

# 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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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 27 July 2020  
Volume 45, Number 4  
Pages 87 - 116**

# 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- Withdrawn Rules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. 45 Issue Number	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)
#5	Monday 3 August	Noon Tuesday 28 July	Noon Thursday 23 July
#6	Monday 10 August	Noon Tuesday 4 August	Noon Thursday 30 July
#7	Monday 17 August	Noon Tuesday 11 August	Noon Thursday 6 August
#8	Monday 24 August	Noon Tuesday 18 August	Noon Thursday 13 August

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State Capitol, Room 231, St. Paul, MN 55155  
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### Minnesota State Court System

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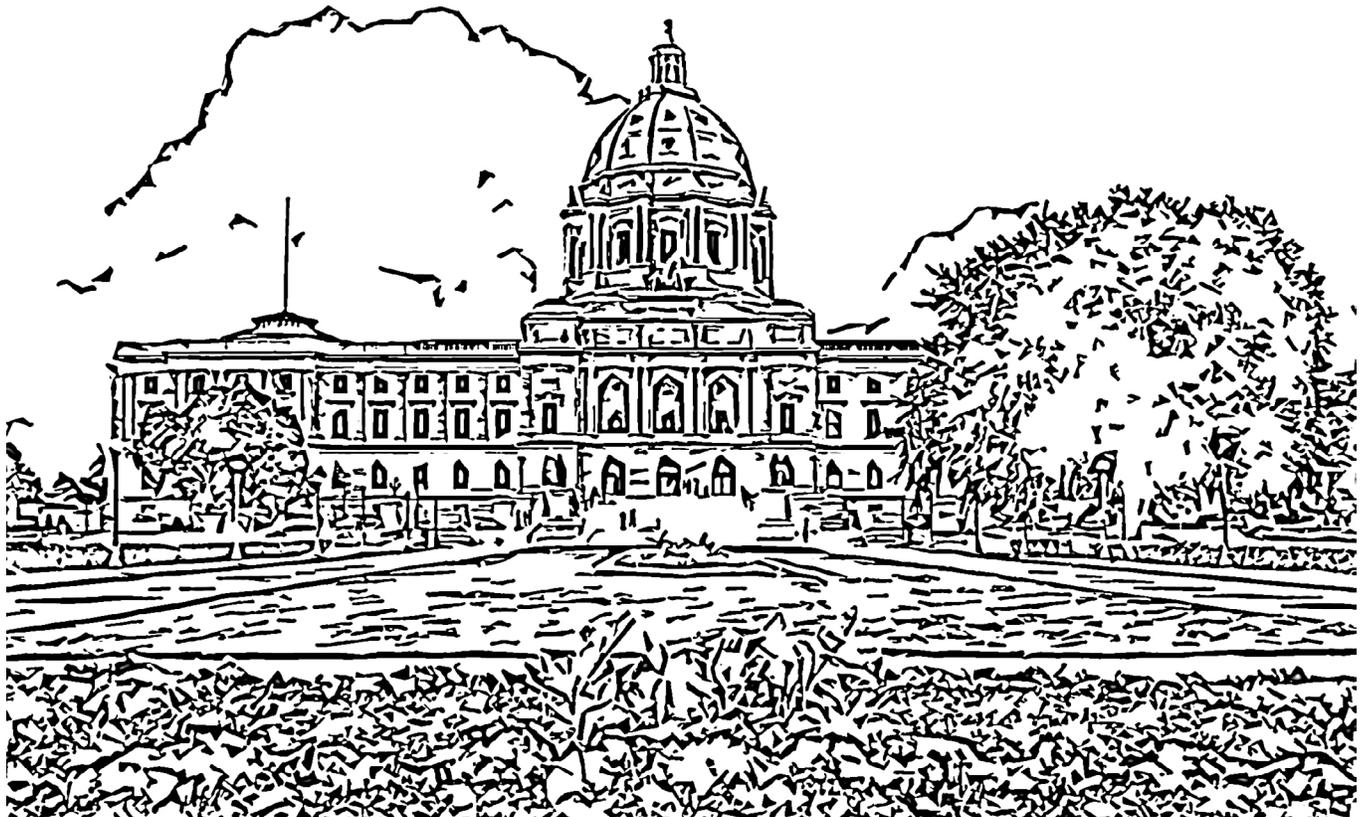
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## NOTICE: How to Follow State Agency Rulemaking in the State Register

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 #1-26 inclusive (issue #26 cumulative for issues #1-26); issues #27-52 inclusive (issue #52, cumulative for issues #27-52 or #53 in some years). A subject matter index is updated weekly and is available upon request from the editor. 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.

## **Volume 45 - Minnesota Rules** **(Rules Appearing in Vol. 44 Issues #27-53 are** **in Vol. 44, #53 - Monday 29 June 2020)** **Volume 45, #4**

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# Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

**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.

## Minnesota Board of Assessors

### Adopted Permanent Rules Relating to Assessors' Education and Licensing; Order Adopting Rules

Adoption of Rules Governing Licensure, Education, Trainee Registration, Record Retention, and Reinstatement, Minnesota Rules, Chapter 1950; Revisor's ID Number R-04631, OAH docket number 71-9032-36467

#### BACKGROUND INFORMATION

1. The Minnesota Board of Assessors has complied with all notice and procedural requirements in *Minnesota Statutes*, chapter 14, *Minnesota Rules*, chapter 1400, and other applicable law.
2. The agency received nine written comments and submissions on the rules. No persons requested a public hearing. Therefore, there are not 25 or more requests for a public hearing. The agency received zero requests for notice of submission to the Office of Administrative Hearings.
3. The Board is adding a paragraph to part 1950.1060, subp. 2, specifying that the management and leadership course requirement for Senior Accredited Minnesota Assessor (SAMA) licensure does not apply to a county assessor who, on May 1, 2020, was licensed at the Accredited Minnesota Assessor level and was serving on a probationary appointment pursuant to *Minnesota Statute* section 273.061, subd. 1. This change to the rule draft is reasonable, because it addresses the potential issue of a county assessor, who is serving on a two-year probationary appointment pending attaining SAMA licensure pursuant to *Minnesota Statute* § 273.061, subdivision 1, not being able to complete the newly-required course within that two-year period, if the course is not approved and offered during the probationary period. This change does not substantially change the proposed rules, as it only provides an exemption for one of the course requirements for qualifying for SAMA licensure, and it is limited to licensees who meet very specific and unique conditions.
4. The rules are needed and reasonable.
5. A copy of the board's authorization to adopt the rules is attached

#### ORDER

The above-named rules, in the form published in the *State Register* on March 30, 2020, with the modifications as indicated in the Revisor's draft, file number AR4631, dated May 4, 2020 are adopted under my authority in *Minnesota Statutes*, section 270.47.

Signed by Executive Secretary Andrea Fish on June 10, 2020.

# Adopted Rules

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The rules proposed and published at State Register, Volume 44, Number 40, pages 1079-1085, March 30, 2020 (44 SR 1079), are adopted with the following modifications:

## **1950.1060 SENIOR ACCREDITED MINNESOTA ASSESSOR (SAMA).**

Subp. 2. **Specific requirements for SAMA.** Requirements to initially obtain licensure as a senior accredited Minnesota assessor are given in items A to E.

H. Item D does not apply to a licensee who meets the following conditions:

- (1) on May 1, 2020, the licensee was licensed as an accredited Minnesota assessor under part 1950.1050; and
- (2) on May 1, 2020, the licensee was serving as a county assessor pursuant to the commissioner of revenue's approval on a probationary basis as prescribed by Minnesota Statutes, section 273.061, subdivision 1.

## **Executive Orders**

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the Constitution of the State of Minnesota, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

## **Office of the Governor**

### **Emergency Executive Order 20-81: Requiring Minnesotans to Wear a Face Covering in Certain Settings to Prevent the Spread of COVID-19**

**I, Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic continues to present an unprecedented and rapidly evolving challenge to our State. Since the World Health Organization characterized the COVID-19 outbreak as a pandemic on March 11, 2020, confirmed cases of COVID-19 in Minnesota have rapidly increased. On March 15, 2020, Minnesota detected the first confirmed cases caused by “community spread”—infections not epidemiologically linked to overseas travel. By March 17, 2020, all fifty states had reported a confirmed case of COVID-19, and on March 21, 2020, the Minnesota Department of Health (“MDH”) announced the first confirmed fatality due to COVID-19 in Minnesota.

The President declared a national emergency related to COVID-19 on March 13, 2020. Since then, and for the first time in history, the President has approved major disaster declarations for all fifty states and the District of Columbia. In concert with these federal actions and the actions of states across the nation, Minnesota has taken proactive steps to ensure that we remain ahead of the curve. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, endangers the lives of Minnesotans, and local resources were—and continue to be—inadequate to address the threat. After notifying the Legislature, on April 13, 2020, May 13, 2020, June 12, 2020, and July 13, 2020, I issued Executive Orders extending the peacetime emergency declared in Executive Order 20-01.

