

# Minnesota State Register

Published every Monday (Tuesday when Monday is a holiday)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  
Executive Orders; Appointments; Commissioners' Orders; Revenue Notices;  
Official Notices; State Grants & Loans; State Contracts;  
Non-State Public Bids, Contracts and Grants**

**Monday 5 March 2018  
Volume 42, Number 36  
Pages 1033 - 1058**

# Minnesota State Register

## Judicial Notice Shall Be Taken of Material Published in the *Minnesota State Register*

The *Minnesota State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. It contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Vetoed Rules
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-State Public Bids, Contracts and Grants

### Printing Schedule and Submission Deadlines

Vol. 42 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
# 37	Monday 12 March	Noon Tuesday 6 March	Noon Thursday 1 March
# 38	Monday 19 March	Noon Tuesday 13 March	Noon Thursday 8 March
# 39	Monday 26 March	Noon Tuesday 20 March	Noon Thursday 15 March
# 40	Monday 2 April	Noon Tuesday 27 March	Noon Thursday 22 March

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(651) 296-0504  
State Capitol, Room 231, St. Paul, MN 55155  
<http://www.senate.mn>

#### Minnesota State Court System

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MN Judicial Center, Rm. 135,  
25 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155  
<http://www.mncourts.gov>

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#### Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498  
U.S. Government Printing Office – Fax: (202) 512-1262  
[http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html)

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# Minnesota Rules: Amendments and Additions

## NOTICE: How to Follow State Agency Rulemaking in the State Register

The State Register is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the State Register. Published every Monday, the State Register makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific Minnesota Rule chapter numbers. Every odd-numbered year the Minnesota Rules are published. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the State Register.

An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (Minnesota Statutes §§ 14.101). It does this by publishing a notice in the State Register at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as Proposed Rules, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules, and withdrawn proposed rules, are also published in the State Register. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the State Register as Adopted Rules. These final adopted rules are not printed in their entirety, but only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the State Register, the issue the rule appeared in as proposed, and later as adopted.

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive (issue #26 cumulative for issues #1-26); issues #27-38 inclusive (issue #39, cumulative for issues #1-39); issues #40-52 inclusive, with final index (#1-52, or 53 in some years). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the State Register, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529.

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# Proposed Rules

**Comments on Planned Rules or Rule Amendments.** An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

**Rules to be Adopted After a Hearing.** After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

**Rules to be Adopted Without a Hearing.** Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. 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 §§ 14.1414.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

**KEY: Proposed Rules** - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

## Board of Optometry

### Proposed Permanent Rules Relating to the Practice of Optometry; Making Technical Changes; Notice of Intent to Adopt Rules without a Public Hearing

**Proposed Amendments to and Repeals of Rules Relating to the Practice of Optometry, Chapter 6500; Making Technical Changes; Revisor's ID Number 4441**

6500.0100 Definitions  
6500.0300 Purpose and Application  
6500.0400 Professional Conduct  
6500.0500 Display and Disclosure of Name  
6500.0600 Prescription  
6500.0700 Recordkeeping  
6500.0800 Incorporating Under the Professional Corporations Act  
6500.0900, .0950, .1000, .1100, .1200, .1300, .1400, .1500, .1600, and .1700 [REPEAL]  
6500.1800 Application Fees [REPEAL]  
6500.1900 License Certificate Issuance Fee [REPEAL] 6500.2000 Individual Annual License Renewal 6500.2200 Fee Payment; Nonrefundable  
6500.2300 Clinical Practical Examination [REPEAL] 6500.2400 Jurisprudence Examination  
6500.2700 Optometrist Emeritus Registration 6500.2800 Terms and Renewal of License [REPEAL] 6500.2900 Reinstatement of License  
6500.3000 Continuing Education Requirements

# Proposed Rules

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**Introduction.** The Minnesota Board of Optometry intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until April 4, 2018.

**Agency Contact Person.** You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is:

Randy Snyder, Executive Director Minnesota Board of Optometry  
2829 University Ave. S.E., Suite 403  
Minneapolis, MN 55414  
(651) 201-2762  
TTY users may call the Department at 1-800-627-3529  
*Randy.Snyder@state.mn.us*

You may review the proposed rule and submit written comments via the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/discussions> .]

**Subject of Rules and Statutory Authority.** The Board proposes to amend its rules and repeal some rules (1) to update the rules with current terminology and to reflect more accurately current statutes and Board practices (“housekeeping amendments”), (2) to clarify and provide more guidance as to minimum standards for recordkeeping (“recordkeeping amendment”); (3) to increase the jurisprudence examination passing score (“jurisprudence examination amendment”) and (4) to create a comprehensive continuing education rule with all relevant subparts under one rule (“continuing education amendments”). The statutory authority to adopt the rules is *Minnesota Statutes*, section sections 145.714, 148.53 and 214.06. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until **4:30 p.m. on April 4, 2018**, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and the agency contact person must receive it by the due date. The Board encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Board hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by 4:30 p.m. on April 4, 2018. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a valid written request for a hearing, the Board will hold a public hearing unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format.** Upon request, this information can be made available in an alternative format, such as large print, Braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The Board may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Board encourages you to participate in the rulemaking process.

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# Proposed Rules

**Statement of Need and Reasonableness.** The statement of need and reasonableness statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review it or obtain copies for the cost of reproduction by contacting the agency contact person.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions about this requirement to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

**Adoption and Review of Rules.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The agency will then submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the Board submits the rules to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Date: February 15, 2018

Randy Snyder, Executive Director

## 6500.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Act.** “Act” means the Minnesota Optometric Practice Act, Minnesota Statutes, sections 148.52 to 148.62, and the Minnesota Contact Lens Prescription Act, Minnesota Statutes, sections 145.711 to 145.714.

Subp. 2a. [See repealer.]

Subp. 3. **Board.** “Board” means the Minnesota Board of Optometry.

Subp. 4. [See repealer.]

Subp. 4a. [See repealer.]

Subp. 5. [See repealer.]

Subp. 6. [See repealer.]

