; and one individual from outside of Minnesota.

Former emergency medical technicians with many years of dedicated service and experience would be able to return to active service if they so choose. A qualified applicant would be required to successfully complete a 24-hour "refresher" course, including written and practical examination, in order to regain certification as a state emergency medical technician. The successful applicant would regain former skills, and be able to provide service to his or her community once again as a valuable member of the local ambulance service, most likely as a volunteer. By successfully completing a 24-hour "refresher" course, including the required written and practical examinations, the general public is assured that acceptable quality care is being offered and delivered by pre-hospital personnel with appropriate and current skills.

In summary, comments received to date indicate that this is one

of the most important rule changes that the Department has considered in recent years. It is a rule change that will greatly benefit the emergency medical care system within the state.

FISCAL IMPACT

The proposed amendment to rule will not result in an increase in spending of public money by any public bodies, because the amendment will not affect the operation of the regulatory agency, in this case, the Department of Health. Therefore, the fiscal note requirements of Minnesota Statutes, section 14.11, subdivision 1 do not apply to this proposed rule amendment.

EXPERT WITNESSES

The Department of Health will not present expert witnesses from outside the Department to testify concerning the provisions of this proposed amendment to rule on behalf of the department.

DATE: 12/14/89 Sr Mary Madonna Ashton

SISTER MARY MADONNA ASHTON
COMMISSIONER OF HEALTH

Office of the Revisor of Statutes
Administrative Rules

Kathleen T. Harrington
Assistant Revisor
296-0956

700 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1297

December 18, 1989

RECEIVED
DEC 2 6 1989
EMERGENCY MEDICAL SERVICES

Wayne Arrowood
Department of Health
393 No. Dunlap St.
Box 64900
St. Paul, MN 55164-0900

RE: File No. 1590

Dear Mr. Arrowood:

I am enclosing six copies of your rules, approved as to form. Please submit two copies to the State Register for publication.

If you have any questions, please call me.

Very truly yours,

Kathleen T. Harrington

Department of Health

Proposed Permanent Rules Relating to Emergency Medical Technician Certificates

Rules as Proposed

4690.5000 LAPSED CERTIFICATES.

An applicant may renew a lapsed certificate as follows:

A. within 12 months of the certificate expiration date, complete an approved emergency care refresher course and pass the written and practical examinations approved by the commissioner; ~~or~~

B. if more than 12 months have passed since the certificate expiration date, complete an approved emergency care course and pass the written and practical examinations approved by the commissioner~~.~~; or

C. petition the commissioner for reinstatement as a state-certified emergency medical technician upon successful completion of an emergency care refresher course approved by the commissioner. The applicant must provide evidence of registration with the National Registry of Emergency Medical Technicians or certification as a Minnesota emergency medical services technician. The registration or certification must have an expiration date before January 1, 1989. Proper evidence may consist of the following:

(1) a copy of an emergency medical technician-ambulance or nonambulance registration issued by the National Registry of Emergency Medical Technicians;

(2) a copy of a Minnesota emergency medical care certificate issued by the commissioner under part 4690.4600; or

(3) a statement from a training institution with an approved emergency care refresher course, that documents the applicant's past status as an emergency medical technician under subitems (1) and (2). This statement must be accompanied by written verification from the medical advisor or medical

Approved by Revisor KTH

director and the chief administrative representative of an ambulance service licensed by the commissioner to operate within Minnesota.

This item expires August 1, 1994. Only applicants enrolled in an approved emergency care refresher course on or after April 27, 1989, may apply for reinstatement as a state certified emergency medical technician under this item.

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Emergency Medical Technician Certificates

AGENCY: Department of Health

MINNESOTA RULES: Chapter 4690

The attached rules are approved for publication
in the State Register

Kathleen T. Harrington
Assistant Revisor

Official Notices

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Department of Health

Outside Opinions Sought Regarding a Proposed Rule Change to Permit a Time-Limited Opportunity to Reinstate Expired Certificates Previously Issued to Emergency Medical Technicians by the Commissioner of Health

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health is seeking information or opinions from sources outside the agency in preparation to amend *Minnesota Rule*, Chapter 4690, Department of Health Rules for Basic and Advanced Ambulance Services. The promulgation of these rule changes is authorized by *Minnesota Statutes*, section 144.804, subdivision 1.

The proposed amendment pertaining to certification of emergency medical technicians would permit individuals to petition the commissioner of health for reinstatement of certification as a Minnesota emergency medical technician only. The applicant will be required to submit evidence of prior certification as an emergency medical technician. Proper evidence will consist of a copy of a Minnesota emergency medical care certificate issued by the commissioner of health pursuant to *Minnesota Rule* 4690.4600, or a copy of an Emergency Medical Technician—Ambulance registration issued by the National Registry of Emergency Medical Technicians. No other documentation will be accepted. The burden of evidence lies solely with the applicant. The Department of Health will assume no responsibility in determining the eligibility of applicants other than review of proper evidence submitted by the individual.

The successful applicant will be permitted to enroll in an emergency care refresher course as authorized by *Minnesota Rule* 4690.4700. Successful completion of the refresher course examinations as authorized by *Minnesota Rule* 4690.4800 will entitle the applicant to receive current certification as a Minnesota emergency medical technician pursuant to *Minnesota Rule* 4690.4600, through December 31, 1991. The opportunity to apply for reinstatement of Minnesota emergency medical technician certification will expire July 1, 1990, without exception.

The Emergency Medical Services Section of the Minnesota Department of Health requests information and comments concerning the subject matter of this proposed rule change. All interested or affected parties are requested to participate. Statements of information and comment may be made orally or in writing until August 31, 1989. Written statements of information and comment may be addressed to:

Norman Hanson, Chief
Emergency Medical Services Section
Minnesota Department of Health
393 North Dunlap Street Box 64900
St. Paul, MN 55164-0900
612/643-2164

Office of the Revisor of Statutes
Administrative Rules

Kathleen T. Harrington
Assistant Revisor
296-0956

700 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1297

January 16, 1990

RECEIVED
JAN 17 1990
EMERGENCY MEDICAL SERVICES

Wayne Arrowood
Department of Health
393 No. Dunlap St.
Box 64900
St. Paul, MN 55164-0900

RE: File No. 1590

Dear Mr. Arrowood:

Enclosed is a stripped copy of your proposed rules as published in the State Register. The copy shows the text of the rules as you proposed them with the stricken text deleted and the underscoring removed.

If your emergency rules or rules adopted without public hearing are adopted without modification, please submit the required number of copies of this document to the Attorney General for final approval. If these rules are to be modified, please use this copy to indicate the modifications you wish to make. Our office will then input the changes, approve the document as to form, and provide you with copies to submit to the Attorney General.

If your rules are adopted after public hearing without modification, please submit one copy of this document to our office for final approval as to form. If these rules are to be modified, please use this copy to indicate the modifications you wish to make. Our office will input the changes, approve the document as to form, and provide you with copies.

Very truly yours,

Kathleen T. Harrington

Kathleen T. Harrington

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

DEPARTMENT OF HEALTH

In the Matter of the
Proposed Adoption of
Rules of the Department
of Health Relating to
Emergency Medical
Technician Certificates

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. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client is 1390.

Dated: March 5, 1990.

AUDREY KAISER MANKA
Special Assistant
Attorney General