The need to slow the spread of the virus while we ensured that Minnesota had the resources and capacity to address a large outbreak initially required the closure of certain non-critical businesses in our economy. In Executive

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# Executive Orders

Order 20-33, seeking to balance public health needs and economic considerations, we began planning to allow more Minnesota workers to safely return to work. We drafted and implemented guidelines and requirements for appropriate social distancing, hygiene, and public health best practices. Executive Order 20-38 expanded exemptions for outdoor recreational activities and facilities, and Executive Orders 20-40, 20-48, 20-56, 20-63, and 20-74 allowed for the gradual reopening of certain non-critical businesses that planned for and provided safe workplaces.

The experience of other states shows that a COVID-19 surge can occur with little warning and disastrous consequences. Indeed, several states have had to reinstate limitations on businesses, gatherings, and activities as they have faced summer surges in COVID-19 cases. Although Minnesota had experienced a brief period of stable or decreasing numbers in COVID-19 cases, in the past week we have seen our cases begin to increase, with the largest single-day increase in cases in seven weeks reported on July 20, 2020. As such, we must continue to approach our reopening carefully, as the number of cases throughout the United States has increased rapidly in recent weeks. To that end, we know that certain public settings and establishments continue to pose a public health risk. In particular, the opportunities for COVID-19 transmission are elevated in confined indoor spaces, health care and congregate care facilities, settings where people gather and linger or where movement is unpredictable, and places where social distancing measures are not always possible. As we carefully consider and provide opportunities for a variety of businesses and other venues to scale up their operations, safety in these settings is a key priority.

According to the Centers for Disease Control and Prevention (“CDC”), face coverings are effective in preventing the transmission of respiratory droplets that may spread COVID-19. Recognizing the utility of face coverings to prevent wearers who are asymptomatic or pre-symptomatic, the Federal Occupational Health and Safety Administration recommends that employers encourage workers to wear face coverings at work.

Ideally, face coverings should be worn in combination with other infection control measures, including social distancing, but face coverings are especially important in settings where social distancing is difficult to maintain. As the CDC has explained, face coverings are most effective when they are worn by all individuals in public settings when around others outside of their households because many people infected with COVID-19 do not show symptoms. Consistent with this guidance, Minnesota has strongly recommended widespread use of face coverings since April. An increasing number of states are now mandating face coverings in certain settings to control the spread of COVID-19. As of July 17, 2020, 28 states, Washington D.C., and Puerto Rico have implemented a face covering requirement. With this order, we do the same to protect Minnesota.

In Minnesota Statutes 2019, section 12.02, the Minnesota Legislature conferred upon the Governor emergency powers to “(1) ensure that preparations of this state will be adequate to deal with disasters, (2) generally protect the public peace, health, and safety, and (3) preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management as well as carry out the provisions of Minnesota’s Emergency Management Act.

Minnesota Statutes 2019, section 12.21, subdivision 3(7), authorizes the Governor to cooperate with federal and state agencies in “matters pertaining to the emergency management of the state and nation.” This includes “the direction or control of . . . the conduct of persons in the state, including entrance or exit from any stricken or threatened public place, occupancy of facilities, and . . . public meetings or gatherings.” Pursuant to subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes 2019, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

For these reasons, I order as follows:

1. Paragraph 3 of Executive Order 20-74 is rescinded as of Friday, July 24, 2020 at 11:59 p.m. All other provisions of Executive Order 20-74 remain in effect.
2. Beginning on Friday, July 24, 2020 at 11:59 p.m., Minnesotans must wear a face covering in indoor businesses and indoor public settings, as described in this order and the related industry guidance, available at

# Executive Orders

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the Stay Safe Minnesota website (<https://staysafe.mn.gov>), as well as any other guidance referenced in this order. Workers must also wear face coverings outdoors when it is not possible to maintain social distancing. When leaving home, Minnesotans are strongly encouraged to have a face covering with them at all times to be prepared to comply with the requirements of this Executive Order.

3. **Definitions.** For purposes of this Executive Order, the following terms are defined as follows:
  - a. A “face covering” must be worn to cover the nose and mouth completely, and can include a paper or disposable face mask, a cloth face mask, a scarf, a bandanna, a neck gaiter, or a religious face covering. Minnesotans are encouraged to refer to CDC guidance on *How to Make Cloth Face Coverings*, available at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-make-cloth-face-covering.html>. Medical-grade masks and respirators are sufficient face coverings, but to preserve adequate supplies, their purchase and use is discouraged for Minnesotans who do not work in a health care setting or in other occupations that require medical-grade protective equipment (e.g., certain construction occupations). Masks that incorporate a valve designed to facilitate easy exhaling, mesh masks, or masks with openings, holes, visible gaps in the design or material, or vents are **not** sufficient face coverings because they allow exhaled droplets to be released into the air.
  - b. “Business” and “businesses” are broadly defined to include entities that employ or engage workers, including private-sector entities, public-sector entities, non-profit entities, and state, county, and local governments.
  - c. “Worker” and “workers” are broadly defined to include owners, proprietors, employees, contractors, vendors, volunteers, and interns.
  - d. “Social distancing” means individuals keeping at least 6 feet of distance from other individuals who are not members of their household.
  - e. “Household” means a group of individuals who share the same living unit.
  - f. “Living unit” or “living units” are broadly defined to include single family homes; mobile homes; shelters and similar facilities; family foster care homes; individual units of multi-unit dwellings; hotel or motel rooms; dormitory rooms; residential programs licensed under Minnesota Statutes 2019, Chapter 245D; and assigned units or rooms in a hospital, long-term care facility, residential treatment facility, or correctional facility. Additionally, a “living unit” or “living units” includes any other setting used as a residence and shared only with members of the same household.
  - g. “Higher education institution” means all post-secondary institutions, including but not limited to institutions licensed and registered with the Office of Higher Education, with a physical campus in the State.
4. **Federal activities.** Nothing in this Executive Order will be construed to limit, prohibit, or restrict in any way the operations of the federal government or the movement of federal officials in Minnesota while acting in their official capacity, including federal judicial, legislative, and executive staff and personnel.
5. **Legislative proceedings.** This Executive Order does not apply to Legislative proceedings and meetings.
6. **Judicial Branch.** This Executive Order does not apply to the Minnesota Judicial Branch. Requirements for face coverings in judicial branch facilities and at proceedings held by the judicial branch are subject to policies or orders of the Chief Justice.
7. **Tribal activities and lands.**

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# Executive Orders

- a. Activities by tribal members within the boundaries of their tribal reservations are exempt from the restrictions in this Executive Order but may be subject to restrictions by tribal authorities.
  - b. Activities within the boundaries of federal land held in trust for one of the 11 Minnesota Tribal Nations are exempt from the restrictions in this Executive Order but may be subject to restrictions by tribal authorities.
- 8. Exempt individuals.** The following individuals are exempt from face covering requirements of this Executive Order:
- a. Individuals with a medical condition, mental health condition, or disability that makes it unreasonable for the individual to maintain a face covering. This includes, but is not limited to, individuals who have a medical condition that compromises their ability to breathe, and individuals who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance. These individuals should consider using alternatives to face coverings, including clear face shields, and staying at home as much as possible.
  - b. Children who are five years old and under. Those who are under two-years-old should never wear a face covering due to the risk of suffocation. Those who are at least two are encouraged to wear a face covering if they can do so in compliance with CDC guidance on *How to Wear Cloth Face Coverings*, available at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-wear-cloth-face-coverings.html> (*i.e.*, without frequently touching or removing the covering).
  - c. Individuals at their workplace when wearing a face covering would create a job hazard for the individual or others, as determined by local, state or federal regulators or workplace safety and health standards and guidelines.
- 9. Situations where face coverings are mandatory.** Except for individuals who are exempt under paragraph 8 of this Executive Order, and except for the circumstances described in paragraphs 10 through 12, Minnesotans are required to wear a face covering:
- a. In an indoor business or public indoor space, including when waiting outdoors to enter an indoor business or public indoor space.
    - i. This requirement does not apply in living units except that (1) workers entering another person's living unit for a business purpose are required to wear a face covering when doing so; and (2) visitors, patients, residents, or inmates of hospitals, shelters or drop-in centers, long-term care facilities, residential treatment facilities, residential programs licensed under Minnesota Statutes 2019, Chapter 245D, or correctional facilities must wear a face covering even when in a living unit if required by the facility.
    - ii. This requirement also does not apply in a private vehicle that is being used for private purposes.
  - b. When riding on public transportation, in a taxi, in a ride-sharing vehicle, or in a vehicle that is being used for business purposes.
  - c. In any other business, venue, or public space which has opted to require a face covering when it would not otherwise be required by this Executive Order.
  - d. For workers only, when working outdoors in situations where social distancing cannot be maintained.
  - e. When applicable industry guidance, available on the Stay Safe Minnesota website

# Executive Orders

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(<https://staysafe.mn.gov>) specifically requires face coverings. In some instances, face shields may be required in addition to or instead of face coverings or may be allowed as an alternative to face coverings.