## 6500.0300 PURPOSE AND APPLICATION.

These rules are This chapter is intended to clarify and implement Minnesota Statutes, section sections 148.52 et seq., to the end that the provisions thereunder may be best effectuated and the public interest most effectively served to 148.62 and 145.711 to 145.714, in order to best protect the public.

These rules shall be This chapter is applicable to all persons licensed to practice optometry in the state of Minnesota pursuant to the provisions of Minnesota Statutes, section 148.52 et seq., and, in pertinent part, and to those persons applying to the Minnesota board of Optometry for a license to practice optometry in the state of Minnesota.

## 6500.0400 PROFESSIONAL CONDUCT.

[For text of subp 1, see M.R.]

Subp. 2. [See repealer.]

# Proposed Rules

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Subp. 3. [See repealer.]

Subp. 4. **Transfer of practice.** In the event an optometric practice is transferred to a ~~duly~~ licensed optometrist, ~~said~~ the transferee may, through professional cards, stationery, signs, e-mail, or other permissible forms of announcement, identify the transferee as having acquired the practice, provided that no such announcement shall be used or displayed more than two years after the date of transfer. During ~~said~~ the two-year period, the name or names of ~~those from whom the practice was transferred~~ the transferor shall not appear in letters larger than the letters used in the name of the transferee.

## 6500.0500 DISPLAY AND DISCLOSURE OF NAME.

The ~~name of the optometrist~~ optometrist's board-issued certificate shall be displayed prominently at any office or establishment where such person ~~examines eyes~~ the optometrist practices optometry.

~~All receipts relating to payment for eye examinations shall indicate the name of the examining optometrist.~~

## 6500.0600 PRESCRIPTION.

Prescriptions furnished to the patient shall be signed by the examining optometrist. No licensed optometrist shall sign or cause to be signed a refractive prescription without first making a personal examination of the eyes of the person for whom the prescription is made.

## 6500.0700 RECORDS.

Subpart 1. ~~Content of records~~ **Minimum standards for medical records.** In the absence of compelling reasons to the contrary, it shall be considered either grossly incompetent or unprofessional conduct, or both, for an optometrist licensed to practice optometry in this state to fail to keep a record of the following minimum procedures on all patients: An optometrist licensed in the state must maintain a medical record for each patient. For each encounter with a patient, the medical record must:

- A. ~~case history;~~ be legible to someone other than the author, and written in the English language;
- B. ~~visual acuity without correction;~~ contain only those terms and abbreviations that are or should be comprehensible to other health care professionals in the same or similar specialties;
- C. ~~ocular pathology;~~ contain adequate identification of the patient and treating health care professional;
- D. ~~refractive findings, both far and near;~~ specify the date the health care was provided;
- E. ~~binocular findings;~~ contain information supporting the decision making, diagnosis, or recommended treatment plan, which may include the chief complaint or reason for the encounter; history of present illness; medical, social, or family history; examinations performed and tests ordered and their findings or interpretations; counseling offered; concurrent care or transfers of care; or consultations requested;
- F. ~~prescription given, if any, with visual acuity attained;~~ and specify the prescriptions written or renewed; any medications prescribed, dispensed, or administered; and the quantity and strength of each;
- G. ~~patient referral, if any;~~ document the patient's progress during the course of treatment if applicable; and
- H. include all patient records received from other health care providers, if those records formed the basis for a treatment decision by the optometrist.

Subp. 2. [See repealer.]



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# Proposed Rules

Subp. 3. **Storage.** Patient records required by subpart 1 shall be maintained for at least five years. In the event of closure of a practice, all records from patient encounters during the previous five years shall be offered to the individual patients or transferred to another provider after notification of the new location is made to those individuals.

## **6500.0800 INCORPORATING UNDER THE PROFESSIONAL CORPORATIONS ACT.**

Subpart 1. **Incorporation.** One or more licensed optometrists may form a professional optometric corporation. If an optometrist chooses to incorporate, the optometrist must do so under the Professional Corporations Firms Act as stated in Minnesota Statutes, section 319A.01 et seq chapter 319B. With reference to the formation and maintenance of such professional optometric corporations, the following rules shall apply. A solo practitioner optometrist who is not incorporated is not required to comply with the Professional Firms Act.

Subp. 2. **Filing.** No professional optometric corporation shall begin to render professional service in this state until it has filed with the board executive secretary a copy of its articles of incorporation.

Subp. 3. [See repealer.]

Subp. 4. [See repealer.]

## **6500.2000 TERMS AND RENEWAL OF INDIVIDUAL ANNUAL LICENSE RENEWAL.**

Subpart 1. **Fee Renewal of application.** On or before January 1 of each year, the board shall receive a licensee must submit to the board a license renewal fee of \$105 from every licensed optometrist who desires application to continue to be entitled to lawfully practice in this state. A renewed license is valid from January 1 of the year of issue until December 31 of the year of issue.

Subp. 2. **Address of practice Information required on renewal application.** At the time of paying the fee required by this part, the optometrist shall inform the board of the address or addresses of the place or places where the practice is conducted. The optometrist shall also inform the board of any change in the address or addresses of the practice during the 12-month period within one month of the change. An application for renewal must be postmarked by, or if submitted online, received by the board, on or before December 31 of each year of renewal. The renewal application shall include the applicant's signature, any application fees required by statute, the address or addresses where the applicant practices optometry, any changes in the applicant's optometry practice locations in the previous 12-month period, the applicant's license number, and any other information requested by the board.

Subp. 3. **Compliance with continuing education requirements.** As specified in parts 6500.0900 to 6500.1700, submission to the board of satisfactory proof of compliance with continuing education requirements is and shall be a condition precedent to annual license renewal part 6500.3000, an applicant must submit to the board proof of compliance with continuing education requirements as part of the applicant's annual license renewal.

Subp. 4. [See repealer.]

Subp. 4a. **Failure to submit renewal application, required fees, or evidence of continuing education compliance.** If a licensee fails to submit the renewal application, the required fee, or evidence of continuing education compliance, the board shall follow the following procedures.