**10. Circumstances where mandatory face coverings may be temporarily removed.** Face coverings required under Paragraph 9 of this Executive Order may be temporarily removed under the following circumstances:

- a. When participating in organized sports in an indoor business or indoor public space while the level of exertion makes it difficult to wear a face covering.
- b. When exercising in an indoor business or public indoor space such as a gym or fitness center, while the level of exertion makes it difficult to wear a face covering, provided that social distancing is always maintained.
- c. When testifying, speaking, or performing in an indoor business or public indoor space, in situations or settings such as theaters, news conferences, legal proceedings, governmental meetings subject to the Open Meeting Law (Minnesota Statutes 2019, Chapter 13D), presentations, or lectures, provided that social distancing is always maintained. Face shields should be considered as an alternative in these situations.
- d. During practices or performances in an indoor business or indoor public space when a face covering cannot be used while playing a musical instrument, provided that social distancing is always maintained.
- e. During activities, such as swimming or showering, where the face covering will get wet.
- f. When eating or drinking in an indoor business or indoor public space, provided that at least 6 feet of physical distance is maintained between persons who are not members of the same party.
- g. When asked to remove a face covering to verify an identity for lawful purposes.
- h. While communicating with an individual who is deaf or hard of hearing or has a disability, medical condition, or mental health condition that makes communication with that individual while wearing a face covering difficult, provided that social distancing is maintained to the extent possible between persons who are not members of the same household.
- i. While receiving a service—including a dental examination or procedure, medical examination or procedure, or personal care service—that cannot be performed or would be difficult to perform when the individual receiving the service is wearing a face covering. Workers performing services for an individual who is allowed to temporarily remove their face covering under this provision must comply with face covering requirements in the applicable industry guidance, available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>).
- j. When an individual is alone, including when alone in an office, a room, a cubicle with walls that are higher than face level when social distancing is maintained, a vehicle, or the cab of heavy equipment or machinery, or an enclosed work area. In such situations, the individual should still carry a face covering to be prepared for person-to-person interactions and to be used when no longer alone.
- k. When a public safety worker is actively engaged in a public safety role, including but not limited to law enforcement, firefighters, or emergency medical personnel, in situations where wearing a face covering would seriously interfere in the performance of their public safety responsibilities.

**11. Situations where face coverings are strongly encouraged.** I strongly encourage Minnesotans to wear face

coverings in the following situations:

- a. During indoor or outdoor private social gatherings (*e.g.*, when visiting at a private home with friends or relatives who do not reside in the same household), particularly in settings where it is difficult or impossible to maintain social distancing.
- b. When riding in a private vehicle with a person or persons who do not reside in the same household.
- c. Inside your home, if you are infected with COVID-19 or experiencing COVID-19 symptoms and reside with others who could be infected.
- d. When participating as an athlete in indoor or outdoor organized sporting events, to the extent possible, where social distancing is not being maintained.
- e. Except for workers required to wear face coverings under paragraph 9.d, in any outdoor business or public outdoor space when it is not possible to consistently maintain social distancing, such as when entering or exiting a business, being seated, moving around in a space with others present, using the restroom, ordering food, or waiting in line.

**12. Child care, preschool, kindergarten through grade 12 schools, and higher education institutions.**

Child care settings and educational institutions have unique needs that do not always permit universal face coverings when indoors. Child care and schools also require additional flexibility surrounding the use of face shields, which increase visibility of facial expressions and lip movements to aid in speech perception and child development and learning. To provide for an effective developmental and educational environment, and to ensure safety for workers, students, and children, these businesses and institutions must comply with the following specific requirements on the use of face coverings and face shields. These specific requirements and recommendations apply only within the premises of the child care settings, preschool, kindergarten through grade 12 schools, and higher education institutions discussed in this paragraph 12. These specific requirements do not apply when school, child care, or higher education buildings are used for purposes other than child care, preschool, kindergarten through grade 12 education, or higher education—in which case, they should be treated like any other indoor public space or indoor business for purposes of this Executive Order.

- a. **Child care, preschool, and pre-kindergarten.** Child care settings—defined as family and group day care homes (licensed under Minnesota Rules 2019, Chapter 9502); child care centers (licensed under Minnesota Rules 2019, Chapter 9503); certified centers (certified under Minnesota Statutes 2019, Chapter 245H); legal nonlicensed child care providers (defined under Minnesota Statutes 2019, section 119B.011, subdivision 16); certain license-exempt Head Start, public and private school programs (defined under Minnesota Statutes 2019, section 245A.03, subdivision 2(a)(5), (13), and (26)); and other Head Start, preschool and pre-kindergarten programs—serving children five-years-old and under are required to comply with face covering and face shield guidance available at <https://www.health.state.mn.us/diseases/coronavirus/schools/masks.html>. Basic requirements for these settings are detailed below, but child care providers must consult the guidance for the full list of face covering and face shield requirements, recommendations, and exceptions. These requirements, recommendations, and exceptions should be clearly documented in COVID-19 Preparedness Plans and made available to families and staff.
  - i. **Children five and under exempt.** Children five years old and under are not required to wear a face shield or face covering, and children under two should never wear a face covering due to the risk of suffocation. A child between the ages of two and five who can reliably wear a face covering or face shield in compliance with CDC guidance on *How to Wear Cloth Face Coverings* (<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-wear-cloth-face-coverings.html>) (*i.e.*, without frequently touching or

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removing the covering) may do so, except that children who are sleeping, unconscious, incapacitated, or otherwise unable to remove a face covering or face shield without assistance or who cannot tolerate a shield or covering due to a developmental, medical, or behavioral health condition should not wear a face covering or face shield.

- ii. **Workers exempt.** Workers meeting exemption criteria described in paragraph 8 of this Executive Order should not wear a face covering and should wear a face shield only if able to do so safely.
  - iii. **Groupings.** To reduce the risk of exposure, child care settings should maintain consistent groups or cohorts of children and related workers and should take steps to avoid intermixing groups or cohorts of children and workers to the extent possible.
  - iv. **Communal space.** Unless exempt, workers and children must wear a face covering or face shield in all indoor communal areas where groups intermix (*e.g.*, center or building hallways, lobbies, restrooms, breakrooms, etc.).
    - A. Non-exempt workers and children who are required to wear a face covering or shield may remove the covering or shield temporarily to engage in certain activities that make wearing a face shield difficult or impracticable (*e.g.*, when eating or drinking; when communicating with an individual who is deaf or hard of hearing or has a disability, medical condition, or mental health condition that makes communication with that individual while wearing a face covering difficult; when participating in certain physical activities or playing certain instruments, or when performing or presenting; during activities, such as swimming, where the face covering will get wet; or when receiving a service, such as nursing or medical service, that would be difficult or impossible to perform with a face covering), provided that social distancing is maintained to the extent possible.
    - B. Face coverings or face shields are strongly recommended outdoors for non-exempt workers and children when it is difficult or not possible to maintain social distancing.
  - v. **Classrooms and in-home care.** A child care setting may allow non-exempt staff and workers to remove face coverings or face shields when in an indoor classroom or care setting (including family child care and in-home care providers) that is confined to one group or cohort. Non-exempt workers and children are strongly encouraged to wear coverings or shields in these settings to the extent possible, especially when social distancing cannot be maintained, unless wearing a covering or shield would interfere with child development.
  - vi. **Optional exemption for children.** If a child care provider cares for children who are five and under, but also cares for children older than five, the business can exempt children older than five from face covering and face shield requirements only if the exemption is clearly communicated in writing with all enrolled families and included in the business's COVID-19 Preparedness Plan.
  - vii. **More protective face covering policies permitted.** Nothing in this Executive Order should be construed as preventing a child care setting from developing a face covering policy that imposes more protective requirements, consistent with applicable law, than those in this Executive Order or applicable industry guidance.
- b. **Kindergarten through grade 12 schools.** Kindergarten through grade 12 schools must comply

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with face covering and face shield guidance available at <https://www.health.state.mn.us/diseases/coronavirus/schools/k12planguide.pdf>. The basic requirements for these settings are detailed below, but these schools must consult the guidance for the full list of face covering and face shield requirements, recommendations, and exceptions.

- i. In general, unless the individual is exempt under paragraph 8.a or .c of this Executive Order or is under the age of two, all students, staff, and other persons present indoors in school buildings and district offices or riding on school transportation vehicles are required to wear a face covering. This paragraph 12.b does not apply to child care, pre-kindergarten or preschool programs on school premises, which are subject to the requirements of paragraph 12.a.
- ii. Face shields may be used as an alternative to face coverings in the following situations:
  - A. For students who are unable to tolerate a face covering due to a developmental, behavioral, or medical condition.
  - B. For teachers of all grades when a face covering would impede the educational process.
  - C. For staff providing direct support student services when a face covering would interfere with the services provided.
  - D. For students in kindergarten through grade 8 when wearing a face covering is otherwise problematic for the student.
- iii. Staff may remove face coverings when working alone, including when alone in an office, classroom, vehicle, cubicle with walls at least face level when social distancing is maintained, or other enclosed work area.
- iv. In addition, staff, students, and other persons present indoors in a school building or district office may temporarily remove face coverings in the following situations, provided that social distancing is maintained to the extent possible:
  - A. When engaged in physical activity (*e.g.*, during recess or physical education) or sporting events where the level of exertion makes wearing a face covering difficult or impracticable.
  - B. When eating or drinking.
  - C. During practices or performances involving singing, acting, public speaking, or playing musical instruments that make wearing a face covering difficult or impracticable.
  - D. In response to requests to verify an identity for lawful purposes.
  - E. When communicating with an individual who is deaf or hard of hearing or has a disability, medical condition, or mental health condition that makes communication with that individual while wearing a face covering difficult.
  - F. During activities, such as swimming or showering, where the face covering will get wet.
  - G. While receiving a service—including nursing, medical, or personal care ser-

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vices—that cannot be performed or would be difficult to perform when the individual receiving the service is wearing a face covering. Workers performing a service for an individual who is allowed to temporarily remove their face covering under this provision must comply with the face covering requirements in the applicable Industry Guidance, available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>).

- v. Except for staff, children, or other persons who are exempt under paragraph 8.a or .c of this Executive Order or are under the age of two, face coverings (or, where applicable, face shields) are strongly recommended outdoors when it is not possible to maintain social distancing or where it will likely not be possible to maintain social distancing.
- c. **Higher education institutions.** Students and staff in higher education institutions must comply with the requirements of this Executive Order, except that students and faculty are permitted to wear face shields as an alternative to face coverings in the following situations:
  - i. When faculty are teaching a class or giving a lecture, or when students are participating in classroom activities, where it is important for the face to be seen (for example, certain activities in language or communications classes).
  - ii. Where a face covering may pose a hazard due to the nature of the class or activity (for example, in a laboratory component of a class).
  - iii. When staff or faculty are providing direct support student services and a face covering impedes the service being provided.

**13. Inclusion of face covering requirements in businesses' COVID-19 Preparedness Plans.** All businesses must update their COVID-19 Preparedness Plans to include the face covering requirements of this Executive Order, including those that have been incorporated into the Industry Guidance applicable to their business available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>), inform their workers how their plan has been updated, and make the revised plan available to their workers. The Industry Guidance applicable to the business may include face covering requirements that are more protective than those of this Executive Order, consistent with applicable law.

**14. Notice of face covering requirements.** Businesses must post one or more signs that are visible to all persons—including workers, customers, and visitors—instructing them to wear face coverings as required by this Executive Order.

**15. Implementation of face covering requirements by businesses.**

- a. Businesses must require that all persons, including their workers, customers, and visitors, wear face coverings as required by this Executive Order.
- b. When possible, businesses must provide accommodations to persons, including their workers and customers, who state they have a medical condition, mental health condition, or disability that makes it unreasonable for the person to maintain a face covering, such as permitting use of an alternate form of face covering (*e.g.*, face shield) or providing service options that do not require a customer to enter the business.
- c. Businesses may not require customers to provide proof of a medical condition mental health condition, or disability, or require customers to explain the nature of their conditions or disability.
- d. Businesses must follow the requirements of other applicable laws with respect to whether a business may require a worker to provide documentation of a medical condition, mental health

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condition, or disability related to their inability to wear a face covering and what the business may ask regarding the condition or disability.

- e. Nothing in this Executive Order requires businesses or their workers to enforce this requirement when it is unsafe to do so, or authorizes them to restrain, assault or physically remove workers or customers who refuse to comply with this Executive Order.
- f. Nothing in this Executive Order authorizes businesses or their workers to violate other laws, including anti-discrimination laws.

- 16. More protective policies permitted.** Nothing in this Executive Order should be construed to prevent a business from developing a policy that imposes more protective requirements with respect to face coverings, consistent with applicable law, than those in this Executive Order or applicable industry guidance. This Executive Order does not authorize landlords or property managers to require tenants and others to wear face coverings in tenants' living units. Landlords and property managers must provide a clear means for tenants and others to request a reasonable accommodation to face covering requirements in common areas.
- 17. Safe work.** The protections noted in Executive Order 20-54 (Protecting Workers from Unsafe Working Conditions and Retaliation) remain in full force and effect. Businesses are responsible for the safety and health of their workplaces and must adhere to the requirements set out in the Industry Guidance applicable to the business, available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>), Minnesota OSHA Standards, and MDH and CDC Guidelines, including the face covering requirements of this Executive Order. Under existing law and authority, DLI may issue citations, civil penalties, or closure orders to places of employment with unsafe or unhealthy conditions, and DLI may penalize businesses that retaliate against employees who raise safety and health concerns.
- 18. Enhanced local measures permitted.** Nothing in this Executive Order or previous Executive Orders should be construed to prohibit or prevent political subdivisions from implementing, within their jurisdictions and pursuant to applicable law and authority, requirements beyond those contained in this Executive Order, as long as the additional requirements have a real or substantial relation to the public health crisis caused by COVID-19. Pursuant to Minnesota Statutes 2019, section 12.32, political subdivisions may not relax or reduce this Executive Order's requirements. In other words, to the extent that they have authority to do so, cities and other political subdivisions may take actions that are more protective of the public health, consistent with applicable law, but may not take actions that are less protective of the public health.
- 19. Relationship with other law.** Wearing a face covering in compliance with this Executive Order or local ordinances, rules, or orders is not a violation of Minnesota Statutes 2019, section 609.735.
- 20. Enforcement.** I urge all Minnesotans to voluntarily comply with this Executive Order.
- a. **Individual violations.** Any individual who willfully violates this Executive Order is guilty of a petty misdemeanor and upon conviction must be punished by a fine not to exceed \$100. This does not apply to: (1) children younger than 14 years old; or (2) students 14 years old and older who are enrolled in a school or higher education institution identified in Paragraph 12 of this Executive Order, and who are on the premises of the school or institution for educational purposes.
  - b. **Business violations.**
    - i. **Business compliance with this Executive Order.** As provided in paragraphs 13 through 15 of this Executive Order, a business is compliant with this Executive Order if (1) their workers are wearing face coverings as required by this Executive Order; (2) the business has updated their COVID-19 Preparedness Plan to address the face covering requirements of this Executive Order; (3) the business has posted one or more signs that are visible to

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all persons—including workers, customers, and visitors—instructing them to wear face coverings as required by this Executive Order; and (4) the business makes reasonable efforts to enforce this order with respect to customers and visitors. For additional information about the steps businesses can take to ensure compliance with this order, refer to the face covering guidance and FAQs available at the Facemasks and Personal Protective Equipment webpage (<https://www.health.state.mn.us/diseases/coronavirus.html#masks>). The guidance and FAQs may also be accessed at the following webpages: <https://www.health.state.mn.us/diseases/coronavirus/facecover.html> (guidance document) and <https://www.health.state.mn.us/diseases/coronavirus/facecoverfaq.html> (FAQ document).

- ii. **Penalties for non-compliance.** Any business owner, manager, or supervisor who fails to comply with this Executive Order is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000, or by imprisonment for not more than 90 days. In addition to these criminal penalties, the Attorney General, as well as city and county attorneys, may seek any civil relief available pursuant to Minnesota Statutes 2019, section 8.31, for violations of this Executive Order, including civil penalties up to \$25,000 per occurrence from businesses and injunctive relief.
- c. **Regulatory enforcement.** State and local licensing and regulatory entities that regulate businesses for compliance with statutes, rules, and codes to protect the public are encouraged to assess regulated businesses' compliance with this Executive Order and use existing enforcement tools to bring businesses into compliance.
- d. **Individual rights.** Nothing in this Executive Order is intended to encourage or allow law enforcement to transgress individual constitutional rights.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on July 22, 2020.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

Approved by the Executive Council on July 22, 2020:

**Alice Roberts-Davis**  
Secretary, Executive Council

# 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.

## **Emergency Medical Services Regulatory Board (EMSRB) Notice of Completed Application In the Matter of the License Application of Gaylord Ambulance Service**

**PLEASE TAKE NOTICE** that the Emergency Medical Services Regulatory Board (hereinafter EMSRB) has received a completed application from **Gaylord Ambulance Service, Gaylord, Minnesota**, for a new license to provide Part-Time Advanced Life Support.