A. After January 1 of the renewal year, the board shall change the status of the active licensee to designate the nonrenewed or lapsed license. A licensee may not provide services as a licensed optometrist with a lapsed or nonrenewed license.

B. After January 1 of the renewal year, the board shall send to the licensee, at the last address on file, notice that the licensee has failed to satisfy the license renewal requirements and shall specify which requirement remains unsatisfied. The board shall set out the steps the licensee must take to renew a license and any late fees required, notify the licensee of the option of voluntarily terminating the license, and notify the licensee that failure to respond within 30 days

# Proposed Rules

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after the notice is sent by the board will result in termination of the license.

C. If the application for renewal, including the required information about continuing education compliance, the application fee, and any late fees, are not received by the board within the 30-day deadline specified in the notice, the license shall be terminated and the licensee will no longer be authorized to practice optometry in Minnesota. The termination will be administrative and will not constitute disciplinary action on the license.

D. A license that has been administratively terminated under this part may be reinstated pursuant to part 6500.2900.

Subp. 5. **Practicing optometry without a current license.** Practicing optometry without a renewed or current license shall have the same force, effect, and potential legal consequences as practicing optometry without a license.

Subp. 6. **Contested case proceeding.** The board, in lieu of the process in subpart 4a, may initiate a contested case proceeding to take disciplinary action on the license for failure to submit fees and continuing education compliance at the same time that it initiates disciplinary action proceedings against the licensee for other grounds specified in part 6500.3000 or Minnesota Statutes, sections 148.52 to 148.62.

## **6500.2200 FEE PAYMENT; NONREFUNDABLE.**

All required fees required in this chapter shall be submitted only by check or money order, made payable to the board. No such fee or any portion of a fee paid or payable to the board is refundable.

## **6500.2400 JURISPRUDENCE EXAMINATION.**

Subpart 1. **Requirements.** An applicant must pass an examination on Minnesota optometric jurisprudence shall be given and must be passed with a score of 65 80 percent or better. An applicant who fails the Minnesota jurisprudence examination and passes a board constructed or nationally constructed clinical examination may repeat the jurisprudence examination only. If the clinical examination is failed, the entire examination must be retaken, including the Minnesota jurisprudence examination. For applicants, the Minnesota jurisprudence examination score is valid for one year from the date of the examination.

Subp. 2. **Scheduling.** An applicant for licensure in this state may: The Minnesota jurisprudence examination must be scheduled either in conjunction with the national clinical examination or scheduled with the examining body on a separate occasion from the national clinical examination.

A: take the jurisprudence examination in conjunction with a nationally presented examination according to the procedures set by the examining organization; or

B: schedule an appointment to take the jurisprudence examination with the executive director of the board.

## **6500.2700 OPTOMETRIST EMERITUS REGISTRATION.**

Subpart 1. **Application.** Any optometrist duly licensed to practice optometry in Minnesota pursuant to Minnesota Statutes, sections 148.52 to 148.62, who declares that he or she is retired from active practice of optometry may apply to the board for emeritus registration on the annual license renewal form. To qualify, the optometrist must be retired and must not be subject to any disciplinary action or be subject to an order of the board imposing a suspended, conditional, or restricted license to practice optometry.

Subp. 2. **Status of registrant.** The emeritus registration is not a license which that permits the registrant to practice optometry as defined in Minnesota Statutes, sections 148.52 to 148.62, and the rules of the board.

Subp. 3. **Continuing education.** The continuing education requirements of part ~~6500.0900~~ 6500.3000 are not applicable to emeritus registration.

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# Proposed Rules

Subp. 4. **Change to active status.** The emeritus optometrist must:

A. apply to the board for reinstatement of his or her active license; and

B. comply with the continuing education requirements for the time period in which the license was in emeritus status. ~~This requirement~~ The continuing education requirements must be fulfilled prior to petitioning the board for reinstatement of license.

Subp. 5. **Renewal cycle or fees.** Being registered as an emeritus optometrist will not subject the person to the annual license renewal cycle or renewal fee.

Each applicant who meets all requirements for registration as emeritus optometrist shall be issued a certificate. ~~The fee for this certificate is \$10.~~ A replacement certificate may be issued by the board.

## 6500.2900 REINSTATEMENT OF LICENSE.

Subpart 1. **Requirements.** ~~Upon complying~~ After a former licensee complies with the requirements in this part, the ~~applicant's~~ license shall be reinstated. Any person desiring the reinstatement of a license shall:

A. submit to the board a completed application on a form provided by the board;

B. submit with the application the fee ~~specified in part 6500.2000, subpart 1 of three prior renewal periods and late fees, if the person has not held an active license in any state during the three calendar years preceding the date of the application;~~

C. include with the application a letter stating the reasons for applying for reinstatement; ~~and~~

D. retake and pass the Minnesota jurisprudence examination; and

~~D. E. comply with the application provisions of part 6500.2000, subpart 3. Upon reinstatement, the person shall be assigned to the continuing education cycle to which the licensee was assigned before termination of the license. demonstrate satisfaction of Minnesota continuing education requirements for the three years prior to application, except that if the person holds an active license in any state on the date the person applies for reinstatement, the person may demonstrate proof of compliance with the continuing education requirements of the state or states in which the person is licensed for the three calendar years preceding the date of the application in lieu of demonstrating compliance with Minnesota continuing education requirements.~~

If the individual is licensed in another state or states, the individual must also demonstrate that the individual's license has been active and in good standing in all states in which the individual is licensed for the three years prior to application.

Subp. 2. [See repealer.]

Subp. 3. **Revoked or suspended license.** No license that has been suspended or revoked by the board under its authority to take disciplinary action may be reinstated unless the applicant for reinstatement satisfies the requirements of subpart 1, provides evidence of full rehabilitation from the offense for which the license was suspended or revoked, and complies with all other reasonable conditions imposed by the board for the purpose of establishing the extent of rehabilitation. ~~In addition, if the disciplinary action was based in part on failure to meet continuing education requirements, the license may not be reinstated until the applicant has successfully completed the requirements in subpart 2.~~ The board may require the licensee to pay all costs of the proceedings resulting in the suspension or revocation of a license under part ~~6500.2800~~ 6500.2000 or pursuant to its disciplinary authority and the reinstatement or issuance of a new license. A licensee who has been disciplined by the board in a manner other than by suspension or revocation may be required by the board to pay all costs of the proceedings resulting in the disciplinary action.