**NOTICE IS HEREBY GIVEN** that, pursuant to Minn. Stat 144E.11, subd. 3, each municipality, county, community health board, governing body of a regional emergency medical services system, ambulance service and other person wishing to make recommendations concerning the disposition of the application, shall make written recommendations or comments opposing the application to the EMSRB **within 30 days or by August 27, 2020, 4:30 p.m.**

Written recommendations or comments opposing the application should be sent to: Tony Spector, Executive Director, EMSRB, 2829 University Avenue S.E., Suite 310, Minneapolis, Minnesota 55414-3222. If no more than five comments opposing the application are received during the comment period, and the EMSRB approves the application, the applicant will be exempt from a contested case hearing, pursuant to Minn. Stat. 144E.11, subd 4(a). If more than five comments in opposition to the application are received during the comment period, or the EMSRB denies the application, the applicant may immediately request a contested case hearing, or may try to resolve the objections of the public and/or the EMSRB within 30 days, pursuant to Minn. Stat. 144E.11, subd. 5(a)(b). If the applicant is unable to resolve the objections within 30 days, or if the applicant initially requests a contested case hearing, one will be scheduled and notice of the hearing given pursuant to Minn. Stat. 144E.11, subd. 5(c)-(e).

Date: July 20, 2020

Tony Spector, Executive Director

## **Minnesota Department of Health (MDH)**

### **Division of Health Policy**

### **Notice of Proposed Revised Rules: Minnesota Uniform Companion Guide for the Implementation of the ASC X12/005010X222A1 Health Care Claim: Professional (837), version 15.0; and Minnesota Uniform Companion Guide for the Implementation of the ASC X12/005010X223A2 Health Care Claim: Institutional (837) Version, version 15.0**

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Health (MDH) is seeking information or opinions from outside sources regarding proposed revised versions (version 15.0) of the Minnesota Uniform Companion Guides (MUCG) for the implementation of the following ASC X12N transactions:

ASC X12/005010X222A1 Health Care Claim: Professional (837); and  
ASC X12/005010X223A2 Health Care Claim: Institutional (837).

For brevity, the proposed revised MUCG for the implementation of the ASC X12/005010X222A1 Health Care

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Claim: Professional (837) transaction is hereinafter referred to as “v15 837P” or “v15 837P MUCG.” Similarly, the MUCG for the implementation of the ASC X12/005010X223A2 Health Care Claim: Institutional (837) transaction is hereinafter referred to as the “v15 837I” or “v15 837I MUCG.”

**Contact Person.** MDH requests that information and opinions concerning the applicability and functionality of proposed revisions be submitted to Susie Blake as described below. Interested persons or groups may submit data or views in writing, to be received no later than 4:00 p.m. August 26, 2020. Electronic submissions should be sent in Word format. Written statements should be addressed to Susie Blake, Minnesota Department of Health, P.O. Box 64882, St. Paul, MN 55164-0822, or submitted via e-mail at: [health.asaguides@state.mn.us](mailto:health.asaguides@state.mn.us) or faxed to: (651) 201-3830. E-mail is preferred.

**Public Review Process.** MDH will provide free copies of the proposed v15 837P and 837I MUCG in paper or electronic PDF format, to persons and organizations interested in reviewing them. The proposed v15 MUCG will be available for viewing and downloading at the MDH Health Care Administrative Simplification webpage at <https://www.health.state.mn.us/facilities/ehealth/asa/index.html>. Comments and suggestions for improvements of the proposed rule will be accepted at the above address until 4:00 p.m. August 26, 2020.

After the Commissioner of Health has considered all comments received, the Commissioner will publish a notice of adoption of the above referenced MUCG, as well as any possible additional revisions, as rules in the State Register. The adopted versions will be known as version 16.0 and will supersede any previous versions. The version 16.0 rules will take effect 30 days subsequent to the notice of adoption.

**How to Obtain the Proposed Changes to Minnesota Uniform Companion Guides.** Free copies of the proposed version 15.0 rules as described above are available for viewing or downloading on the World Wide Web at: <https://www.health.state.mn.us/facilities/ehealth/asa/index.html>.

**Description of the Rules.** Minnesota Statutes, section 62J.536, requires the Minnesota Commissioner of Health, in consultation with the Minnesota Administrative Uniformity Committee (AUC), to promulgate rules pursuant to section 62J.61 establishing and requiring group purchasers, clearinghouses, and health care providers to exchange specified health care administrative transactions electronically, using the applicable single, uniform companion guide adopted by the Commissioner of Health. Under Minnesota Statutes, section 62J.61, the Commissioner of Health is exempt from chapter 14, including section 14.386, in implementing sections 62J.50 to 62J.54, subdivision 3, and 62J.56 to 62J.59.

The v15 MUCG referenced above are proposed by the Commissioner of Health and were developed in consultation with the Minnesota Administrative Uniformity Committee (AUC) and its Claims DD and Medical Code Technical Advisory Groups (TAGs).

**Changes and Updates to Previously Adopted Rules.** The Commissioner of Health, in consultation with the AUC and its Technical Advisory Groups (TAGs), determined that it is necessary to make revisions to the previous versions of the 837P and 837I MUCG that were most recently adopted into rule and that remain in force as of the publication date of this notice. The previously adopted MUCG that are currently in force were published as “version 14.0” and are available at: <https://www.health.state.mn.us/facilities/ehealth/asa/rules.html>. The proposed new versions of the rules are “version 15.0” and will be available at: <https://www.health.state.mn.us/facilities/ehealth/asa/index.html>.

Pursuant to Minnesota Statutes, section 62J.61, because the Commissioner of Health has determined that it is unduly cumbersome to publish the entire text of the proposed rule revisions, the Commissioner is publishing this notice of the proposed revisions to the adopted rules now in force.

The proposed version 15.0 rules describe the standard data content and other characteristics of the 837P and 837I transactions noted above, for use by entities subject to Minnesota Statutes, section 62J.536.

When the proposed rules are adopted, they:

Are to be used in conjunction with all applicable Minnesota and federal regulations, including 45 CFR Parts

160, 162, and 164 (HIPAA Administrative Simplification, including adopted federal operating rules) and related X12N and retail pharmacy specifications (X12N and National Council of Prescription Drug Plans (NCPDP) implementation specifications);

Supplement, but do not otherwise modify, the ASC X12N and NCPDP implementation specifications in a manner that will make their implementation by users to be out of compliance; and

Must be appropriately incorporated by reference and/or the relevant transaction information must be displayed in any companion guides provided by entities subject to Minnesota Statutes, section 62J.536. In particular, the applicable information in the adopted rules must be appropriately incorporated by reference and/or displayed so as to satisfy requirements of the *Code of Federal Regulations 45 § 162.1203* and § 162.1603 for companion guide compliance with the “CORE v5010 Master Companion Guide Template.”

## **Modifications.**

The primary goals of the proposed v15 837P and 837I MUCG modifications included:

- streamlining, simplifying, and modernizing the MUCG for current and future audiences and end-users;
- assuring greater consistency across all MUCG required pursuant to Minnesota Statutes, section 62J.536, with similar organization and uniform information and instructions where applicable throughout;
- assuring that the MUCG met Minnesota Department of Health requirements that material published on MDH websites is accessible to those with visual, cognitive, and other impairments; and
- assuring that the MUCG were as accurate and useful for end-users as possible.

The changes above were required at least in part because some of the v14 837P and 837I MUCG documents currently in force included content, references, organization, and formatting that had been unchanged for nearly a decade. It was important to delete, replace, revise, supplement, and/or reorganize information and instructions that had become extraneous or out of date to make the documents more relevant, clear, and useful.

At the same time, it was important to update the look and usability of the 837P and 837I MUCG to match the expectations of users who were increasingly accessing information via websites and links to webpages. These changes also make the MUCG easier to maintain and to revise in the future, while also contributing to greater consistency across all MUCG and in meeting accessibility requirements for information posted on MDH webpages. As described below, the most substantive revisions are in the significant reduction and reorganization of the opening “front matter” introductory material at the start of the MUCG, as well as a major reorganization and streamlining of a part of the v14 837P and 837I MUCG known as “*Appendix A: Medical Code Set -- Supplemental Information for Minnesota Uniform Companion Guides.*”

## **The following changes are proposed in both of the above referenced version 15.0 MUCG:**

We are proposing that the title page and introductory front matter of both the current 837P and 837I MUCG be reduced and simplified to be consistent with similar revisions in the most recent version of the MUCG for the *Implementation of the X12/005010X221A1 Health Care Claim Payment Advice (835)* that was adopted into rule in August 2019 (posted at <https://www.health.state.mn.us/facilities/ehealth/auc/guides/docs/cg835.pdf>).