# Proposed Rules

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Subp. 4. [See repealer.]

Subp. 5. [See repealer.]

Subp. 6. [See repealer.]

## **6500.3000 CONTINUING EDUCATION REQUIREMENTS.**

Subpart 1. **Required hours and compliance period.** An optometrist licensed in Minnesota is required as a condition of licensure and license renewal to complete 40 hours of board-approved continuing optometric education every two years. The two-year cycle begins on January 1 and ends on December 31 of the second year.

Subp. 2. **Continuing education reporting.** At the time of license renewal, each licensee shall demonstrate, either through a board-approved electronic tracking system or paper documentation, completion of the minimum of 40 approved continuing education hours since the last renewal. A maximum of 15 hours per reporting period may be satisfied by board-approved noninteractive, independent study. A maximum of six hours per reporting period may be satisfied by continuing education in practice management.

It is the licensee's responsibility to maintain proof of continuing education compliance in either paper or electronic format. Failure to demonstrate proof of the required continuing education compliance shall result in nonrenewal of license pursuant to part 6500.2000.

Proof of attendance, in either electronic or paper form, must include:

- A. the name of the sponsoring organization;
- B. the name of the licensee;
- C. the course title and instructor's name;
- D. the number of hours in attendance;
- E. the date of the program; and
- F. any other evidence the board requires.

For purposes of this subpart, a receipt for payment of the fee for the continuing education program or activity is not sufficient evidence of completion.

Subp. 3. **Audits of continuing education.** The board may conduct random audits for the purpose of verifying continuing education each reporting year. A licensee who is being audited must provide verification of the required number of continuing education hours by submitting the documentation described in subpart 2. Failure to submit the required documentation shall be grounds for disciplinary action.

Subp. 4. **Courses; board approval required.** Continuing education activities must be approved by the board or the board's designee. Activities must be approved for all attendees when submitted by the sponsor pursuant to subpart 6, or a licensee may request individual approval pursuant to subpart 7. Courses that meet approval criteria standards and receive approval from the board's designee shall be accepted for credit by the board.

The board or the board's designee shall consider the following factors when determining whether an activity should be approved:

- A. whether the activity is structured on sound educational principles and has a topic relevant to the practice of optometry;

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# Proposed Rules

B. whether the speakers, lecturers, or other presenters are recognized by the board as being highly qualified in their fields;

C. whether the proposed course, if conducted within Minnesota, is open to all optometrists licensed in Minnesota;

D. whether the tuition fee charged for courses conducted within Minnesota is the same for nonmembers of the course's sponsoring organization as it is for members. Any difference in tuition shall be reasonable and related to the sponsoring organization's expense in operating the continuing education course; and

E. whether the course is interactive between audience and instructor, either live or remote via Webinar, teleconferencing, or videoconferencing.

Courses or programs deemed by the board to be a sales promotion for a product or service shall be denied approval of continuing education credit, and may be presented without continuing education credit when so noted by the sponsor.

Subp. 5. **Retroactive revocation of CE approval.** The board may, after due consideration, add or delete continuing education credit hours of previously approved continuing education programs due to a change in content or actual hours of presentation. The board shall notify the program sponsor via mail of the change in approval. The program sponsor must then notify the program participants of the change in continuing education hours awarded.

Subp. 6. **Sponsor's application for course approval.** A program sponsor requesting approval by the board or the board's designee must submit a program, schedule, and course description to the board. The board shall respond to the applications within 30 days. Nothing in this part shall permit the board to approve an educational program that has not satisfied the criteria in subpart 4. Courses not eligible for credit shall be identified by the program sponsor.

Subp. 7. **Licensee's application for course approval.** A licensee may apply individually to the board for approval of continuing education activities that have not been approved by the board or its designee. A licensee shall complete and submit to the board the following information, as well as any other information the board or its designee deems necessary to evaluate the course for approval:

A. the name and address of the organization sponsoring the activity, if applicable;

B. a detailed description of the content of the activity;

C. the name and credentials of each instructor or presenter, if applicable; and

D. the location, including the name and address of the facility, at which the activity will be conducted.

If the activity does not meet the standards in subpart 4, the board or its designee shall deny approval. The board shall notify the licensee in writing of the reason for denying approval or an activity under this subpart.

Subp. 8. **Sources of credit.** Continuing education credit may be applied for the types of programs described in this subpart.

A. Programs approved by the board or its designee under subpart 4. A maximum of six credit hours per compliance period may be granted for programs related to practice management.

B. Participation in grand rounds, which consist of presenting medical conditions or treatment of a particular patient or type of condition to an audience consisting of licensed health care providers, residents, or medical students. One hour of continuing education credit may be awarded for each hour of participation in grand rounds.

C. Preparation of articles accepted for publication in optometric journals or other health-related journals. A maximum of three hours of continuing education per compliance period may be granted for acceptance and publication of

# Proposed Rules

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articles in optometric or health-related journals.

D. Preparation of books or subparts of books on optometry-related subjects that have been accepted for publication. A maximum of nine hours of continuing education credits per compliance period may be granted for acceptance and publication of books.

E. Development and presentation of one or more lectures on optometry-related topics before an audience of optometric or other health care professionals. One hour of continuing education credit may be awarded for each hour of presentation. For one time only per lecture, two hours of continuing education credit may be awarded for development of each hour of presentation.

F. Participation in noninteractive, independent study activities, including self-instruction in vision care periodicals, Webcasts, audiotaped or videotaped programs, podcasts, written correspondence courses, and Internet courses. All programs must include a self-test to qualify for continuing education credit. A maximum of 15 hours of continuing education credits per compliance period may be awarded for noninteractive, independent study activities.

Subp. 9. **Exemption for continuing education requirements.** A licensee whose license has not expired and who meets any of the following conditions is exempt from continuing education requirements as described in this subpart.

A. A licensee who has been granted emeritus status under part 6500.2700 is exempt from continuing education requirements.

B. A licensee serving in active military service, as defined in Minnesota Statutes, section 190.05, subdivision 5, during any part of the 12 months immediately preceding the annual license renewal date is exempt from continuing education requirements.

C. A licensee first licensed by examination or reciprocity in the first year of the compliance period is exempt from continuing education requirements for that year but is responsible for 20 hours of continuing education for the second year of the compliance period.

D. A licensee first licensed by examination or reciprocity in the second year of the compliance period is exempt from continuing education requirements for the entire compliance period.

Subp. 10. **Requirements in specified subjects.** The board may, when compelled by advancement in scope of practice or emerging public health issues, and by mailing written notice to each licensed optometrist on or before January 1, require all optometrists to attend continuing education programs in specified subjects.

**REPEALER.** Minnesota Rules, parts 6500.0100, subparts 2a, 4, 4a, 5, and 6; 6500.0400, subparts 2 and 3; 6500.0700, subpart 2; 6500.0800, subparts 3 and 4; 6500.0900; 6500.0950; 6500.1000; 6500.1100; 6500.1200; 6500.1300; 6500.1400; 6500.1500; 6500.1600; 6500.1700; 6500.1800; 6500.1900; 6500.2000, subpart 4; 6500.2300; 6500.2800; and 6500.2900, subparts 2, 4, 5, and 6, are repealed.

# Commissioner's Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

## Department of Natural Resources (DNR) Commissioner's Order on Permit Fees to Conduct Fishing Contests

**Date:** March 1, 2018

**Statutory authority:** *Minnesota Statutes*, section 97C.081, subd.3(b) and Minnesota Laws, chapter 93, article 2, section 99

Supersedes - This order supersedes the fees established by Order #2, Permit Fees to Conduct Fishing Contests dated June 19, 2009.

### BACKGROUND

#### WHEREAS,

The Department is directed by the legislature to charge a fee for a fishing contest permit that recovers the costs of issuing the permit and of monitoring the activities allowed by the permit;

The Department has determined that it is necessary to increase the permit fees for fishing contests, which have not been changed since 2009; and

A fishing tournament is type of a fishing contest.

### ORDER

**NOW, THEREFORE, IT IS HEREBY ORDERED**, pursuant to authority vested in me by law, including *Minnesota Statutes*, section 97C.081, subdivision 3(b), that the following amended permit fees are prescribed by the Commissioner of the Minnesota Department of Natural Resources for permitted fishing contests (tournaments).

- 1) \$70 for an open-water contest not exceeding 50 boats and without off-site weigh-in;
- 2) \$225 for an open-water contest with more than 50 boats and without off-site weigh-in;
- 3) \$280 for an open-water contest not exceeding 50 boats with off-site weigh-in;
- 4) \$560 for an open-water contest with more than 50 boats with off-site weigh-in; or
- 5) \$135 for an ice-fishing contest with more than 150 participants.

Permit fees for permitted fishing contests must be submitted at the time of application to the appropriate Regional Fisheries Office.

Date: 02/20/2018

Tom Landwehr, Commissioner

# Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

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

## Minnesota Board on Aging

### Notice of Meeting of the Minnesota Board on Aging Public Policy Committee

**NOTICE IS HEREBY GIVEN** that the Minnesota Board on Aging's Public Policy Committee will hold a meeting at 1:00 p.m., at the Elmer Andersen Building, 540 Cedar Street, St. Paul, MN 55101, Conference Room 2223, St. Paul, Minnesota on **March 13**.

For additional information please call 651-431-2500 or 1-800-882-6262.

Please check the MBA web site at [www.mnaging.org](http://www.mnaging.org) for any changes to this notice.

## Minnesota Housing

### Notice of Public Hearing on 2020 Housing Tax Credit Allocation Plan

Minnesota Housing will hold a public hearing pursuant to Section 42 of the Internal Revenue Code of 1986, the 2020 Housing Tax Credit Qualified Allocation Plan. The public hearing will be held at the time and place listed below:

**Wednesday, March 14, 2018**  
**10:00 A.M. to 12:00 P.M. – Northwest Conference Room**  
**Minnesota Housing**  
**400 Wabasha Street N, Ste. 400**  
**St. Paul, MN**

The Omnibus Budget Reconciliation Act of 1989 (OBRA) requires that Housing Tax Credit Allocating Agencies develop a plan for allocating tax credits within their jurisdiction, setting forth criteria to determine priorities for selection of developments to receive tax credits. The OBRA also requires Tax Credit Agencies to hold a public hearing to receive public comment on the Allocation Plan.

The above public hearing is for the 2020 Allocation Plan developed by Minnesota Housing, in cooperation with local government representatives, for use within the Tax Credit Allocation jurisdiction of Minnesota Housing. Other Tax Credit Suballocating Agencies in Minnesota will be holding public hearings for their areas of jurisdiction. Currently, the following cities and counties are eligible to be Suballocating Agencies in Minnesota: Duluth, St. Cloud, Rochester, Minneapolis, St. Paul, Washington County and Dakota County.

All persons interested will be given an opportunity to express their views. In order to more effectively plan for the conduct of the hearings, persons desiring to speak at the hearing must so request in writing at least 24 hours before the hearing. Oral remarks by any person will be limited to 10 minutes. Written comments may also be submitted to the undersigned, and will be considered at the hearing. Note that this public hearing is not a workshop or training session, but is intended to solicit the comments of the public.

Copies of summaries of the proposed changes to the Housing Tax Credit Procedural Manual and Qualified Allocation Plan are available at the address listed below, by written or phone request or by checking the Minnesota Housing web site.