In the v14 837P and 837I MUCG currently in force, the front matter included 20 sections/sub-sections. In v15, we propose editing and condensing this material to 11 sections, with the following key changes:

We propose editing, reorganizing, and condensing the first three sections in v14 (“1. Overview,” “2. Purpose of this document and its relationship with other applicable regulations,” and “3. How to use this document”) into 2 sections in v15 (“1. Introduction and Overview” and “2. Transactions specific instructions and information to be used with the 005010X223A2”).

As part of this reorganization of the introductory front matter:

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We propose moving summary information in the title page in v14 to a new section 1.3 in v15.

Sections 1-1.2.1 in v14 contained lengthy verbatim excerpts of relevant statutes. We propose replacing them with a single, much shorter section 1.2 in v15, and replacing the verbatim statutory excerpts with links to the statutes.

For brevity, we propose removing a lengthy document revision history now in v14 (section 1.6.2) from v15, and instead making it available as a separate stand-alone document to be posted on the AUC website when the final version (v16) is adopted into rule.

For brevity and because the information is now generally familiar, we propose removing sections “1.4 About the Minnesota Administrative Uniformity Committee,” “1.3 About the Minnesota Department of Health,” and “3.1 Classification and display of Minnesota-specific requirements” from v15.

As a result of the proposed actions above, the current v14, section 4 regarding “Transaction Specific Information” is now section 3 in v15. In addition, we have proposed edits to the entries in the table in v15, section 3 to take into account the reorganizations described above.

We are also proposing significant revisions, and a major shift in purpose, to the v14 “*Appendix A: Medical Code Set -- Supplemental Information for Minnesota Uniform Companion Guides*” in the v15 873P and 877I. This new direction is due to the fact that Appendix A was originally developed to help end users identify and become better informed regarding certain medical coding instructions and requirements specific to the federal Medicare program, as well as alternative coding that might be required or preferred in situations where Medicare did not apply.

However, in recent years, the purpose of Appendix A has shifted to what is now described in v15 as addressing “needs, priorities, and improvement opportunities identified by the AUC and the broader health care community.” This shift in approach has also resulted in changes in the selection, description, organization, and presentation of Appendix A content. Given these significant changes, we are also proposing to rename the v15 Appendix A to “*Appendix A: Code Set Supplemental Information for Minnesota Uniform Companion Guides*.”

While the specific medical coding content of the revised v15 873P and 877I MUCG Appendix A is not the same, we do propose a similar, common organization and presentation of the content. In particular, in both the v15 MUCG revised Appendix A we propose:

Updating, editing, reorganizing, and condensing the introductory front matter (Appendix A, sections A.1 – A.5.1 in v14) to make it simpler and easier to follow, as well as to highlight the revised purpose of the Appendix as described above, in new sections A.1 – A.4 in v15.

Organizing the coding instructions into new key categories to make finding and using the instructions easier and more logical. In addition, we propose adding, deleting, or editing coding instructions to ensure that the contents of the appendix are relevant and/or correct.

In particular, v14 included many coding notations to “Follow Medicare coding guidelines” or indicating that some information was “not applicable” to the MUCG. In v15, we propose largely deleting these notations as now being generally self-evident and no longer relevant to the current purpose of Appendix A.

We further propose revising the approach used for providing coding instructions for services or programs related to or administered by the state’s Medicaid agency, the Minnesota Department of Human Services (DHS), in Appendix A. In the v14 MUCG, medical coding instructions specific to DHS programs and services are often provided in a narrative form in the MUCG document. However, DHS must sometimes rapidly revise its coding instructions or requirements due to recent state legislative action, federal requirements, or other factors. If this should occur, the narrative summary information published MUCG may quickly become outdated, no longer accurate, and out of conformance with the DHS requirements.

In order to ensure that the coding instructions for DHS-related services and programs remains accurate and up to date, we propose in v15 to replace the current narrative descriptions of the coding requirements with links to the relevant information on the DHS website. This change streamlines the presentation of information in the MUCG, and also helps assure that the MUCG remain current and in step with changes in DHS medical coding requirements as they occur.

Overall then, the effect of the proposed revisions to Appendix A summarized above is to substantially reduce the number of entries in the v14 837P and 837I “*Table A.5.1 Minnesota Coding Specifications: When to use codes different from Medicare*” as well as to reorganize them into key categories. In addition, in some cases, the entries were edited or new entries were added to provide medical coding information of particular relevance to the AUC and the broader health care community.

Finally, we propose several minor wording, formatting, and grammar-related changes in both the v15.0 837P and 837I MUCG.

**The following proposed changes are specific to the v15 837P MUCG:**

As described above, the coding instruction entries that appeared in v14 Appendix A “*Table A.5.1 Minnesota Coding Specifications: When to use codes different from Medicare*” have been replaced in v15 by a more limited set of entries in a greatly modified Appendix A, organized according to the following sections and categories/topics:

- A.4.1., Claim type;
- A.4.2., Modifier 50 and bilateral procedures;
- A.4.3., Services referencing Minnesota Department of Human Services (Medicaid) statutes and/or codes;
- A.4.4., Miscellaneous;
- A.4.5, Substance Abuse Services; and
- A.4.6 Maternal and Child Health Billing Guide for Public Health Agencies

We propose removing the coding instruction entries below that appear in the v14 837P “*Table A.5.1 Minnesota Coding Specifications: When to use codes different from Medicare*” for the reasons briefly cited above, and not including them in the new v15 837P Appendix sections A.4.1 – A.4.6 referenced immediately above.

We propose deleting the following v14 coding instruction entries from the v15 837P Appendix A.

Entries now on Page 27 of v14:

- General Billing Requirements
- Admission and Registration Requirements
- Inpatient Hospital Billing
- Inpatient Part A Billing and SNF Consolidated Billing
- SNF Part B (Including Inpatient Part B and Outpatient Fee Schedule)
- Outpatient ESRD Hospital, Independent Facility and Physician/Supplier Claims

Entries now on Page 28 of v14:

- Processing Hospice Claims
- Physicians/Nonphysician Practitioners (Allergy, clinical immunology)

Entries now on Page 31 of v14:

- Physicians/Nonphysician Practitioners (Patient not in exam room)

Entries now on Page 35 of v14:

- Drugs and Biologicals
- Preventive and screening services

# Official Notices

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Entries now on Page 38 of v14:

- Medicare Summary Notices
- Remittance Advice
- Fee Schedule Administration and Coding Requirements
- General EDI and EDI Support Requirements, Electronic Claims and Coordination of Benefits Requirements, Mandatory Electronic Filing of Medicare Claims
- Completing and Processing the Form CMS-1450 Data Set
- Completing and Processing Form CMS-1500 Data Set
- Contractor Instructions for CWF
- Coordination with Medigap, Medicaid, and other Complementary Insurers
- Appeals of Claims Decisions
- Financial Liability Protections
- ANSI X12N Formats Other than Claims or Remittance

Entries now on Page 39 of v14:

- Billing Requirements for Special Services
- Miscellaneous Hold Harmless Provisions
- Reopening and Revision of Claim Determinations and Decisions
- Independent Diagnostic Testing Facility (IDTF)
- Competitive Bidding
- Department of Veteran Affairs (VA) Claims Adjudication Services Project
- Emergency Preparedness Fee for Service Guidelines

We propose adding a new entry for “*Community Emergency Medical Technician (CEMT) Services*” in Appendix A, Section “*A.4.3 Services referencing Minnesota Department of Human Services (Medicaid) statutes and/or codes.*”

We propose replacing the word “should” with “must” in several entries in sections A.4.1 – A.4.4 in v15. We also propose a lengthier, modified set of coding instructions for the “*Vaccine Administration*” entry that now appears in Section “*A.4.4 Miscellaneous*” in the v15 837P.

**The following changes are specific to the proposed v15 837I MUCG:**

As described above, the coding instruction entries that appeared in v14 Appendix A “*Table A.5.1 Minnesota Coding Specifications: When to use codes different from Medicare*” have been replaced in v15 by a more limited set of entries in a greatly modified Appendix A, organized according to the following sections and categories/topics:

- A.4.1., Claim type;
- A.4.2., Services referencing Minnesota Department of Human Services (Medicaid) statutes and/or codes;
- A.4.3., Miscellaneous; and,
- A.4.4 Substance Abuse Services.