Minnesota Housing  
Multifamily Underwriting  
Housing Tax Credit Program  
400 Wabasha Street N, Ste. 400  
St. Paul, MN 55102  
651.296.4451  
[www.mnhousing.gov](http://www.mnhousing.gov)

## State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the State Register, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

SEE ALSO: Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

## Department of Employment and Economic Development (DEED) Notice of Grant Opportunity

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Employment and Economic Development (DEED) places notice of any available grant opportunities online at <https://mn.gov/deed/about/contracts/>

### Minnesota Housing

#### Notice of Request for Proposals for the Homeless Response System Technical Assistance

Minnesota Housing announces the availability of up to \$100,000 in funding to support collective efforts to improve Minnesota Homeless Response System partnering state homeless programs, Continuum of Care (CoC), and homeless service providers. Funded Technical Assistance (TA) provider(s) will lead us to prevent and end homelessness in more effective and coordinated ways.

Applications are due **April 20, 2018 at 5 p.m. (CT)**.

A nonprofit/for profit entity or individual consultant can apply. The agency expects the following with respect to the successful applicant's qualifications and experience:

- Strong knowledge of understanding of federal and state Plan, homeless designated program requirements, and policies
- Experience developing written strategic plans with action steps for community-based collaborative bodies that include both government and non-government
- Demonstrate experiences and strategies to improve the outcomes of Minnesota homeless response system
- Ability to attend in-person meetings and stakeholder engagement sessions with the state, CoCs and a broad base of community stakeholders
- Experience working on projects of similar size and scope with similar jurisdictions

More program information and application materials are available on the Minnesota Housing website at: [www.mnhousing.gov](http://www.mnhousing.gov) (Home -> Multifamily Rental Partners -> Funding -> Available Financing)

Questions about the program should be directed to Ji-Young Choi at 651.296.9839 or [Ji-Young.Choi@state.mn.us](mailto:Ji-Young.Choi@state.mn.us).

# State Grants & Loans

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## Department of Human Services

### Child Safety and Permanency Division

#### **Notice of Request for Proposals to Provide Permanency Support Services for Pre-Adoptive, Adoptive, Foster and Kinship Families, and Minnesota Children and Youth in Foster Care, Pre-Adoptive Placements, Adoptive Placements and Permanent Physical and Legal Custody Kinship Placements**

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to provide permanency support services to Minnesota children and youth in foster care; pre-adoptive, adoptive and kinship placements; pre-adoptive, adoptive, foster and kinship families; and the professionals who serve these families. All funds will be awarded through a competitive grant process.

Work is proposed to start July 1, 2018. The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site: [http://www.dhs.state.mn.us/id\\_000102](http://www.dhs.state.mn.us/id_000102). For more information, or to obtain a copy of the Request for Proposal, contact:

Crystal Graves  
Department of Human Services  
Child Safety and Permanency Division  
P.O. Box 64944  
444 Lafayette Road North, St. Paul, MN 55155 0944  
Phone: (651) 431-5723, Fax: (651) 431-7627  
[mn.sae@state.mn.us](mailto:mn.sae@state.mn.us)

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, March 30, 2018. Late proposals will not be considered.** Faxed or e-mailed proposals will not be considered. Email one electronic application to [mn.sae@state.mn.us](mailto:mn.sae@state.mn.us) and mail two hard copies of the application to:

Crystal Graves  
Department of Human Services  
Child Safety and Permanency Division  
P.O. Box 64944  
444 Lafayette Road North, St. Paul, MN 55155 0944  
Phone: (651) 431-5723, Fax: (651) 431-7627  
[mn.sae@state.mn.us](mailto:mn.sae@state.mn.us)

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Department of Human Services

### Child Safety and Permanency Division

#### **Notice of Request for Proposals (RFP) for Qualified Licensed Minnesota Adoption Agencies or Tribal Social Service Agencies to Provide Adoption Services**

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals for qualified licensed Minnesota adoption agencies or tribal social service agencies to provide adoption services for children under guardianship of the commissioner of Human Services or tribal guardianship, and concurrent permanency planning services for older children in foster care.

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# State Grants & Loans

Work is proposed to start July 1, 2018. The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site: [http://www.dhs.state.mn.us/id\\_000102](http://www.dhs.state.mn.us/id_000102). For more information or to obtain a copy of the Request for Proposals, contact:

Michelle Frazier  
Minnesota Department of Human Services  
Child Safety and Permanency Division  
P.O. Box 64944  
444 Lafayette Road North, St. Paul, MN 55155 0944  
Phone: 651-431-4712, Fax: 651-431-7627  
*michelle.frazier@state.mn.us*

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the physical address and email address above no later than **4:00 p.m., Central Time, March 30, 2018**. **Late proposals will not be considered**. Faxed or emailed proposals will not be considered.

This request does not obligate the state to complete the work contemplated in this notice. The state reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Department of Human Services

### Economic Assistance and Employment Supports Division (EAESD)

#### Notice of Request for Proposals to Provide Services through the Office of Economic Opportunity's Community Service Block Grant

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to provide services through the Office of Economic Opportunity's Community Services Block Grant. Funding under this grant may be used by Community Action Agencies for innovative projects that will impact low-income people and communities by providing programs and services for individuals and families.

Eligible applicants are CSBG eligible entities, including Minnesota Community Action Agencies and Minnesota Tribal Governments. \$125,000 of Community Services Block Grant discretionary funds are available. All funds will be awarded through a competitive grant process.

Work is proposed to start July 1st 2018 until December 31st 2019. For more information, or to obtain a copy of the Request for Proposal, contact:

Alex Hermida  
Department of Human Services  
Economic Assistance and Employment Supports Division (EAESD)  
Office of Economic Opportunity  
P.O. Box 64962  
444 Lafayette Road North, St. Paul, MN 55155 0962  
Phone: (651) 431- 5593  
*Alex.hermida@state.mn.us*

Alex Hermida only person designated to answer questions by potential responders regarding this request.