We propose removing the coding instruction entries below that appear in the v14 837I “*Table A.5.1 Minnesota Coding Specifications: When to use codes different from Medicare*” for the reasons briefly cited above, and not including them in the new v15 837I Appendix sections A.4.1 – A.4.4 referenced immediately above.

We propose deleting the following v14 coding instruction entries from the v15 837P Appendix A.

Entries now on Page 25 of v14:

- General Billing Requirements
- Admission and Registration Requirements
- Inpatient Hospital Billing

Entries now on Page 28 of v14:

- Inpatient Part A Billing and SNF Consolidated Billing
- SNF Part B (Including Inpatient Part B and Outpatient Fee Schedule)

## Outpatient ESRD Hospital, Independent Facility and Physician/Supplier Claims

### Entries now on Page 30 of v14:

- Processing Hospice Claims
- Physicians/Nonphysician Practitioners
- Ambulance

### Entries now on Page 31 of v14:

- Drugs and Biologicals
- Preventive and screening services (Preventive services and coding as defined by Medicare)
- Preventive and screening services (Colonoscopy)

### Entries now on Page 32 of v14:

- Indian Health Services
- Medicare Summary Notices
- Remittance Advice
- Fee Schedule Administration and Coding Requirements
- General EDI and EDI Support Requirements, Electronic Claims and Coordination of Benefits Requirements, Mandatory Electronic Filing of Medicare Claims

### Entries now on Page 33 of v14:

- Completing and Processing the Form CMS-1450 Data Set
- Completing and Processing Form CMS-1500 Data Set
- Contractor Instructions for CWF
- Coordination with Medigap, Medicaid, and other Complementary Insurers
- Appeals of Claims Decisions
- Financial Liability Protections
- ANSI X12N Formats Other than Claims or Remittance
- Billing Requirements for Special Services
- Miscellaneous Hold Harmless Provisions

### Entries now on Page 34 of v14:

- Reopening and Revision of Claim Determinations and Decisions
- Independent Diagnostic Testing Facility (IDTF)
- Competitive Bidding
- Department of Veteran Affairs (VA) Claims Adjudication Services Project
- Emergency Preparedness Fee for Service Guidelines

We propose replacing the word “should” with “must” in several entries in sections A.4.1 – A.4.3 in the v15 837I. We also propose a lengthier, modified set of coding instructions for the “*Vaccine Administration*” entry that now appears in Section “*A.4.3 Miscellaneous*” in the v15

The v14 837I MUCG “*Appendix D: Required Reporting of National Drug Codes (NDC)*” was a copy of the same appendix from the v14 837P MUCG. We propose revising the v15 837I *Appendix D*, “*Section D.1.2.1 Data Requirements*” and “*D.1.2.2 Example 1*” with changes to the example so that it pertains to reporting NDC for outpatient claims, which is more germane to the 837I Appendix D.

Jan K. Malcolm  
Commissioner  
P.O. Box 64975  
St. Paul, MN 55164-0975

# Official Notices

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## Department of Labor and Industry Workers' Compensation Division

### Notice of updates to the Minnesota implementation guide for Version 3.1 of the Claims Release Standard for Purposes Of Serving And Electronically Filing Workers' Compensation Reports And Documents With The Commissioner On Or After August 31, 2020

Notice is hereby given that the commissioner of the Minnesota Department of Labor and Industry (DLI) is updating the Minnesota electronic filing and implementation guide (Minnesota implementation guide) for Version 3.1 of the Claims Release Standard (R3.1), which were adopted on May 22, 2020 (44 SR 1439). R3.1 and the Minnesota implementation guide will be used by self-insured employers, insurers and third-party administrators (called trading partners) that are required by law to electronically report workers' compensation claim information to the commissioner on or after August 31, 2020. They will also be used by the trading partners' vendors that facilitate submission of the electronic transactions to DLI on or after August 31, 2020.

**Statutory authority and background:** Under Minnesota Statutes, section 176.231, subdivision 5 (d) (2019, 1st sp. session), the commissioner must give at least 30 days' notice to self-insured employers and insurers, and publish notice in the State Register, of any updates to the Minnesota implementation guide. The requirements in the adopted versions of the Claims Release Standard and the updated Minnesota implementation guide supersede any conflicting rule. The versions of the Claims Release Standard and Minnesota implementation guide adopted by the commissioner are not rules under chapter 14, but have the force and effect of law as of August 31, 2020. The statute permits the commissioner to publish the initial notices in this subdivision before August 31, 2020, to ensure the adopted versions of the Claims Release Standard and Minnesota implementation guide are effective on that date.

The Minnesota implementation guide is the Minnesota-specific documentation that technically implements the R3.1 format; it explains how R3.1 is used in the Minnesota workers' compensation system for its first report of injury (FROI) and subsequent report of injury (SROI) electronic reporting structure. The FROI transaction is used to transmit new and updated claim information; the SROI transaction is used to transmit payment and denial information related to previously submitted claims. R3.1 defines the types of electronic transactions that can be reported. The adopted R3.1 standard and Minnesota implementation guide will be used in conjunction with all applicable Minnesota workers' compensation statutes and rules that are not replaced by the adopted standard and implementation guide.

**Updates to the Minnesota implementation guide.** On June 1, 2020, DLI published a Notice of Adoption of R3.1 and the corresponding Minnesota implementation guide in the *Minnesota State Register* (44 SR 49, p. 1439). The notice and implementation guide can also be viewed on DLI's webpage at *Electronic Data Interchange (EDI) And EFROI Web Portal*.

It is determined that additional updates to the Minnesota implementation guide are needed to correct grammatical errors and typographical errors and provide additional clarity to edits. Therefore, effective August 31, 2020, the adopted Minnesota implementation guide is updated from the guide published on June 1, 2020, as follows:

#### *Implementation guide updates*

- Removed edit requiring DN0042 not be present for UR transactions (p. 21)
  - Conflicted with other edits for transaction
- Removed FAQ pertaining to asbestosis claims (p. 98, moved to p. 12)
  - Moved to MTC Special Considerations section; information provided in FAQ section is no longer valid
- Added instructions for UCWCP claims to Minnesota FROI edit requirement descriptions and FAQs (pp. 94, 98)
  - Additional clarification

- Added recommended FTP naming convention for EDI transactions to allow for better traceability of transactions submitted as follows (p. 4):
  - MN.ACCOUNTNAME.SENDERPOSTAL.{FROI/SROI}.{T/P}.yyyyMMddHHmm.{counter}.xml
    - MN = State of MN
    - ACCOUNTNAME = trading partner name provided by MN (without spaces)
    - SENDERPOSTAL = 5-digit from header
    - FROI/SROI = batch type – default to SROI if both
    - T/P = test or production files
    - yyyyMMddHHmm = Year, month, day, hour and minute the file was uploaded
    - Counter = number of transactions in the file
    - .xml = file type
- Page Numbers
  - Updated page numbers, Table of Contents numbering, and publication date

#### *Appendix A. R3.1 MN Element Requirements Table updates*

- FROI Conditional Requirements Tab
  - Removed edit requiring DN0042 not be present for UR transactions
    - Conflicted with other edits for transaction
- FROI Conditional Requirements Tab
  - Removed edit requiring DN0206 to exist for AQ transactions
    - Inconsistency with Implementation Guide

#### *Appendix B. R3.1 MN Edit Matrix updates*

- Population Requirements Tab
  - Updated edit for DN0205 to indicate must not exist for variable work weeks
    - Correct typographical error
- Updated “Jurisdiction will apply edits” field to N for DN0414, DN0415, DN0435, DN0124, DN0147 and DN0242
  - Inconsistent with edits
- Updated Number of Full Denial Reason Codes to not required for PD transactions
  - Invalid edit for MTC

#### *Appendix C. R3.1 MN Event Table updates*

- Added the following clarifying language to headers in the FROI, SROI, and Periodic Tabs
  - “The legal timeframes for filing are controlled by the workers’ compensation law in effect at the time of filing.”

**How to obtain Claims Release 3.1 and the Minnesota implementation guide:** The adopted updated Minnesota implementation guide is available electronically for viewing and downloading on DLI’s website at *Electronic Data Interchange (EDI) And EFROI Web Portal*. The adopted Claims Release R3.1 is copyrighted by and can be purchased from the IAIABC at [www.iaibc.org](http://www.iaibc.org). Any person may arrange to review a paper copy of R3.1 and the Minnesota implementation guide at DLI by contacting DLI at [campus.ediguide.DLI@state.mn.us](mailto:campus.ediguide.DLI@state.mn.us) or 651-284-5011.