To be considered for funding under this program, one electronic application and two hard copy applications must be received no later than **4:00 p.m., Central Standard Time, April 6th, 2018**. **Late proposals will not be considered**. Email one electronic application to [barb.alt@state.mn.us](mailto:barb.alt@state.mn.us) and mail two hard copies of the application to:

# State Grants & Loans

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Attn: Barb Alt  
MN Department of Human Services  
Office of Economic Opportunity  
PO Box 64962  
St. Paul, Minnesota 55164-0962

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:  
[http://www.dhs.state.mn.us/id\\_000102](http://www.dhs.state.mn.us/id_000102)

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## **MNsure (Minnesota's Health Insurance Marketplace) Request for Proposals: Navigator Outreach and Enrollment Grants**

MNsure is requesting proposals from eligible organizations intending to apply for grant funds that have the ability to find, connect with, educate and successfully enroll and renew Minnesota residents in health care coverage through MNsure. Eligible organizations are organizations that submitted a letter of intent in response to MNsure's Request for Letters of Intent by the February 15, 2018 deadline.

This Request for Proposals (RFP) is part of MNsure's fifth RFP process for the Navigator Outreach and Enrollment grant program. This solicitation has two focus areas:

- I. Geographic: focus on building statewide access to enrollment assistance and sustaining a network of navigator organizations working closely with MNsure on strategies to reach, enroll and renew consumers.
- II. Population: support organizations that have identified populations that face barriers to enrolling in coverage and/or high levels of uninsurance and can demonstrate an ability to effectively reach, enroll and help renew coverage for the population.

A complete copy of the RFP will be available by 4:00 p.m. on March 5, 2018, on MNsure's Assister Funding Opportunities webpage, <https://www.mnsure.org/about-us/assister-program/funding-opportunities/index.jsp>.

Proposals are due by **1:00 p.m. on April 5, 2018**. Applications must be completed using the online submission process described in the RFP and on the Assister Funding Opportunities webpage. Questions regarding the RFP must be emailed to [navigatorgrants@mnsure.org](mailto:navigatorgrants@mnsure.org) by 1:00 p.m. on March 16, 2018. Please see MNsure's website for more information.

# State Contracts

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Website at [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

**Formal Solicitations:** Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600 \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days; \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

## Minnesota State Colleges and Universities (Minnesota State)

### St. Cloud Technical & Community College

#### Formal Request for Proposal for Landscape Update and Maintenance

Response Due Date and Time: **Monday, March 19, 2018 at 2:00 p.m. Central Time**

The complete Request for Proposal will be available on Monday, February 26, 2018 on the website <http://www.sctcc.edu/rfp>.

Title of Project: Landscape Update and Maintenance

Geographic Location Requirements: St. Cloud Technical & Community College, 1540 Northway Drive, St. Cloud, MN 56303

Responses must be received at the location listed below:

St. Cloud Technical & Community College  
1540 Northway Drive  
St. Cloud, MN 56303  
Susan Meyer, Purchasing Agent, Room 1-401  
Phone: (320) 308-5973  
Fax: (320) 308-5027  
E-mail: [smeyer@sctcc.edu](mailto:smeyer@sctcc.edu)

Contact for questions: Susan Meyer, Phone: (320) 308-5973 e-mail: [smeyer@sctcc.edu](mailto:smeyer@sctcc.edu)

Your response to this Request for Proposal (RFP) must be returned sealed. Sealed responses must be received no later than the due date and time specified above. Late responses cannot be considered and the responses will be rejected.

The laws of Minnesota and MnSCU Board of Trustees policies and procedures apply to this RFP.

All attached General RFP Terms and Conditions, Specifications and Special Terms and Conditions are part of the RFP and will be incorporated into any contract(s) entered into as a result of this RFP.

All responses to this RFP must be prepared as stated herein and properly signed. **Address all correspondence and inquiries regarding this RFP to the Contact person above. This is a request for responses to an RFP and is NOT a purchase order.**

# State Contracts

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## Minnesota State Colleges and Universities (Minnesota State)

### Saint Paul College

#### Request for Qualifications (RFQ) for Public Art for Exterior Spaces

Saint Paul College is requesting statements of qualification from interested, qualified Artists, and intends to retain an Artist to provide art work, hereafter referred to as the "Work." This RFQ is undertaken by Saint Paul College pursuant to the authority contained in provisions of Minnesota Statutes §16B.35, 136F.06, 136F.581, and other applicable laws.

The estimated total value of Art contract for the Exterior Spaces is \$60,000. This cost includes: all professional consultants, artist stipends, artist fees and reimbursable expenses, site investigations and surveys, insurance, labor of the Artist and Artist's assistants, studio and operating costs, all materials, installation, applicable sales tax, rental equipment, travel costs, and inflation factors.

The Work will consist of the creation and installation of a primary work that will be located near the entrance to the newly constructed Health Science Alliance Center.

Deadline for RFQ proposal submission is **3:00 p.m., March 26, 2018**. A complete copy of the RFQ is available at [www.saintpaul.edu/RFQforArtExterior](http://www.saintpaul.edu/RFQforArtExterior)

## Minnesota State Colleges and Universities (Minnesota State)

### Saint Paul College

#### Request for Qualifications (RFQ) for Public Art for Interior Spaces

Saint Paul College is requesting statements of qualification from interested, qualified Artists, and intends to retain an Artist to provide art work, hereafter referred to as the "Work." This RFQ is undertaken by Saint Paul College pursuant to the authority contained in provisions of Minnesota Statutes §16B.35, 136F.06, 136F.581, and other applicable laws.

The estimated total value of Art contract for the Interior Spaces is \$40,000. This cost includes: all professional consultants, artist stipends, artist fees and reimbursable expenses, site investigations and surveys, insurance, labor of the Artist and Artist's assistants, studio and operating costs, all materials, installation, applicable sales tax, rental equipment, travel costs, and inflation factors.

The Work will consist of the creation and installation of a primary work that will be located within the interior main entrance to the newly constructed Health Science Alliance Center.

Deadline for RFQ proposal submission is **3:00 p.m., March 26, 2018**. A complete copy of the RFQ is available at [www.saintpaul.edu/RFQforArtInterior](http://www.saintpaul.edu/RFQforArtInterior)

## Department of Health

### Notice of Contract Opportunity for Minnesota Cancer Alliance Evaluation Coordinator

**PROJECT NAME:** Minnesota Cancer Alliance Evaluation Coordinator

**DETAILS:** The Minnesota Department of Health is requesting proposals for the purpose of an MCA evaluation coordinator to assess the function of the MN Cancer Alliance and their level of satisfaction and measure the progress of the MCA in meeting objectives and strategies in Cancer Plan Minnesota 2025.