Dated: June 16, 2020

Nancy J. Leppink, Commissioner  
Department of Labor and Industry

# Official Notices

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## Minnesota Pollution Control Agency

### Watershed Division

#### Notice of Availability of the Draft Shell Rock River Watershed Total Maximum Daily Load (TMDL) and Watershed Restoration and Protection Strategy (WRAPS) reports and Request for Comment

The Minnesota Pollution Control Agency (MPCA) produced these reports to set pollution reduction goals and strategies for the watershed, and is requesting written comments during the public comment period:

- Public comment period begins: July 27, 2020
- Public comment period ends: 4:30 on September 25, 2020

**Agency contact person:** Written comments and requests for more information should be directed to:

Emily Zanon  
Watershed Division  
18 Woodlake Dr SE  
Rochester, MN 55904-6250  
Phone: 507-206-2613; 800-657-3864  
Email: [emily.zanon@state.mn.us](mailto:emily.zanon@state.mn.us)

The draft reports are available for review at: <https://www.pca.state.mn.us/water/watersheds/shell-rock-river>

The official public notice for the reports and information on public notice procedures is available for review at the MPCA public notices webpage: <https://www.pca.state.mn.us/public-notices> – find it located under public notices issued on July 27, 2020.

## Department of Natural Resources

### Division of Lands and Minerals

#### Notice of Proposed Conveyance to Correct Boundary Line Issues

**NOTICE IS HEREBY GIVEN**, that the Minnesota Department of Natural Resources, Division of Lands and Minerals, proposes to make a conveyance, under the authority of Minnesota Statutes, section 84.0273, to correct boundary line issues affecting the ownership interests of the state and adjacent landowner, Lorris A. Wendland, Trustee of the Lorris A. Wendland Irrevocable Trust dated May 5, 2020. The conveyance involves land located in Lot 11, Block 15, in the Plat of the Town of Frontenac in Goodhue County, Minnesota. The reason for the conveyance is to clarify the boundary line between Wendland and the State. The State and Wendland wish to make their mutual boundaries more definite and certain, and clarify their legal descriptions to coincide more accurately with the actual use on the ground.

For more information about this conveyance or a copy of the proposed conveyance, contact Vicki Sellner, Department of Natural Resources, Division of Lands and Minerals, 1525 Third Avenue East, Hibbing, Minnesota 55746; telephone 218-231-8454, TTY: 1-800-657-3929, [vicki.sellner@state.mn.us](mailto:vicki.sellner@state.mn.us).

## Teachers Retirement Association

### Board of Trustees

#### Notice of Meeting

The Minnesota Teachers Retirement Association Board of Trustees will hold a meeting on Wednesday, August 5, 2020 at 1:00 p.m. in Suite 400, 60 Empire Drive, St. Paul, MN to review applications and fill the active member vacancy on the TRA Board. Board members may participate in the meeting by electronic means.

If Governor Walz's social distancing requirements remain in place on the meeting day, the meeting will be held by electronic means. The public may monitor the meeting electronically from a remote site as set out on the agency's website, which can be found at [www.minnesotatra.org](http://www.minnesotatra.org).

## Minnesota Department of Transportation (MnDOT) Notice of Public Meeting for the Disposition of Railbank Property in Beltrami County

The Minnesota Department of Transportation has ownership of the railbank corridor, and is proposing the sale of a 6,693 square foot strip of railbank property to the county of Beltrami. This notice is published pursuant to State Statute 222.63, and Minnesota rules 8830.5820 and 8830.5840

A public meeting will be held through virtually at the following web address: Join as an attendee: **Public Meeting: Review/Comment Railbank Conveyance** on Thursday, August 20, 2020 from 10 to 11 am to afford the public an opportunity to view and comment on the proposed sale.

The sale property would benefit an upcoming road project to the purchaser, Beltrami County.

If any person objects to the above action, written notification must be received by September 21, 2020 by the Department's contact for the above matter: Rebecca Swenson, Transportation Program Specialist 3, Office of Land Management, 395 John Ireland Blvd, St Paul MN 55155-1800. You may also call at 612-322-0387.

To request an ASL or foreign language interpreter, or other reasonable accommodation, call Janet Miller at 651-366-4720 or 1-800-657-3774 (Greater Minnesota); 711 or 1-800-627-3529 (Minnesota Relay). Alternatively, send an email to [janet.rae.miller@state.mn.us](mailto:janet.rae.miller@state.mn.us). Please request at least one week in advance.

## 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) Non-Construction Related Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for P/T contract opportunities, goods/commodities, and non-construction related services on its Vendor and Supplier Opportunities website (<http://minnstate.edu/vendors/index.html>). 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.

# State Contracts

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If you have any questions regarding this notice, or are having problems viewing the information on the Vendor and Supplier Opportunities website, please call the Minnesota State Procurement Unit at 651-201-1444, Monday-Friday, 9:00 am – 4:00 pm.

## **Minnesota State Colleges and Universities (Minnesota State)**

### **Northland Community and Technical College**

#### **Notice of Request for Redesign of Northland Community & Technical College's New Public-Facing Website**

NOTICE IS HEREBY GIVEN that Northland Community & Technical College Requests for Proposal (RFP) for a consultant(s) to assist with a Website Redesign (strategy, high-level architecture, content development, user flows and visual UI/UX redesign) of its new public-facing website. The vendor selected will work with college employees and other external parties through multiple meetings utilizing technology formats. To receive a copy of the full RFP, please contact Shannon Jesme either by telephone (218) 683-8577 or email at [shannon.jesme@northlandcollege.edu](mailto:shannon.jesme@northlandcollege.edu).

Proposals are due by 5:00 p.m. central time, Monday, August 10, 2020 and are to be addressed to Shannon Jesme, Northland Community and Technical College, 1011 Highway 1 East, Thief River Falls, MN 56701. Any questions should be in the form of an RFI and directed to Chad Sperling at email [chad.sperling@northlandcollege.edu](mailto:chad.sperling@northlandcollege.edu). Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation.

## **Minnesota State Colleges and Universities (Minnesota State)**

### **Riverland Community College**

#### **Request for Proposal for Public Art Design and Commissioning**

Riverland Community College is seeking a RFP for our Transportation, Trade and Industrial Education project for Percent for Art opportunity. The proposal seeks a contract to provide Public Art Design and Commissioning work for our Albert Lea campus. This RFP shall not obligate Riverland Community College to award a contract.

The deadline for the proposal is August 20, 2020 at 2 PM. View RFP at: <https://www.minnstate.edu/vendors/index.html>

Submit to: Brad Doss  
CFO  
1900 8th Ave NW  
Austin, MN 55912  
507 433-0523  
[brad.doss@riverland.edu](mailto:brad.doss@riverland.edu)

Other department personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

## **Minnesota Public Employment Relations Board**

### **Notice of Contract Opportunity for Minnesota Licensed Attorneys to Serve as Hearing Officers**

**PROJECT NAME:** The Minnesota Public Employment Relations Board (PERB) seeks to contract with multiple qualified Minnesota licensed attorneys to serve as Hearing Officers.

**DETAILS:** Persons serving as a PERB Hearing Officer will be required to prepare appropriately for proceedings; conduct unfair labor practice hearings; pre-hearing or settlement conferences; perform necessary legal research; and issue recommended decisions and orders.

Work is anticipated to start after July 1, 2020.

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

Kristine Bolander  
Interim Executive Director/General Counsel  
Minnesota Public Employment Relations Board  
1380 Energy Lane, Suite 1  
Saint Paul, MN 55108  
*kristine.bolander@state.mn.us*

**PROPOSAL DEADLINE:** Proposals submitted in response to the Request for Proposals in this advertisement must be received via email or US Mail, no later than **August 11, 2020**. **Late 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 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 2020 Plumbing Infrastructure Upgrade Program

**Airport Location:** Minneapolis St. Paul International Airport  
**Project Name:** 2020 Plumbing Infrastructure Upgrade Program  
**MAC Contract No.:** 106-2-938  
**Bids Close At:** 2:00 p.m., Tuesday, August 18, 2020

**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 includes but not limited to the replacement of deteriorated plastic waste pipe, removal of abandoned domestic water equipment, removal of a clogged trench drain, replacement of a sanitary grinder, and replacement of domestic water mixing station.

**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 *MAC's E-News Subscription Service Page* 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 4%.

**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 Construction Documents:** Plans and specifications are on file for inspection at the office of Michaud Cooley Erickson; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications may secure a complete set at <http://www.franzrepro.com>. Click on the "Plan Rooms" tab and select the "Franz Public Plan Room". Bidders may download the complete set of digital bidding documents for \$50.00 by entering 106-2-938-00 in the "search projects" box then click "refresh/search" button. Contact Franz at 761-503-3401 or [support@franzrepro.com](mailto:support@franzrepro.com) for assistance. Hard copy drawings and specifications are available for purchase at Bidders expense.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on July 27, 2020, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).