Work is anticipated to start after April 1, 2018.

**COPY REQUEST:** To get a copy of the Request for Proposals, please send a written request, by email, to:

Xeng Khang, Grants Manager  
85 East 7th Place  
St. Paul, MN 55101  
*Xeng.Khang@state.mn.us*

**PROPOSAL DEADLINE:** Proposals submitted in response to the Request for Proposals in this advertisement must be received by email no later than **5:00pm on March 29, 2018**. **Late proposals will not be considered.** Fax and mailed proposals will not be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota State Lottery Request for Proposals for Sponsorship Agreements

### Description of Opportunity

The Minnesota State Lottery develops sponsorship agreements throughout the year with organizations, events, and sports teams to create excitement for lottery players, to interest new players and increase the visibility of lottery games. The Lottery encourages and continually seeks new sponsorship agreements to help achieve current Lottery marketing goals.

### Proposal Content

A sponsorship proposal presented to the Lottery should meet the following three criteria:

1. **Maximize Lottery Visibility** – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of \$35,000-\$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.
2. **Enhance Lottery Image** – the event, sports or tie-in proposal should inherently project the attitude that the Lottery is a fun and socially acceptable part of the community. The Lottery's presence should fit well within the lineup of other sponsors. The Lottery is interested in creating opportunities whereby the sponsorship can translate into sales revenue, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers or from joint programs with the sponsor's media partners.
3. **Provide Promotional Extensions** – the event, sports or tie-in proposal should offer exciting, value-added ways to interact with our players and have opportunities to motivate attendees, listeners and viewers to participate in and purchase Lottery games. The proposal must include proper staffing availability or other considerations to help the Lottery implement any appropriate promotional extension ideas.

Proposals should address all pertinent elements of the sponsorship and how the Lottery criteria as stated above and on the Evaluation Form are to be met. To view or print copies of the Request for Proposal go to <https://www.mnlottery.com/vendors/> This Solicitation does not obligate the state to award a contract or pursue a proposed sponsorship opportunity, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

# State Contracts

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## Questions

Questions concerning this Solicitation should be directed to:

Jason LaFrenz, Marketing Director  
Minnesota State Lottery  
2645 Long Lake Road  
Roseville, MN 55113  
Tel. (651) 635-8230  
(888) 568-8379 ext. 230 (toll-free)  
Fax: (651) 297-7496  
TTY: (651) 635-8268  
**Jason.LaFrenz@mnlottery.com**

Other personnel are not authorized to answer questions regarding this Solicitation.

## Response Delivery

All responses must be in writing and delivered to the contact noted above. Proposals will be accepted on an ongoing basis.

## Minnesota Department of Transportation (MnDOT) Engineering Services Division Notices Regarding Professional/Technical (P/T) Contracting

**P/T Contracting Opportunities:** MnDOT is now placing additional public notices for P/T contract opportunities on the MnDOT's Consultant Services website. New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

**Taxpayers' Transportation Accountability Act (TTAA) Notices:** MnDOT is posting notices as required by the TTAA on the MnDOT Consultant Services website.

**MnDOT's Prequalification Program:** MnDOT maintains a Pre-Qualification Program in order to streamline the process of contracting for highway related P/T services. Program information, application requirements, application forms and contact information can be found on MnDOT's Consultant Services website. Applications may be submitted at any time for this Program.

**MnDOT Consultant Services website:** [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult)

If you have any questions regarding this notice, or are having problems viewing the information on the Consultant Services website, please call the Consultant Services Help Line at 651-366-4611, Monday – Friday, 9:00am – 4:00pm.



# Non-State Public Bids, Contracts & Grants

The State Register also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

## Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2018 Pavement Joint Sealing

**Project Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2018 Pavement Joint Sealing  
**MAC Contract No.** 106-1-288  
**Bids Close At:** 2:00 PM on March 13, 2018

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for concrete surface repairs and re-sealing of pavement joints and cracks in concrete pavements and bituminous shoulders at Minneapolis-St. Paul International Airport.

**Note:** You can sign up on our Web site ([www.metroairports.org](http://www.metroairports.org)) to receive email notifications of new business opportunities or go directly to [https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE\\_RED](https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED) and choose this and other topics about which you are interested.

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of Targeted Group Businesses on this project is 14%.

**Bid Security:** Each bid shall be accompanied by a "Bid-Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of TKDA, the Minnesota Builders Exchange, Dodge Data and Analytics, and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: TKDA; 444 Cedar Street, Suite 1500; St. Paul, MN, 55101; PH: (651) 292-4400; FX: (651) 292-0083. Make checks payable to: TKDA. Deposit per set (refundable): \$50.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on February 26, 2018, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

# Non-State Public Bids, Contracts & Grants ---

## Metropolitan Airports Commission (MAC)

### Notice of Call for Bids for 2018 Storm Sewer Rehabilitation

**Project Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2018 Storm Sewer Rehabilitation  
**MAC Contract No.** 106-1-287  
**Bids Close At:** 2:00 PM on March 13, 2018

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for cleaning, inspection, and rehabilitation of storm sewers and glycol sewers at various locations where aircraft deicing occurs at Minneapolis-St. Paul International Airport.

**Note:** You can sign up on our Web site ([www.metroairports.org](http://www.metroairports.org)) to receive email notifications of new business opportunities or go directly to [https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE\\_RED](https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED) and choose this and other topics about which you are interested.

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of Targeted Group Businesses on this project is 6%.

**Bid Security:** Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of TKDA, the Minnesota Builders Exchange, Dodge Data and Analytics, and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from TKDA; 444 Cedar Street, Suite 1500; St. Paul, MN 55101; PH: (651) 292-4400; FX: (651) 292-0083. Make checks payable to: TKDA. Deposit per set (refundable): \$100.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on February 26, 2018, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

